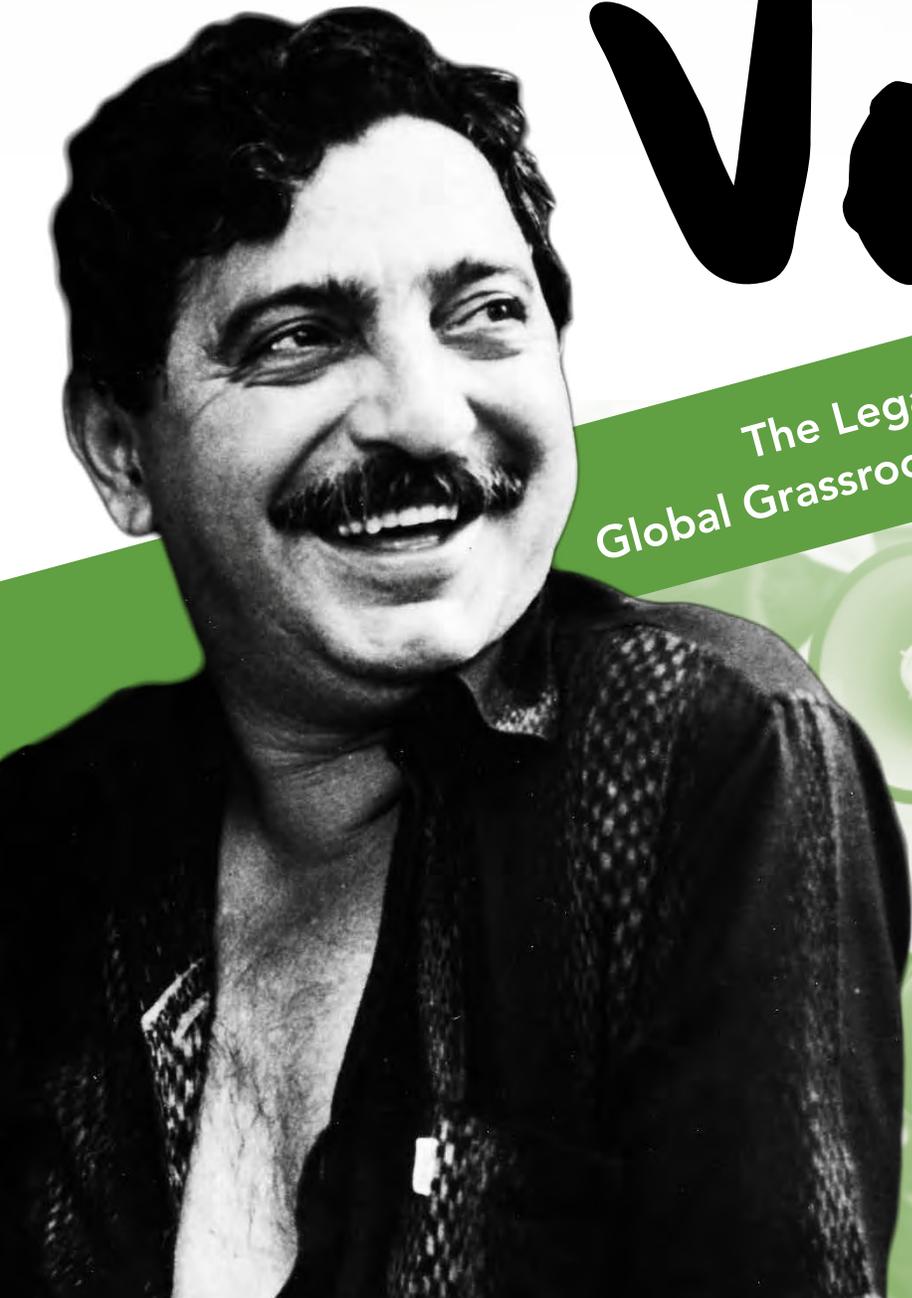


# Chico Vive

The Legacy of Chico Mendes and the  
Global Grassroots Environmental Movement



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and the Global Grassroots Environmental Movement

**LINDA RABBen, EDITOR**

Cambridge Institutes Press



Forest Peoples Programme



Rainforest Foundation US





*This book is dedicated with gratitude  
to environmental and human rights defenders  
around the world*



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# Preface and Acknowledgments



LINDA RABBEN



Faculty Fellow, American University School of International Service

Every few years, Gomercindo Rodrigues would ask me to organize a conference in the United States to mark the anniversary of Chico Mendes' assassination. In 2005 I'd translated Gomercindo's book, *Walking the Forest with Chico Mendes*, but he didn't remember the first time we'd met, in Xapuri, Acre, in mid-1988, six months before Chico's death. At that time, I was visiting Chico with anthropologist Mary Allegretti and filmmaker Miranda Smith. It was an experience that would change my life, as well as Miranda's.

But Gomercindo had little time for visiting *gringas*. As Marina Silva observed in her keynote speech at the Chico Vive conference, "It was very difficult to deal with . . . Gomercindo because he was such a radical, and Chico Mendes had to make a great effort in order to bring matters at least to a middle position." Chico was outgoing, a prankster, salt of the earth. Gomercindo was intense and determined. About 15 years later we became collaborators and friends.

In January 2013 Gomercindo asked me once again if I would organize a conference to mark the 25th anniversary of Chico's assassination; I was ready to say yes. Unemployed and looking for a project, I had the time. I still wanted to ask some colleagues what they thought of the idea and if they could help—it's impossible to organize an international conference alone. Half-a-dozen people agreed to join a planning committee, which eventually expanded to 10 members. All had been deeply involved in international environmental issues for many years, and several had known and worked with Chico. What a great group they were to work with! Gomercindo joined the committee, too. Over the years he had developed a wry sense of humor and a knack for collaboration.

The planning for the conference, *Chico Vive: The Legacy of Chico Mendes and the Global Grassroots Environmental Movement*, started in February 2013. It wasn't practicable to schedule it for the 25th anniversary of Chico's death, December 22, 2013, so we organized a memorial service at a local church on that date, which happened to fall on a Sunday. This was the opening event to commemorate Chico's life, death, and legacy. We set the date of the conference for April 2014.

For more than a year I struggled to raise more money than I'd ever raised before; find an affordable and suitable venue; and recruit activists, experts, policymakers and other participants from around the world. I endured countless rejections, frustrations and brush-offs; hired simultaneous interpreters; and handled a thousand-and-one logistical details. Even with 10 committee members and a growing cohort of volunteers, it wasn't easy. But it was one of the most worthwhile projects I've ever undertaken.

We knew we didn't want to put on a nostalgia fest.

Early on, Andrew Revkin—whose important book about Chico, *The Burning Season*, is still in print 25 years after its first publication—transformed my idea of the conference. Traveling almost constantly to meet local environmental activists, Andy understood that Chico still lived in the hearts of people around the world. He suggested that we go beyond Chico's story, to trace the evolution during the 25 years since his death of the global grassroots environmental movement that is an important part of his legacy.

In addition, several of the committee members are longtime human rights advocates. We wanted to highlight the dedication, courage, and persistence of environmental defenders who risk their lives and livelihoods to protect their communities and the environment that supports them. We also hoped to protect the grassroots activists who follow in Chico's footsteps from the threats, harassment, criminalization and murder that made him a martyr.

As keynote speaker John Knox pointed out: "In 2012 . . . Global Witness . . . counted the number of people killed over the previous 10 years who were defending their human rights in the context of land or environmental rights. It found that 711 individuals were killed over that 10-year period; that works out to an average of more than one a week." For environmental defenders, activism is a life-and-death affair.

These compelling themes became the foci of the conference.

Thanks to the generosity of the Ford Foundation, the Gordon and Betty Moore Foundation, the Heinrich Böll Foundation, 20 co-sponsors and other donors (listed below), the Chico Vive conference took place April 4-6, 2014, at American University's School of International Service (SIS) in Washington, D.C. SIS generously provided the venue and logistical assistance without charge.

Of the conference's 30-plus speakers, 14 were grassroots activists from 10 countries, from Australia to Tanzania. Almost 200 people attended all or part of the event, which included two keynote speeches, five panel sessions, three workshops, performances by musicians, poets, and a dancer, a photographic exhibition, and a mini film festival. It felt like a grand success.

Yet several foundations had rejected our applications for financial support because, they said, "Conferences don't produce measurable outcomes." Admittedly it is difficult, perhaps impossible, to quantify the effects of two days of human encounters.

One of our main goals was to bring together diverse activists and allies who otherwise might never have met, and inspire them to plan strategies for coordinated international actions, networks, coalitions and initiatives. It might take a while, but I believe the achievement of the Chico Vive conference ultimately will be measured by the collaborative actions that grow out of those encounters.

We trust that the publication of this Ebook will contribute to these positive outcomes.

## ARRANGEMENT OF THE BOOK

The book opens with Biorn Maybury-Lewis' Introduction, which puts the life, death, and legacy of Chico Mendes in historical, social, political, and economic context. A transcription follows of the memorial service honoring Chico Mendes on the 25th anniversary of his death. Twelve sections adhere to the conference agenda of introductions, keynote speeches, panel sessions, workshops, film festival, and poems. Eleven speakers' PowerPoint presentations conclude the book. Sue Cunningham's photographs of conference participants and environmental defenders appear throughout the book.

## ACKNOWLEDGMENTS

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Please forgive any inadvertent omissions from these lists. The conference organizers continue to be very grateful for the help of many people around the world.

In Memoriam: Lauro de Barros (Brazil/USA, 1948-2014); Francisco Canayong (Philippines, murdered 2012); Adrian Cowell (UK, 1934-2011); Terry Freitas, Ingrid Washinawatok, and Laheenae Gay (USA, murdered in Colombia, 1999); Robert Goodland (UK/USA, 1939-2013); Gonzalo Alonso Hernandez (Spain, murdered in Brazil 2013); Wangari Maathai (Kenya, 1940-2011); Jairo Mora Sandoval (Costa Rica, murdered 2013); Prajob Nao-opas (Thailand, murdered 2013); Perween Rahman (Pakistan, murdered 2013); José Claudio Ribeiro and Maria do Espirito Santo da Silva (Brazil, murdered 2011); Ken Saro-Wiwa (Nigeria, executed 1995); Sombath Somphone (Laos, disappeared 2012); Dorothy Stang (USA, murdered in Brazil 2005); Pe. Josimo Tavares (Brazil, murdered 1986); Noe Vazquez (Mexico, murdered 2013); Ambrósio Vilhalva (Brazil, murdered 2013); Chut Wutty (Cambodia, murdered 2012).

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## INTRODUCTION

# Chico Mendes: Environmentalism, Unionism or Visionary?



### BIORN MAYBURY-LEWIS



Biorn Maybury-Lewis is co-founder and executive director of the Cambridge [MA] Institute for Brazilian Studies.

Chico Mendes was one of millions of Brazilian rural workers who invested precious time and energy, often risking their lives, to help build the country's rural union movement.<sup>2</sup> Mendes led the effort to organize the rubber tappers in the western Brazilian Amazon state of Acre in the 1970s and 1980s. Like many ordinary people around the world, he and his comrades faced the critical question of how best to confront narrow-minded, often truculent, interests pursuing socially and environmentally catastrophic public policies.

This struggle culminated in Mendes' assassination by gunmen employed by Amazonian rural elites on December 22, 1988. The struggle in which he found himself goes on in the Amazon and around the world, wherever people are grappling with social and environmental problems. Such battles often are lethal.

Mendes' home institution was the Rural Workers' Union in Xapurí, Acre, a small town near the Bolivian-Brazilian frontier. Xapurí is the seat of a municipality by the same name, including a large swathe of Amazonian forest. At that time most of the rural workers in Xapurí were rubber tappers: extractors, processors, and sellers of natural latex from the rubber trees indigenous to the region.

Mendes' murder still reverberates in Brazil and far beyond his beloved Amazon. He died relatively young, at age 44, leaving a wife, three children, many friends and comrades. But what is the broader significance of his death? What difference did the life of this man from a remote corner of the Amazon make to the rest of us? What is Chico Mendes' legacy?

An objective answer to these questions is far from straightforward. In the immediate aftermath of Mendes' assassination, a fascinating debate began regarding the meaning of his life and death. It has real practical implications for the Amazon region, Brazil, and the world we live in now.<sup>3</sup> European, North American, and Brazilian environmentalists, who had allied themselves with Mendes in their efforts to do something about the deforestation of the Amazon, hailed him as a fellow environmentalist. They claimed he had paid with his life for his tenacious and creative defense of the rainforest.

Irritated by this interpretation, representatives of the Brazilian rural workers' union movement and their allies worldwide have maintained that people are killed in circumstances like those in contemporary Brazil, not for their efforts to protect the environment but for organizing the poor in social movements. For Brazilian unionists Mendes' environmentalism—though clearly significant—was not nearly as important as his role as a rural union leader. They argue that no rural worker is killed for saving trees, but rather for having the audacity to confront powerful

interests. By and large the unionists and their socialist allies maintain that we must remember Mendes as a victim of class warfare.

While both of these broad interpretations of Mendes' life work have significant elements of truth, neither ideal type of "Mendes as environmentalist" or "Mendes as radical unionist" quite captures his complexity. The principles embodied in this remarkable man's life reflect the central dilemmas of our times. He was more than the champion of one cause or another.

One cannot understand the crisis Mendes and the rubber tappers' movement of the Brazilian Amazon faced in the late 1980s without a brief description of the Brazilian rural workers' union movement as it emerged in the 1970s, during Brazil's right-wing military dictatorship, which lasted from 1964 to 1985. The dictatorship sought to eradicate, or at least keep under control, Brazil's social movements. When the dictatorship finally ended Brazil entered a five-year period (1985-90) of extraordinary tension and violence in the countryside, as both sides—the various categories of rural workers vs. the landlords and their allies—anticipated some kind of agrarian reform.<sup>4</sup> They jockeyed for position either to promote or to prevent it. The rubber tappers' movement was directly caught up in this rising rural tension, which culminated in Mendes' 1988 assassination.

Although corruption was a part of political life, the 1964-1985 Brazilian military regime was not a "kleptocracy." Rather, it was a military-led, expanding bureaucracy whose agenda included the elimination of progressive, sometimes quite radical, leftist social movements and guerrilla organizations and the fostering of Brazil's capitalist development. Moreover, the government intended to promote this development while keeping close control of unions and political parties. As the dictatorship grew more rigidly authoritarian after December 1968, these were allowed to exist only if they were state-sanctioned and subject to tight state regulation: a brand of Brazilian state corporatism.

Although Brazilian state actors could be lethally violent—particularly in their campaigns to eradicate urban and rural guerrilla movements in the 1960s and '70s—the government was not as murderous as its fellow bureaucratic-authoritarian regimes in neighboring countries, particularly Argentina, Uruguay, and Chile. Yet the Brazilian military state lasted by far the longest: 21 years. Moreover, one of its most important institutions, the Military Police, never underwent reform. The Military Police still constitute the main police force, under state government control, in each of Brazil's states. To this day Brazil continues to have one of the world's worst police forces according to a range of indicators, with high extrajudicial murder rates of civilians by police. Impunity is the norm.

The military regime began in 1964 by eliminating three

drives to organize the rural poor: the peasant leagues in Brazil's Northeast; the incipient Communist Party-led rural workers' movement in rural Rio de Janeiro state and parts of the interiors of the states of São Paulo and Bahia; and the small family-farmer movement, known as MASTER, in the southern state of Rio Grande do Sul.

The military killed, "disappeared," or forced into exile many of the leaders and rank-and-file of these three movements because it feared some kind of revolutionary success inspired by Fidel Castro's recent victory in the Cuban Revolution. The Brazilian generals were not going to allow a repeat in their country of any revolutionary movement in rural areas. Given that the generals embraced the Cold War mentality and policies of the time, the Brazilian military moved to physically eliminate the peasant and rural worker movements that had sprung up in the countryside.

Analyzing the character of the Brazilian military regime (right-wing, anti-populist, developmentalist, closely allied with the U.S. Cold War effort, initially fearful of Castroism), one might have expected the demise of rural organizing in the countryside following this early campaign of rural repression. Indeed nothing of significance did happen in the Brazilian countryside until the late 1960s, when a guerrilla campaign against the regime, led by the Communist Party of Brazil (*Partido Comunista do Brasil*, PC do B), began to operate in north central Brazil, in the Bico de Papagaio region of the southeastern Amazon. Committing gross human rights violations among the area's peasant population, the military would wipe out the PC do B forces in the first years of the 1970s.

Meanwhile a new form of rural organizing drive began in the northeastern state of Pernambuco.<sup>5</sup> This was not revolutionary unionism. On the contrary the unionists took advantage of state corporatist structures designed to coopt and regulate unions, to lead them to other ends than those the state intended. But they did so over the course of years of careful, slow, "two steps forward, one step backward" union activity.

Unionists embraced the military state's effort to extend some basic social and medical welfare to rural workers, beginning in the late 1960s and early 1970s. Many unions were founded to provide medical and dental services. The union movement leadership was divided internally, among those who simply collaborated with the military government's effort to control the countryside; those who wanted to do something more—essentially making their unions into health facilities; and those who wanted to use state-provided political space to organize workers. Under cover of such state-sanctioned activities, this last group raised the consciousness of rural workers, gave them a critical perspective on the dictatorship, and left the rank-and-file poised to enter democratic politics once the military left power. The military gradually withdrew from its

activities in the countryside, and the New Republic was launched in 1985.

These latter unionists engaged in the "politics of the possible": creatively taking over available political space and resources for a variety of land-rights struggles, wage campaigns, and denunciations of abuses. At the same time they tried to avoid provoking state actors or rural elites to react violently. Acre unionists associated with Chico Mendes and his predecessor, Wilson Pinheiro, participated in this progressive wing of the national rural workers' union movement beginning in the early 1970s.

The unionists' care to avoid violence did not always succeed. Hundreds of rural workers and their leaders were murdered, maimed, tortured, and "disappeared" during this trying and lengthy winding down of the military dictatorship.<sup>6</sup> Internal struggles within the national union organization also slowed the march of the union movement. Although the main organization, the National Confederation of Agricultural Workers (CONTAG), was in the hands of progressive unionists from northeast Brazil, unionists of right-wing political orientation controlled many state federations across Brazil, often supporting the military regime. These unionists were not rural workers themselves or were interested in taking advantage of alliances with military state actors. It was a long, hard struggle, with mixed results for those who wanted to do something in favor of the rural workers.

Much needed to be done, because the state kept at the top of its agenda its desire to push forward Brazil's capitalist development. State initiatives played important roles in accelerating a disorderly form of developmentalism<sup>7</sup> in the countryside. For example, massive, ill-planned, and costly road and railway building efforts in the interior served to strengthen landlords whose territories were "improved" by new proximity to transportation, as well as exporters of Brazil's valuable raw materials, particularly wood and minerals.

Hydroelectric dams were built, powering, above all, mining and other industrial operations. The resulting dams often flooded immense areas of land where rural workers and indigenous peoples lived, with indemnities coming, if at all, only years after destitute rural workers or tribal peoples had been scattered. In the 1970s and '80s the military government offered cheap credit and other fiscal incentives that invariably benefited large interests rather than smallholders and small-scale homesteaders. *All* of these contending interests were situated on Brazil's vast stock of poorly regulated public lands.

The developmentalist policies showed a clear pattern: fomenting inexorable redistribution of land to fewer and increasingly larger landowners. Brazil became the nation with one of the most unequal distributions of land in the world. Furthermore, a huge proportion of this territory

was left barely used or completely unused: a scandalous circumstance. Besides harming ordinary people in the countryside, these policies accelerated urbanization already under way. People left the countryside for the large and medium-sized cities, creating the contemporary panorama of Brazil's urban areas: immense shantytowns with the gangs, drug trafficking, violence, and despair so familiar to contemporary observers.

The rural workers' union movement—internally divided, always closely watched, and often intimidated or attacked—had its hands full. Yet by the time the military dictatorship ended in 1985, just under 10 million workers had succeeded in organizing themselves into more than 2,850 unions throughout Brazil, and CONTAG was widely respected as a combative, if necessarily cautious and bureaucratic, organization. By the mid 1980s there was an air of expectancy in Brazil: Would the long-overdue agrarian reform finally come about? And if so, *how*?

With the launching of the New Republic under civilian rule in 1985, Tancredo Neves, a centrist and astute politician from Minas Gerais, was elected president of the republic at the climax of an immensely complicated transition process. In the negotiations for the transition, Neves had made commitments to implement an ill-defined agrarian reform to ease the pent-up frustrations of the rural masses. However, in a major tragedy for Brazil and particularly for rural Brazil, Neves became gravely ill and died before taking office. His vice-president-to-be, José Sarney, a politician from the state of Maranhão who had led the military's civilian-elite allies, took office in Neves' stead.

Sarney had none of Neves' deft political skills. Moreover, as a member of Maranhão's rural elite and a man of deeply conservative political inclinations, he had always aligned himself with the military. With Neves' death and Sarney's ascension, fortune, it seemed, smiled on the military. Yet amid the confusion and uncertainty reigning during the first year of the Sarney administration (1985-86), many observers thought that Sarney, despite his past, could not avoid some sort of serious agrarian reform, given Tancredo Neves' prestige and his promises to bring about change. Indeed Sarney's initial rhetoric suggested that he would go ahead with a reform. Lines were drawn in the increasingly tense countryside.

The landlords of Brazil—truculent under the best of circumstances—held large cattle auctions to fund arms purchases "for the defense of their property." They founded the *União Democrática Ruralista* (UDR: Rural Democratic Union) under the leadership of the particularly inflammatory Ronaldo Caiado, a physician and hobby rancher from the central-western state of Goiás. Meanwhile the *Movimento dos Trabalhadores Rurais Sem Terra* (MST: the Movement of Landless Rural Workers), emerged in its home state of

Rio Grande do Sul in the mid '80s. Before the MST, only CONTAG and the officially sanctioned rural workers movement could exist without suffering immediate suppression by the military or gunmen (*pistoleiros*) employed by landlords. Now the MST, a social movement independent of the state and tired of the "slow but steady" approach that CONTAG had painstakingly developed under the dictatorship, began to push for rapid, radical change in the more open circumstances of the New Republic. CONTAG's star began to fade, and the MST began its rise as a nationwide social movement with a radical land-reform agenda and socialist ideology.

CONTAG, the MST, and the rural workers' movement were still under physical assault by the UDR throughout Brazil. Casualties in this unequal struggle were almost always among the poor. The state and the Brazilian legal system invariably found ways to ignore the persecution of and crimes against rural workers.<sup>8</sup> In fact the first victim in a land conflict zone whose murder was fully investigated—with indictments handed down, a trial of the accused, and the perpetrators sentenced to prison—was none other than Chico Mendes. This was despite the fact that lethal class warfare had raged for decades in the countryside. In this case the investigation only happened—to the surprise, no doubt, of Mendes' UDR enemies—because of his worldwide fame.

What were the circumstances in Acre in the late 1970s and '80s? Late in the twentieth century the owners of the rubber estates, who ruled the countryside from far away in the rubber warehouses and distribution centers of Manaus and Belém, thousands of miles downstream, had by and large abandoned their earlier claims to rubber estates in areas such as Xapuri in the far-western Amazon. The rubber business was in a protracted decline following its booms in the late nineteenth and early twentieth centuries and again during World War II. The rubber industry was essentially moribund by the 1970s. Rubber workers were left to their own devices: hunting, gathering, planting subsistence plots, tapping rubber, and collecting other forest products.

The military state decided that as a part of its Amazon road-building campaign, designed to link "land without men" (its perception of the Amazon) to "men without land," it would build highway BR-317, linking eastern Acre to BR-364, another major highway crossing Rondônia. In turn, BR-364 connects the western Amazon to central Brazil and the country's southeastern industrial zones. In short the new roads directly connected Acre to Brazil's most developed states and "men without land."

To characterize the Amazon as "without men" was a distortion of the truth that the military used to justify two policy objectives. The first was to defuse land conflicts in other regions of Brazil by giving workers the means to travel to the Amazon to seek "unoccupied" land. The

second was to offer rural capitalists, particularly in the cattle ranching sector, opportunities to establish large properties in areas near where projected highways in the western Amazon could bring windfall profits. This, the military maintained, would constitute a cornerstone of Amazonian "development."

In the 1970s these two processes precipitated the simultaneous movement of small and large-scale actors into Rondônia and Acre. Facing well-heeled southern ranchers who typically appeared with armed farmhands and, when deemed necessary, *pistoleiros* (professional gunmen), rubber tappers were expelled by the thousands from the jungle areas in Acre where they lived. To survive, many rubber tapper families went over the border to try their luck in Bolivia. Others crowded into the urban periphery of Acre's state capital, Rio Branco, transforming it from a sleepy provincial town into a bustling, medium-sized city composed mainly of shantytowns (*favelas*). Still others, often younger, single males, traveled to the mining camps springing up around the Amazon region.

The small and large property holders entering the region not only devastated the local rubber tappers' way of life, they destroyed indigenous peoples' lands and infected them with diseases against which they had no immunity, effectively ending tribal life for many. Meanwhile swidden (slash-and-burn) agricultural techniques of smallholders and ranchers' creation of enormous pastures by burning trees and planting grass, caused the monumental deforestation that brought the Amazon to the world's attention in the late 1980s. Massive fires started to appear prominently in satellite photographs of the region.

To help staunch the flow of workers out of the old rubber-tapping areas into Bolivia and Rio Branco's periphery, CONTAG arrived in Acre and led the organization of the first rural workers' unions and the state union federation in the 1970s. Elected president of the *Sindicato dos Trabalhadores Rurais* (STR: rural workers' union) of Brasília, a municipality near Xapurí, Wilson Pinheiro emerged as the de facto leader of the rubber tappers in the region. But the devastation of the rubber tappers, indigenous peoples, and the Amazon forest continued during the last years of the 1964-1985 military regime. At this time Chico Mendes entered the rubber tappers' movement, joining Wilson Pinheiro as a close ally, denouncing developmentalism, and working to protect the rubber tappers who remained in the forests.

In the late 1970s the Acre rural elites decided to take matters into their own hands because they regarded Wilson Pinheiro as a leader they could no longer tolerate. They were incensed that he and the Acre rural unionists had begun to organize themselves and make known the catastrophic consequences of developmentalism. Landlords ordered and carried out Pinheiro's murder in 1980.

Shortly after the Pinheiro murder, one of the individuals allegedly involved, a certain Nilão, was also shot and killed. In a facile display of how the Brazilian legal system is virtually never impartial in its dealings with the rural poor, the police leapt into action and accused members of the rubber tappers' movement of killing Nilão as revenge for Pinheiro's murder. The authorities used torture and intimidation to push forward the investigation. In their zeal to solve the Nilão murder, they effectively ceased pursuing Pinheiro's killers. At this moment, when Mendes was under attack from the authorities and was among those being prosecuted for killing Pinheiro's assailant (for which he was later acquitted), Mendes took over as the de facto leader of the rubber tappers' movement. During the remaining eight years of his life he would traverse Acre, a state slightly smaller than Wisconsin, often on foot, organizing unions community by community.

To reiterate our original question: What difference did the life of this man from a remote corner of the Amazon make to the rest of us—particularly those who are neither Brazilians nor familiar with the Amazon? To answer we must consider three parts of Mendes' legacy: his views on the role of violence in the rubber tappers' struggle; his views on development as opposed to developmentalism; and his efforts to build alliances. Together they make Mendes and the people who struggled and continue to struggle with him into figures of importance in contemporary *world* history.

Mendes sympathized with the despair and anger concerning Pinheiro's murderers, although there is no evidence that he or his comrades were involved in retaliatory action against the leader's alleged murderers; indeed, Mendes suffered with them the investigative techniques of torture normally involved in Brazilian legal inquiries involving inter-class crimes. But with his fellows he would develop an approach to organizing and dealing with deforestation that would eschew violence: a nonviolent, confrontational technique which the rubber tappers called the *empate*. The *empate* was an innovative method used to confront the workers employed by landlords and sent to cut down trees and brush before burning the detritus and immediately planting grass for the ranchers in the ashes.

In an *empate* men, women, and children of rubber tapper communities would stand unarmed in the way of tree cutters and their equipment, blocking the destruction and personally appealing to the laborers as people of the same social class. While physically facing such workers, the rubber tapper families would explain to them the folly of destroying the forest, pleading with them not to ruin an entire way of life for the pittance the landlords were paying them. It was arduous, tense, tenacious work, requiring persistence and courage, day after day, week after week, at great cost to people trying to scratch out a subsistence

living. But it proved successful on scores of occasions.

As a result of the successful empates the landlords' workers would withdraw, infuriating their employers. Fundamentally it was a nonviolent, communitarian, educational, and consciousness-raising approach, where all involved on both sides went away thinking that "this is different, this is special." Mendes' movement followed humbly in the footsteps of the historic luminaries of nonviolent resistance, Dr. Martin Luther King Jr. and the great Mahatma Gandhi himself. This was particularly striking given the lethal manner in which land conflicts normally unfolded in rural Brazil.

Mendes maintained that 45 empates had occurred through 1985, with 15 partial victories. These guaranteed the preservation of 1.2 million hectares of forest.<sup>9</sup> Meanwhile Mendes' movement was under attack for questioning the basic premises of developmentalism. He was accused of wanting Brazil to remain "in the Stone Age." In the regional media they dominated, Mendes' opponents typically asked in a denunciatory tone: What alternatives did the rubber tappers offer? Were Chico and the tappers against Progress?

The ideologues of modernization—ranging from World Bank and Inter-American Development Bank economists to their allies running military governments around Latin America—claimed that creating a strong capitalist economy would resolve the problems of all social classes. With a growing infrastructure of roads, dams, electrical and communication networks, along with a range of economic incentives (tax holidays, cheap credit, price subsidies for inputs) for those possessing capital, governments could foment capitalist development. Eventually the poor, too, would have more jobs and better lives: the classic version of "trickle-down" theory.

In Brazil officials of both the military government and the subsequent civilian regimes of the post-1985 New Republic defended a world order in which private capital—backed by state tax incentives, subsidies, infrastructure projects, and the security apparatus—would play the essential role in national development. They would accuse the rubber tappers' movement of being in favor of keeping Brazil in the pre-modern period. They went so far as to suggest that efforts like the rubber tappers' endangered the nation, because competitors around the world would overtake and threaten Brazil.

Mendes and his followers knew that denouncing the destruction and organizing empates would not be sufficient. They had to put their minds to inventing an alternative ideological and practical approach to Amazonian development that would halt the destruction and integrate forest dwellers into the regional development process—ending, once and for all, the developmentalist trope that Amazonian progress was destined for "men without land

in land without men." They could not afford to accept passively the accusation that they offered no alternatives for the Amazon and Brazil. For that work Mendes, as well as his fellow rubber tappers and assessores (advisers), turned to social scientists and non-Amazonian activists who also were deeply disturbed by trends under way in the Amazon. These included Mendes' friend, Mary Allegretti, an anthropologist from the state of Paraná. Together they invented the notion of the *extractive reserve*.

Combining federal government ownership of Amazon territories and usufruct rights of the forest dwellers inhabiting them, the extractive reserve was an original approach to the problem of Amazonian agrarian reform. For the first time a proposal emerged among those who lived there. The rubber tappers' idea took into consideration the nature of the Amazonian ecosystem, where the "wealth" of the region is not in the soils but in the forest canopy itself. Rubber and Brazil nuts are only the most obvious non-timber forest products that can be sustainably harvested. With research, forest dwellers could harvest innumerable other products while maintaining the forest in a manner approximating its "original" state. This would safeguard the rubber tappers while offering them the means to integrate on their own terms into the modern world.

Given the enormous debt, fiscal incentives, infrastructure development, and environmental destruction that trickle-down "progress" entailed, the idea also would probably be cheaper for Brazil. Mendes made it clear that he was not against development per se, but against developmentalism that relied on class bias, dismantling of the rubber tappers' communities, genocide of the indigenous people, debt to foreign banks, and environmental degradation. He and his allies effectively reframed the problem: No longer was it a matter of *if* development was to happen, but *how*.

Creativity and realism were the cornerstones of Mendes' new agrarian reform proposal for the Amazon. As the rubber tappers eschewed control over the land, fighting instead for control over the resources contained in extractive reserves, they combined the need to cooperate with scientist allies around Brazil and the world, embraced communitarian values, promoted entrepreneurialism, and ensured increasingly sophisticated education for their sons and daughters to carry forward this new vision. In telling fashion Mendes and the new National Council of Rubber Tappers reached out to their traditional enemies, the Indians, who held enormous knowledge of rainforest resources. With indigenous leaders they forged the Alliance of the Peoples of the Forest to pursue the newly articulated ideology and plan to create extractive reserves across the Amazon, where usufruct rights and environmental stewardship would prevail.

This set of alliances constitutes the third and crucial reason why Chico Mendes did not die a martyr only for the Amazon, but also for like-minded people around the globe. While organizing the rubber tappers into effective alliances, Mendes worked as a local politician in the military government's legal opposition party, the Brazilian Democratic Movement (MDB). As the military regime waned he was one of the national founders of the Workers Party (PT), allying himself with the urban union leader and eventual two-term president of Brazil, Luiz Inácio Lula da Silva. They in turn made common cause with democratic socialists around the world. Meanwhile Mendes' National Council of Rubber Tappers, his Alliance of the Peoples of the Forest, and his increasing national stature, as a man defending both his people and the Amazon forest, drew the attention of the international environmentalist movement that was increasingly horrified by the deforestation of the Amazon in the 1980s. Mendes began to collaborate with them, receiving prestigious prizes from the Better World Society and the United Nations for his environmental work. By "thinking globally and acting locally," Mendes transcended the Amazon and Brazil to become a world figure.

But in the western Amazon, regional logics of frontier conflict continued. The prizes and Mendes' growing influence among international bankers and U.S. senators weighing their support for the developmentalism in the Amazon infuriated his enemies. These same regional elites—the landlord class, the media, the political establishment, the police, and military circles—counted on impunity in cases of harassment and murder of leaders from Brazil's rural lower classes.

Chico Mendes was surrounded. However much he organized and forged alliances, he was still at the mercy of the lawless on Brazil's rural frontier, where political violence and impunity remained the norms. Eventually a minor landlord's son stalked and killed Mendes in front of his children and wife in December 1988. The murderers, from the Alves family, were condemned and served some prison time, but the legal system limited the inquiry regarding the motive to Mendes' dispute with the Alves family over a piece of territory in Xapurí. The allies of these violent individuals and their family live free to this day, still retaining the power to torment rubber tappers and indigenous people while burning the forest. There is a widely held belief (probably true) that the intellectual authors of Mendes' murder were never even questioned.

Given the importance Chico Mendes attained, it is no wonder that his work has been adopted as "our work" by both the socialist and environmentalist camps. Because of his socialist writings and speeches as a city councilman, his strong unionism and status as a co-founder of the PT—all well documented—the international socialist movement

claimed him as their martyr. Meanwhile the environmentalists, many of whom remained quite conservative politically, continued their efforts to protect the unique Amazonian biome while adopting Mendes as *their* own martyr. This branch of the environmental movement would have been shocked by his socialist and communist friends and left-wing discourse.

What renders both these camps' claims problematic is that Mendes advocated a pre-modern lifestyle—extractivism, hunting, fishing, subsistence farming—with a post-modern twist: entrepreneurialism, communitarianism, multi-ethnicity, all within an internationalist framework. Socialists are notoriously impatient with the peasant world view, which in many ways could be found among the tappers. From the Lula government to the FARC guerrillas in Colombia, leftists show little understanding of or sympathy for the tribal peoples of the Amazon or for the pre-modern production systems of Amazonian *caboclos* (descendants of Portuguese and indigenous people). Yet Mendes was creating his alliance of the Peoples of the Forest with both *caboclo* rubber tappers and indigenous groups. Similarly, environmentalists around the world may love pristine nature, but many are preservationists and have little understanding of or sympathy for a proposal for *managing* the environment, particularly if the managers are from a pre-industrial social formation and use rhetoric—as Mendes did—that could only be characterized as socialist.

Mendes and the movement he led are not easily classified in standard sociopolitical categories. He was neither exclusively a conservationist environmentalist nor a socialist. He certainly was not a preservationist environmentalist. Nor was he a complete pacifist, as he sympathized, early in his political career, with the rage of his peers at the murderers of Wilson Pinheiro — though he neither condoned nor perpetrated any retaliatory violence. Nor was he the passive subject of his public narrative: a pre-modern rubber tapper, focused ethnocentrically on himself and his world. He was self-consciously a protagonist in his people's struggle, with sophisticated, progressive ideas.

Mendes was attempting to reconcile potentially conflicting ideas of great consequence to his people, and his efforts served to show the way to others. He remained deeply rooted in a past social formation, so much so that he was desperate to find a way to "ease" it—as much as possible under the control of his rubber tapper peers—into the modern world. He wished to do so through an innovative, pragmatic approach to agrarian reform: the extractive reserve. And in this important way he was a man of the future and of the broader world. Better than any of us he intuitively understood how these sometimes contradictory ideas held and continue to hold together in a coherent whole.

## NOTES

<sup>1</sup> This introduction draws on an earlier version, published in Gomercindo Rodrigues, *Walking the Forest with Chico Mendes*, Linda Rabben, trans. and ed. (Austin: University of Texas Press, 2007). Biorn Maybury-Lewis is co-founder and executive director of the Cambridge Institute for Brazilian Studies (<http://cambridgebrazil.org/>). Thanks are due to Linda Rabben and James Ito-Adler for edits and critiques of this paper; any errors and omissions remain the author's responsibility. The author can be reached at [biornmayburylewis@CambridgeBrazil.org](mailto:biornmayburylewis@CambridgeBrazil.org).

<sup>2</sup> For analysis of the emergence of the rural union movement under the Brazilian dictatorship, see Biorn Maybury-Lewis, *The Politics of the Possible: The Brazilian Rural Workers' Trade Union Movement, 1964-1985* (Philadelphia: Temple University Press, 1994).

<sup>3</sup> See, for example, Alexander Cockburn and Susanna Hecht, *The Fate of the Forest: Developers, Destroyers, and Defenders of the Amazon* (London and New York: Verso, 1989); Tony Gross, org., *Fight for the Forest: Chico Mendes in His Own Words*, second ed. (London: Latin America Bureau, 1992); Edilson Martins, *Chico Mendes: Um povo da floresta* (Rio de Janeiro: Editora Garamond, 1998); Andrew Revkin, *The Burning Season: The Murder of Chico Mendes and the Fight for the Amazon Rain Forest*, third ed. (Washington, D.C.: Island/Shearwater, 2004); Alex Shoumatoff, *Murder in the Rain Forest: The Chico Mendes Story* (London: Fourth Estate, 1991); Márcio Souza, *O Empate Contra Chico Mendes*, second ed. (São Paulo: Marco Zero, 1990); Zuenir Ventura, *Chico Mendes Crime e Castigo* (São Paulo: Companhia das Letras, 2003).

<sup>4</sup> See Biorn Maybury-Lewis, "The Agrarian Reform Debate

in Brazil" (New York: Columbia University Institute for Latin American and Iberian Studies, Working Paper No. 14, 1990).

<sup>5</sup> See Maybury-Lewis (1994).

<sup>6</sup> See, for example, Amnesty International, *Brazil: Authorized Violence in Rural Areas* (London: Amnesty International, September 1988); *Campanha Nacional Pela Reforma Agrária, Violência no Campo* (Petrópolis, RJ: Vozes, 1985); Elias Fajardo, *Em Julgamento: A violência no campo (Relato das mortes analisados pelo Tribunal Nacional dos Crimes do Latifúndio)* (Petrópolis, RJ: Vozes/FASE/Instituto de Apóio Jurídico Popular, 1988).

<sup>7</sup> On developmentalism, see Biorn Maybury-Lewis, "The Concept of Developmentalism as the Leitmotif of David Maybury-Lewis' Advocacy Work: A personal and intellectual history," presented at the special session, "Legacies in Motion: A Consideration of the Work and Impact of David Maybury-Lewis," 109th Annual Meeting of the American Anthropological Association (New Orleans, Louisiana: November 20, 2010); David Maybury-Lewis, *Indigenous Peoples, Ethnic Groups, and the State*, second ed. (Boston: Allyn and Bacon, 2002), 1-44; and Jerome M. Levi and Biorn Maybury-Lewis, "Becoming Indigenous: Identity and Heterogeneity in a Global Movement," in Gillette H. Hall and Harry Patrinos, eds. *Indigenous Peoples, Poverty, and Development* (Cambridge, UK: Cambridge University Press, 2012), 105-110.

<sup>8</sup> See, for example, Amnesty International, *Brazil: Authorized Violence; Campanha Nacional Pela Reforma Agrária, Violência no Campo*; Fajardo, *Em Julgamento*.

<sup>9</sup> Maybury-Lewis (1994), 228.

## MEMORIAL SERVICE

# Chico Mendes on the 25th Anniversary of His Death, December 22, 2013

HOLY NAME CATHOLIC CHURCH, WASHINGTON, D.C.



Chico Mendes and his children, Xapuri, July 1988  
Reproduced with permission of Miranda Smith



Image by Ronaldo Moreira César

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**Chico Vive: The Legacy of Chico Mendes  
and the Global Grassroots Environmental Movement**  
April 4-6, 2014  
School of International Service  
American University  
[www.chicovive.org](http://www.chicovive.org)  
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Memorial service produced by Linda Rabben  
Michael McCarthy, liturgist  
Graphics by Zelda Bell

### Chico Mendes Memorial Service

December 22, 2013, 4 pm  
Holy Name Catholic Church  
920 Eleventh Street, NE  
Washington, DC 20002

## FR. MICHAEL BRIESE

Good afternoon. I'm Fr. Michael Briese, the pastor at Holy Name Church here in Washington. I want to welcome you to this parish and to our memorial service, honoring the 25th anniversary of the assassination of Chico Mendes. I understand that Chico was a Brazilian martyr for the cause of the environment, and he was also known for his advocacy for some of the poorest people in Brazil, among them the peasants and the other people of the rainforest.

But it is appropriate that we have this service here at Holy Name, because like Chico, so much of the work that we do, so much of the work that we've always done since the church was founded in 1891, has been centered around the poor among us, right here in our community. We do try to help people with rental assistance, utility payments, food assistance, especially for those who live in the immediate community. We try to put our faith in action on a regular basis.

I will close with a short selection from Pope Francis. Pope Francis has been able to make my homilies these past few Sundays because I've been able to get his Exhortation and read it. Much of what Pope Francis is so true today. It was true 50 years ago, it was true 2,000 years ago, it's true today. Here is a quote from his recent writing:

*An authentic faith, which is never comfortable or completely personal, always involves a deep desire to change the world, to transmit values, to leave this earth somehow better than we found it. We live on this magnificent planet on which God has put us, and we love the human family which dwells here, with all its tragedies and struggles, its hopes and aspirations, its strengths and weaknesses. For the earth is our common home, and all of us are brothers and sisters.*

## JOHN GARRISON

I'm going to read Psalm 24, 1 through 10:  
*The earth is the Lord's and everything in it, the world and all who live in it.  
For he founded it on the seas and he founded it on the waters.  
Who may ascend the mountain of the Lord? Who may stand in his holy place?  
The one who has clean hands and a pure heart and does not trust in an idol or swear by a false god.  
They will receive blessings from the Lord, vindications from God their savior.  
Such is the generation of those who seek him, who seek your face, God of Jacob.*

Lift up your heads, your gates be lifted up, you ancient doors, that the King of Glory may come in. Who is the King of Glory? The Lord strong and mighty, the Lord mighty in battle.

Lift up your heads, your gates, lift them up, you ancient doors, that the King of Glory may come in. *Who is he, this King of Glory? The Lord almighty, he is the King of Glory.*

## REV. JOSEPH ELDRIDGE

I was interested that when we walked in, we lit a candle. And they say it's much better to light a candle than it is to curse the darkness. I think Chico Mendes certainly lit a candle that is illuminating and continues to illuminate 25 years later. There is also a powerful witness in his conviction to drive the bad out with the good. So we're here to honor and remember him.

This is very familiar, from the Beatitudes from Matthew:

*When he saw the crowds he went up to the mountain, and after he sat down his disciples came to him and he began to teaching them, saying: Blessed are the poor in spirit, for theirs is the kingdom of Heaven. Blessed are they who mourn, for they will be comforted. Blessed are the meek, for they will inherit the land. Blessed are they who hunger and thirst for righteousness, for they will be satisfied. Blessed are the merciful, for they will be shown mercy. Blessed are the clean of heart, for they shall see God. Blessed are the peacemakers, for they will be called the children of God. Blessed are those who are persecuted for the sake of righteousness, for theirs is the kingdom of Heaven. Blessed are you when they insult you and persecute you and utter every kind of evil against falsely because of me. Rejoice and be glad, for your reward will be great in Heaven. Thus they persecuted the prophets who were before you.*

## BARBARA BRAMBLE

I am going to read some of Chico's own words from two very wonderful books. One is called *Fight for the Forest*; it was produced by Tony Gross. The other is called *Decade of Destruction*, by Adrian Cowell. So first, Chico says:

*My life began just like that of all rubber tappers, as a virtual slave, bound to do the bidding of his master. I started work at nine years old, and like my father before me, instead of learning my ABC I learned how to extract latex from a rubber tree. From the last century until 1970, schools were*

forbidden on any rubber estate in the Amazon. The rubber estate owners wouldn't allow it. First, because if a rubber tapper's children went to school, they would learn to read, write, and add up and would discover to what extent they were being exploited. This wasn't in the bosses' interests. Also it was better for production to have the children available for work rather than going to school.

So for many years, the great majority of us could neither read nor write. The rubber tapper worked all year hoping he would finally make a profit but always remained in debt. As he couldn't count, he couldn't tell whether he was being cheated or not.

But something out of the ordinary happened to me. One afternoon in 1962, someone new passed by our house on the rubber estate where we lived. He was a worker, a rubber tapper, but looked and spoke completely differently from the rest. He called by on a day when we had just got back from tapping and were busy curing the latex. He began to chat and the way he spoke intrigued me. He brought newspapers with him. At that time I didn't even know what a newspaper was, but I showed an interest in them and I think he realized I was keen. Anyway, my father and I arranged to go and see him.

And as you know Chico learned to write, to read, eventually he learned to organize. As a labor leader he got training and he helped to build the National Council of Rubber Tappers. So then he wanted to talk about fairly practical things. So he said:

*What are we really after? Despite the threats we're fighting for better marketing and price guarantees for rubber. We want better marketing policies and better working conditions for those harvesting Brazil nuts. But there are an infinite number of natural resources in the forest, so we also want the government to encourage the industrialization and marketing of other forest products that it has always ignored in the past. There are other questions to be considered: a sustainable fishing industry could be developed, exploiting the resource in a rational way. The enormous variety of plants and medicinal properties in this forest could prove very important to the country, if only some research was done.*

That is the man we remember. He was coming from very humble beginnings, but he learned how to be a practical leader. But he had to deal with something in the forest frontier that many of us have never had to face. He was dealing with the violence of the landowners who thought they should control the resource, and not the

people of the forest. So he talked about the dilemma of violence. Chico said:

*The trouble is that the landowners are quite happy about using violence. I'm very worried at the moment, because they have in fact killed a few people. We know they intend to start by picking off some of the workers and then go on to attack our leaders. This year they killed Ivair [Higino], who was just beginning to emerge as a leader. He had got involved with our movement through the church and was just learning the ropes. I don't want to see this happening; I don't want anybody getting killed. There's no point in me or any of my colleagues dying. I don't think that dead bodies solve anything, and I know that if that's the way things go, this place will become an inferno. We're going to do our best to see it doesn't happen. But if it did become necessary, I'm sure there would be a hundred, 150, 200 workers who would be ready to fight and decide this thing, once and for all. But that would mean a bloodbath here in Xapuri, repression, and a lot more besides. We don't want that to happen.*

When he was getting to know my partner, Adrian Cowell, they talked about their children, they talked about what they were dreaming, and Chico said this:

*We started fighting for the rubber tree and the Brazil nut tree and the good little life we had in the forest. And then we discovered that we were defending the whole of Amazonia. And now I have come to realize that what we are fighting for is all of humanity.*

As I'm sure you have all heard, these were some of his words toward the very end of his life:

*If a messenger from heaven descended to guarantee that my death would strengthen our cause, it would even be worth it. But experience teaches us the contrary. So I want to live. Public manifestations and numerous funerals have not saved anyone in Amazonia. I want to live.*

## PAULO SOTERO

I met Chico Mendes as a reporter in March of 1987 in Miami, when he came to talk to people at the annual meeting of the Inter-American Development Bank. Chico was then a 43-year-old union leader. He had left Brazil for the first time to raise awareness about the issues that Barbara just spoke about. There was a project involving the building of a road in his state that had started under the military regime that was no longer in Brazil. But there were many problems there. I know that this trip that Chico paid to the United States was organized by Adrian,

Barbara, Brent, Steve Schwartzman, Mary Allegretti and some others.<sup>3</sup>

In December of 1988 I had left journalism briefly to work as an external relations consultant to the IDB. It fell to me to announce the very sad news of Chico's assassination to Enrique Iglesias, then the president of the Bank [IDB], and to the Bank's senior management. Iglesias was genuinely shocked and concerned, and asked the staff to prepare an appropriate reaction. It was evident that Chico had been assassinated by those who had killed others and were then threatening him—the farmers, the loggers, etc.

I remember also that one of the most senior managers of the IDB at the time, a Brazilian who had been president of two federal banks during the military dictatorship, had his own idea about how the Bank should react. Not officially, he called me and suggested I should spread the rumor that the environmental activists were behind Chico's assassination, because the environmental movement would certainly benefit from the tragedy. Obviously, you never heard that rumor.

I think the reason someone could think about hiding the truth about Chico's death is that he was not very well known, especially in Brazil. Actually, in Brazil almost nobody knew Chico Mendes outside of Acre, a remote state in the southwestern Amazon. The gentleman that had asked me to lie about Chico's assassination was right, though, about its political implications, its impact. Chico's sacrifice became a watershed event in a country where democracy had been reinstated just two years before and was taking root. It galvanized domestic and international support for a sustainability agenda that would put Brazil eventually at the center of a global debate about the planet's future and opened political space for people like Marina Silva, Izabella Teixeira, and many other leaders of the environmental movement who inherited and embraced Chico's ideal.<sup>4</sup>

Today, the Brazilian federal institute for biodiversity and conservation bears Chico's name—it is the Chico Mendes Institute. More significantly, Chico is honored as one of Brazil's recognized great patriots, having been inducted by the Brazilian national Congress in the pantheon of national heroes in Brasilia. Obviously, the struggle for sustainability, for sustainable-based policies, has not gotten any easier since then. Its proponents continue to face very hard choices and personal threats in Brazil and across the world.

As we meet to celebrate Chico on the 25th anniversary of his passing, we can, though, be comforted and, I believe, encouraged by the thought that his death was not in vain. Chico lives.

## LINDA RABBen

This is a litany of martyrs. Chico Mendes was one of many who have died in Brazil as a result of defending their communities and the environment from destruction. According to Brazil's Pastoral Land Commission, since 1983 more than a thousand nonviolent activists have been killed by hired assassins from one end of the country to the other. Most of those responsible have never been brought to justice. We honor the martyrs by remembering them and saying their names. Here are the names of 14 people among the thousands who have died for their convictions and their dedication over the past 30 years:

Margarida Maria Alves, Paraíba, 1983

Marçal de Souza, National Hero of Brazil, Mato Grosso do Sul, 1983

Sr. Adelaide Mozinari, Pará, 1985

Fr. Josimo Tavares, Tocantins, 1986

Ivair Higino, Acre, 1988

Chico Mendes, National Hero of Brazil, Acre, 1988

Expedito Ribeiro de Souza, Pará, 1991

Galdino dos Santos, Bahia, 1997

Xicão Xucuru, Pernambuco, 1998

Sr. Dorothy Stang, Pará, 2005

Dionísio Júlio Ribeiro, Rio de Janeiro, 2005

Valmir Mota de Oliveira, Paraná, 2007

José Claudio Ribeiro da Silva and Maria do Espírito Santo, Pará, 2011

Blessed are the peacemakers. May God bless them and keep them; may God make her face shine upon them, and be gracious unto them; may God lift up her face upon them, and give peace to them—and us.

## FR. BRIESE

My sisters and brothers, we believe that God loves us and listens to the cries of those who call upon him, especially the poor. Confident that God hears the voices of those who trust in him, we join our together in prayer. Our response [R] is, "Lord, hear our prayer."

May we find the wisdom to care for the wonderful earth you have given us. Help us to act now for the good of future generations and all your creatures. Help us to become instruments of a new creation, founded on the covenant of your love, let us pray to the Lord:

R: Lord, hear our prayer.

We pray especially for our forests, which purify the water and air, protect the soil from erosion and strong winds, and preserve biological diversity, may they remain safe and protected from destruction, let us pray to the Lord:

R: Lord, hear our prayer.

Make us worthy to serve those people throughout the

world who live and die in poverty and hunger. Give them through our hands, this day, their daily bread, and by our understanding love, give them peace and joy, let us pray to the Lord:

R: Lord, hear our prayer.

We pray that Chico and all those who have died for their beliefs did not die in vain but will serve as witness to the cause of justice for many years to come. We pray for all those who have gone before us, especially those who may have died last night right here in this near- Northeast neighborhood and in this city of Washington with no one to pray for them, let us pray to the Lord:

R: Lord, hear our prayer.

Heavenly Father, your wish is for all of your children to live with dignity, with adequate food, shelter, health care, and education on this beautiful earth that you have given us. Help us take up your work as a community of faith and guide us as we seek just solutions to the issues of our earth and the poverty in our midst. Amen.

Let us now go forth in peace to honor Chico's memory by loving and serving the Lord and one another.

## PARTICIPANTS

Fr. Michael Briese is pastor of Holy Name Catholic Church, Washington, D.C.

John Garrison is the senior civil society specialist at the World Bank in Washington.

Barbara Bramble is a senior advisor at the National Wildlife Federation in Washington.

Paulo Sotero is the director of the Brazil Institute of the Woodrow Wilson Center in Washington.

Linda Rabben is a faculty fellow at American University's School of International Service and the coordinator of the Chico Vive conference.

Liturgy by Michael McCarthy.

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## (ENDNOTES)

<sup>1</sup> Ivair Higino was a member of the Xapuri Rural Workers Union and a candidate for local office when he was murdered in June 1988.

<sup>2</sup> Adrian Cowell (1934-2011) was a British documentary filmmaker and author who produced the "Decade of Destruction" series about the Amazon.

<sup>3</sup> Barbara Bramble is a senior adviser at the National Wildlife Federation. Brent Millikan is the Amazon program director of International Rivers. Steve Schwartzman directs tropical forest policy for the Environmental Defense Fund. Mary Allegretti, former Amazon secretary in Brazil's environment ministry, is a Brazilian anthropologist and an independent researcher who worked with Chico Mendes from 1981 to 1988.

<sup>4</sup> Marina Silva was a close associate of Chico Mendes. Brazil's environment minister from 2003 to 2008, she ran for the Brazilian presidency in 2010 and 2014. Izabella Teixeira was Brazil's environment minister from 2010 to 2014.

## THE CONFERENCE BEGINS

# Introductions of Grassroots Leaders



### ANDREW REVKIN



Andrew Revkin is the author of *The Burning Season: The Murder of Chico Mendes and the Fight for the Amazon Rain Forest* and the *Dot Earth* blog for the New York Times.

## LINDA RABBen

Andy Revkin is an eminent reporter and blogger for the *New York Times*. He runs the blog *dotEarth*. He travels the world speaking to grassroots groups and others about environmental issues. He was very important in figuring out what this conference was going to be about. At first we thought we would just talk about Chico, and then Andy said: "But people all over the world have heard of Chico, and they still see him as an example and a model. We should talk about the movements that have developed since Chico's passing, and what his legacy is." And that is what this conference is about. We will start with Chico, but that's only the beginning of the story.

What Andy will do is, he will ask each grassroots to come up to the front . . . and each speaker will have five minutes, just to introduce yourself and to describe a very little bit about your work and your struggle. Thank you all.

## ANDREW REVKIN, MODERATOR

It's a great privilege to be here. The issues that created Chico's opportunity to build a sustainable extractive movement in his part of the Amazon are reverberating all around the world, from Cambodia to Africa. Game wardens in Africa are putting their lives on the line to protect a vital natural resource, the elephants and the rhinoceroses that are in that part of the world. Everywhere there's a resource with value, there's conflict and there are people at risk. That's why it's valuable for this conference to be global in scope.

One more round of applause for Linda—I've got to

insist. Many people were involved in making this happen, but her determination, including finding sources of money, was just remarkable to watch—kind of indomitable force, which was really great. I just want to be sure that people understand that.

I wrote a book about Chico Mendes a long time ago, called *The Burning Season*. It came out in 1990, shortly after he was killed. I see the same issues over and over again. I've been an environmental journalist for 31 years—31 years!—and I see people creatively building collaborative relationships to get on-the-ground information out to the world that can help to sustain peoples and resources together.

We're not sure everyone's here. So if you're here, come forward, please. Take a seat or stand, and you'll have an opportunity to give a simple greeting. And if you're not here, well, you'll be here soon. I'm going to go through the list, starting with Edwin Cisco, from Liberia. Just come forward if you're here. Aunty Joan Hendriks, from Australia; Norman Jiwan, from Indonesia; Chief Liz Logan, from Canada; Godfrey Massay, from Tanzania; Raimundo Mendes de Barros [from Brazil]—I haven't seen Raimundo since 1990. *Tudo bem?*; Cristian Otzin, from Guatemala; Cristhian Prado Andrade, from Ecuador; Gomercindo Rodrigues, from Brazil; Georgina Shanley, from the U.S.; Taily Terena, from Brazil; Hiparidi Top'tiro, from Brazil; Ernesto Tzi, from Guatemala; Tek Vannara, from Cambodia; and Franco Viteri, from Ecuador. Everyone's here!

What would be great is if we could maybe start here. Just give a greeting and explain your mission: what wakes you up in the morning or keeps you up at night ... a brief introductory idea. So we'll start here, in Liberia.

# THE SPEAKERS

## EDWIN CISCO



I am Edwin B. Cisco. I am a third-generation plantation worker on the Bridgeton-Firestone Plantation in Liberia. The plantation is very close to a million acres, the single largest rubber plantation in Liberia. I currently serve as secretary-general of the Firestone Agricultural Workers Union of Liberia. We have had a cause over a period to ensure that over 80 years of degradation and bad labor practices are corrected. That is the work that we currently do in ensuring that we maintain basic labor rights for workers and at the same time ensuring a safe working environment for people in and around the Firestone Plantation. Thank you very much.

## JOAN HENDRIKS



Good afternoon, everyone. I would like to begin with very much part of my tradition to acknowledge that I am standing on the homelands of the first people that walked this land, and I pay my deepest respect that I'm allowed to be here. My name is Joan Hendriks, and I'm a fifth-generation of my apical ancestor, Junobin. We have 12 apical ancestral families on our island home, Minjerriba, North Stradbroke Island, which is off the coast of Brisbane, the capital of Queensland, one of the eight states in Australia. Historically we have been on our homelands 21,000 years. In saying that, over the past 226 years we have been probably the most assimilated group of people in Australia, because it was the first place of contact

in Queensland. I'm an elder in my community, passionate about reconciliation and justice and the need to protect our land, our spiritual connectedness to our land. We believe that the land is our very bloodline. Our bloodline to country is the critical issue for us. There are lots of issues on our island that we're dealing with today that I will leave for another time; I don't want to talk too much today. It's a great pleasure to be here with you all, and I'm looking forward to hearing the stories of the rest of the people here today. Thank you very much.

### NORMAN JIWAN



Thank you very much. I don't know what time it is now, but I suppose this is evening, very good evening to everybody. My name is Norman Jiwan. I identify myself as indigenous person of the Dayak indigenous people, native of Borneo, from Indonesia. I'm now working for Transformation for Justice Indonesia. Before that I was working for Sawit Watch, one of the social NGOs defending indigenous peoples and local communities' rights in the face of massive expansions of oil palm plantation industry. Before working with Sawit Watch I worked with Friends of the Earth Indonesia, and my own experience has been with working on the ground with my people, defending the people's rights, and defending our forests from expansion of not only oil palm plantations but also logging, mining, and many other extractive activities. One of our success stories is that in 2009 our campaign successfully stopped the World Bank funding palm oil industry for about two years. I'm happy to be here. I will be telling my stories and my experiences. Thank you to Forest Peoples Programme for sponsoring my visit to this important conference. Thank you very much.

### GODFREY MASSAY



Thank you. My name is Godfrey Massay. I work with a land rights organization based in Tanzania, and our major objective there is to advocate for the rights of the small-scale producers, who are depending mostly on agriculture for their survival. But the kind of agriculture which they're depending on is rain-fed agriculture. So they depend on nature for their survival. These are small-scale farmers and pastoralists. Pastoralists are the kind of people who depend on cattle. For them to live, they eat meat of the cattle, they drink milk; they also drink blood from cattle; they sleep on cattle hides. For them, a cow or cattle is everything. For them, to have the land that can help them graze over it for generations is everything. Our work there is to make

sure they are guaranteed their land rights. They use their land; they're given access to land to live comfortably. But these people who are small-scale producers are constantly threatened by large-scale investment in agriculture, which intends to take away their land. But they're further threatened by climate change, which is also affecting their livelihood. So our work there is to ensure that they deal with the climate change by making sure that they practice agriculture that is climate-smart or climate-resilient agriculture, as well as making informed use of their land, but as well making sure that the policies advocated by the government put into consideration their rights. So that is basically what we do. Thank you.

### LIZ LOGAN



Good afternoon, everybody. My name is Liz Logan. I'm the tribal chief of Treaty 8 Tribal Association, which is in northeast British Columbia, Canada. We're at the extreme north of the province. For those of you who don't know, it's the west province of Canada, and it's one of the most remote areas of British Columbia. All of the big cities are down in the lower mainland. I have been the chief of my own nation, the Fort Nelson First Nation, for eight years, and I have been tribal chief representing five nations of the Dené, Deneza, and the Cree people for the last nine years. I am the direct descendant of a hereditary chief who signed off a treaty with the government of Canada, a treaty that is over 110 years old, a treaty that has never been implemented, a treaty whose promises have never ever been acknowledged and is being breached every day.

And so, as a descendant of a great chief who signed off a treaty hoping to protect the land for our people, I am always fighting with government and industry for almost the last two decades that I have been at it. Our territory, which we call the Treaty Number 8 Territory because that was the number of our treaty—and I'll explain more when I'm on the panel tomorrow afternoon at 4 o'clock—there are resources that are very rich. We're on the western sedimentary basin, which is rich in oil and gas, a lot of coal beds and mining; a lot of forestry happens and a lot of agriculture. Tomorrow, I will go into more detail on that. We're always, always defending our territory up there because my people living in remote areas still live off the land. We have many communities who are living in the bush, who do not come into town, who do not have modern conveniences. They live off the land. It's those people and the future generations that I keep fighting for, because industrial development is ruining our land, and there's not going to be very many places for my people to go and exercise their way of

life if we continue at the pace that we're doing right now. I look forward to discussing this in more detail tomorrow, and so I'll see you tomorrow afternoon. Thank you.

### RAIMUNDO MENDES DE BARROS



Good evening to everybody here. I'm very happy and proud to participate in this conference. I want to thank everyone who ensured that I could be here in the United States for the second time on occasions as important as this one. I am a rubber tapper by birth. A rubber tapper is someone who extracts rubber and Brazil nuts and lives in the forest in little houses with straw roofs and wood walls. I'm part of this people and their struggle to make known to the world this group and the leader who is honored at this conference, Chico Mendes. Our struggle was for the guarantee that we could remain on the land, against our expulsion from our land, where we were born and raised, and also for education, health, and the benefits to which every citizen has a right. This is our struggle. Tomorrow I will certainly talk more about this. Thank you very much.

*Translated from Portuguese by Linda Rabben*

### CRISTIAN OTZIN



Good afternoon, everyone. As you may know, the Maya still endure. For the authorities of my country the Mayans of the past are more important than the Mayans of today. Many believe that the Mayans were taken away by a flying saucer and left the lands of Guatemala long ago—this is false. The Mayans of today are the same as the Mayans of the past, and I urge the state to respect our collective rights, including our cultural, spiritual, economic, and social rights.

Our association brings together more than 100 lawyers from different Mayan populations in Guatemala, and we have united to demand that the system respect our rights as peoples. It will be a pleasure to share with you our current progress and the challenges of indigenous peoples in Guatemala.

*Translated from Spanish by Paola Bichara*

### GOMERCINDO RODRIGUES



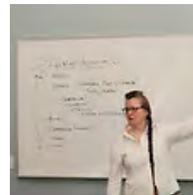
Good evening. My name is Gomercindo Rodrigues. At the present time I am a lawyer working in Acre. I want to thank everybody who organized this conference, everyone who is

contributing here. Linda, who was tireless in her efforts to organize this event. There are also a great many people I want to salute who made this meeting possible. I'm very moved, because it was a beautiful idea to talk about Chico's ideas and the realities of the environment and the struggles of people throughout the world. Chico himself once said, "At first I thought I was struggling for the rubber trees, then that I was struggling for Amazonia; today I discovered that I'm struggling in defense of the planet."

I think what's planned here at this event, at this university, reflects exactly the consciousness that Chico arrived at, that we are struggling on behalf of the planet. As a member of the Chico Mendes Committee, I'm here to talk about the struggles that we were involved in then, when I worked for three years [1986-88], and later, as I continued working with my comrades in Xapuri. I'm here with two masters, Raimundo and Marina [Silva], who were my great teachers. I'm here to learn and make whatever contribution I can. Tomorrow we'll talk more about Chico's ideals, his legacy from the point of view of those who were with him, who shared very difficult moments connected with his assassination but not with his death, because he's here with us. Thanks, we'll talk more.

*Translated from Portuguese by Linda Rabben*

### GEORGINA SHANLEY



Good evening. My name is Georgina Shanley. I am an indigenous person of Ireland, but I live in New Jersey, and I want to welcome all my brothers and sisters, all of the great activists and all of the great workers from Latin America, South America, Indonesia, from all over the world. I'm very optimistic that over the weekend we can all become part of one village, and we can all work together for the common good, because what we have in common is a deep and profound respect for Mother Earth. That will give us the strength to carry our fights.

My reason for being invited is because in our community—I live on the shore in New Jersey—and all along the communities, there are boardwalks. There's an addiction by politicians for using rainforest wood on these boardwalks. How disrespectful to those great grandfather trees and grandmother trees that we use them to walk on. I have been successful with the help of many people, working from the grassroots to state to national and international, to have a campaign to stop our city from using the wood. So I would like to be able to share, and I'd also like to be able to learn from everybody who has to contribute here.

Right now we're in the process of stopping a gas pipeline through the New Jersey UNESCO biosphere called the Pinelands. They're trying to push an industrial gas pipeline

through a 1.1 million-acre forest, which has 17 trillion gallons of pure water underneath. So that's our fight. We won the first stage of the fight with the help of all the great energy and information and spirit, and all of those who died, who've given their lives—not just Chico—to protect the forest and to protect the workers in the forest. Thank you.

### TAILY TERENA



Good afternoon. My name is Taily Terena, and I'm an indigenous person from Brazil. I live in Brasilia, the capital, where I study anthropology. I came here to talk about the indigenous movement, especially of indigenous youth, and the preservation of culture, especially by young people. We've seen in our villages that young people have a tendency to forget our culture in order to follow non-indigenous culture. [I'll discuss] what we have done to preserve our culture, our language, and our customs.

*Translated from Portuguese by Linda Rabben*

### FRANCO VITERI



*Ari pumja!* I have said in my language, good day! My name is Franco. I am an Amazonian Quechua from Ecuador. I am the president of the Confederation of Indigenous Nationalities of the Ecuadorian Amazon. I was very busy, but something more important brought me here, and that is Chico Mendes. When I was 15 years old I first heard on the Ecuadorian news the story of Chico Mendes. My father was a local leader and talked about Chico Mendes a lot; he valued his struggle, and that motivated me to come here today. I share many of Chico Mendes' priorities, that we are all fighters for the planet. That is, you are all fighters for the planet and therefore defend life.

Economic power has long prevailed over the spiritual life and harmony with nature. We believe that nature must be reduced to material things, but we all have to breathe clean air, drink clean water, and have a healthy forest.

The calmness, peace and harmony, reciprocity among peoples and individuals—that is wealth. Unfortunately, the way the world is going, people overvalue money, which is necessary but certainly not the end of our existence. If we had a little balance in life, leaving luxuries and vanity behind, our lives would be much more consistent with our struggle. No culture is perfect, every culture has vanity, and I am convinced that we must fight against our own attitudes—we are predators and disrespectful to the

environment and we violate the rights of others. I became motivated to come here today because I have a four-month-old child. I also have another reason to struggle, to come and share with you, to learn from you and with you. It's good to have Brazilian friends here. You have an important leader for humanity, just like Chico Mendes. I know Marcos Terena; he is a great friend of mine, and I've also heard about Marina on the news and I feel very comfortable here. Long live Chico Mendes!

*Translated from Spanish by Paola Bichara*

### HIPARIDI TOP'TIRO



My name is Hiparidi Top'tiro. I'm from the Xavante people. We have had contact [with whites] for less than 60 years—it will be 60 years in 2015. We got to the point of having a population of 1,500, but today we number approximately 25,000. Today we indigenous people of Brazil and our indigenous movement are living through a delicate moment. The current government of our country is putting an end to our lands. Demarcating our land is increasingly difficult. I come from a state, Mato Grosso do Sul, where the second largest producer of soya is located. Today, we face the reality that some children have been born without brains, and reports on indigenous health have been covered up. The Brazilian government disseminates propaganda outside the country. In addition, Belo Monte has been a difficult issue for the government. Tomorrow I'll talk in more detail about what brought us here.

*Translated from Portuguese by Linda Rabben*

### ERNESTO TZI



Good afternoon to all, my name is Ernesto. I am from the Q'eqchi' population, the second largest indigenous group in Guatemala. We are an indigenous association focused on the defense of Mother Earth, claiming our indigenous rights and trying to raise public awareness that three equal subjects coexist: humans, Mother Earth, and our cosmos.

On that basis we have to be conscious about what Mother Earth means in a comprehensive sense. We have a very troubled situation in Guatemala, and our greatest sin is to live in an area rich in natural resources, where oil and aquifers are being co-opted by companies that are trying to build hydroelectric power plants in our communities.

The oil palm plantations are also devouring all our natural resources, the forests that are in our areas. There is

an attack against our lives and our communities. Forcibly displaced people are contributing to urban areas' dramatic growth. Companies are moving in and grabbing land. We now have a president who has spoken of suppressing those who are defending our indigenous land rights. We are trying to establish the legal routes to guarantee our rights. We are fighting, as our other comrades said. We are here to honor those who struggled before, just as Chico Mendes died in defense of Mother Earth. Thanks to the organizers, who have brought us here to talk more about what we must do and to share ways to transcend the atrocities that they are putting in our path. Thank you very much.

*Translated from Spanish by Paola Bichara*

## TEK VANNARA



Good afternoon, everybody. My name is Tek Vannara. I'm from Cambodia. Since 2003 I've been an environmental activist, facilitating the community's struggle with illegal logging in the whole of Cambodia. Since 2004-06 I've

also been empowered by the community to negotiate with the government to establish community forestry management and community-based eco-tourism in Cambodia. From 2006 to 2009 I was elected chair of the [group on] eco-tourism in Cambodia, in order to provide advice to the indigenous people and common people to preserve their forests and common resources at the grassroots level. From 2009 to 2011 I was very active to empower the community working on hydropower development and also to influence development of the Mekong, asking the Mekong government to return to the people, to ensure sustainability of the Mekong River resource. Finally, in 2013 I became secretary of the NGO Forum in Cambodia, which facilitates advocacy to influence policy and create space for society to discuss, debate and challenge the government and development partners in order to ensure government of natural resources at the grassroots level and in the whole country. I am very happy to be here to share with you tomorrow on land reform and land management issues in Cambodia. Finally, I'd like to thank Oxfam and Stephanie [Burgos], who paid for me to be here.

# QUESTION-AND-ANSWER SESSION

## REVKIN:

We have time for a few questions before we break for the reception. I have one I'd like to start with, but I'm hoping the audience will have some, too. Back in the '70s and '80s for the rubber tappers in the Amazon, radio—good old-fashioned radio—was a really important organizing tool. The church-run radio station, Rádio Cipó, was important. Now we have the Internet and mobile phones. I was curious to know if anyone on the panel—how important is the Internet and social networks, Twitter and these kinds of tools, for you right now, compared to 10 years ago, in terms of having the possibility to protect your rights? If someone wants to jump in, that's great; otherwise we'll go to more questions.

## CISCO:

I think that is very important for us on Firestone Plantation. As huge as the plantation is, one important aspect that is helping us is the radio. The union has a radio station right in its main offices. The radio covers a vast land area across the plantation and beyond. It is that radio that we use to counter whatever the corporate entity does to violate the rights of workers. Just for an example, before we acquired the radio, United Steelworkers, one of our partners, provided the transmitter for us. As soon as we got the radio, the company got another radio station.

On the company radio they have a program called "Firestone Cares," and that program is actually meant to showcase Firestone corporate responsibility, in terms of what it does for the environment, citizens' rights, and what have you.

We have a program on 105 FM radio called "Around Firestone," and that program is a call-in program where every worker across the plantation will call in and say whatever violations, whatever problem they have in their respective areas; whatever grievances they have, they raise those issues on the radio show. The show comes on Tuesdays and Thursdays, and that is one of the biggest shows in the country. Everyone will listen to it. Once they raise those

issues, in no time, before they leave our offices, the company will try to correct it. That is one of the most important things that's happened to us in our work down there.

REVKIN:

Any other quick responses?

RODRIGUES:

Really, when I wrote my book, *Walking the Forest*, all the work we were doing at that time was literally through walking. We'd walk 15 hours, 20 hours, 18 hours, 12 hours, to hold a meeting. The radio was sometimes used to alert people that I was coming to set up a meeting.

It didn't work to use radio to announce that we were going to conduct an *empate* [stand-off]. What worked was *rádio cipó*, [grapevine] which was the message sent by word of mouth, from one rubber tapper to another, to spread the word of the location where we would meet to have an *empate*, which was the action to prevent deforestation, carried out by the workers in the area.

Today Raimundo de Barros has a cellular antenna at his homestead, 25 kilometers from Xapuri. It almost never works, almost never has a signal, but near where there's a tower, it's better to have a cell phone than an antenna. But it's very important, because today to arrive in those places where I used to spend 18 hours walking, it takes an hour or an hour-and-a-half to get there by motorbike or even by car in some areas.

So it's much easier for messages to circulate, and many of the young people on the rubber estates are on Facebook or participate in social media, and the news travels. In Rio Branco I can follow what's going on in Xapuri from what Raimundo's daughter or someone else's son posts. The young people are using social networks, and it's possible to send messages and information or even call meetings. So it's very important that they're using new technologies, and we can't overlook this.

It's also a way of seeking greater contact with the outside world and to be connected with current events and information. We think we have to use all the mechanisms and all possible networks of communication—radio where there's radio, telephone where there's telephone, Internet where it's available. Today in Acre there are several indigenous communities that have Internet connection with the rest of the world. So this is very important.

*Translated from Portuguese by Linda Rabben*

BLACKWELDER:

I'm Brent Blackwelder, past president of Friends of the Earth United States. I wondered if anyone had seen the new movie that has been made called *Damnation*. It's a play on words in English, but it's about the fact that we've removed over 1,000 dams in the United States. It's very inspirational. I know some of you, such as in Cambodia, have amazing fights on dams, and in Brazil they were seeing dams being proposed that we thought were dead, killed a long time ago. But the good news this movie brings out is the restoration of the fisheries very quickly, when these dams are removed. I wonder how many of you are working on—I know some are—working on river restoration and fighting bad dam projects.

PATRICK CUNNINGHAM: My question follows on Andy's question about the use of the Internet. I'd like to know how important it is for all of you who are active all over the world to be able to communicate with people who are fighting similar fights elsewhere. The Internet probably allows you to be here today, so I'd love to have some comments from you on that.

HENDRIKS:

I wouldn't be here today if it wasn't for the Internet, with Marcia Machado there, who's come to Australia and is very much behind the film that will be shown on Sunday. But honestly, while

I say that, I'm glued to the screen at times. It's my tool, but I think it's dangerous, too. It's also doing a lot of damage to our younger ones, and I think they need to be monitored and with precaution. But I think we can't live without it, and a lot of other things. That's a fair statement, I think. I live on an island and we're isolated without it.

JIWAN:

I think Internet has been playing a very important role in our contemporary work and in modern days. Take, for example, when we were campaigning against the World Bank investment in the oil palm sector. We were successful to force the World Bank to stop their funding of the world's largest palm-oil traders. That is because of worldwide support from NGO activists, not only from Indonesia but also from the U.S., from the European countries, and also from Latin America.

I think that is how Internet is playing a very important role when I was playing the role mobilizing people through Internet and they support our struggle. That's really helpful for our campaign to stop the World Bank funding palm oil. That's one of the good examples, but I think in Indonesia also NGOs and journalists, activists produce what they call "citizen journalism." So they teach people now, people far away from Jakarta, they can update people about the situation on the ground just by using a mobile phone. Then they update their situation, for example if there is a land clearing or illegal logging activity, they can update by sending an SMS, a very simple citizen-journalism way of updating by introducing WiFi's, for example. This has already been playing a very important role in Indonesia, in terms of social and environmental justice movement. Thank you.

REVKIN:

I just want to say one more thing about Indonesia. I wrote about this recently, the example of palm oil. The partnerships between groups like yours and Greenpeace and various technologies, not just SMS but then putting a video on YouTube and targeting it not just at the World Bank but at Nestlé, the big companies, the users. It's never been more possible to trace the link between the resource that's causing a problem for some society and the end use.

The transparency and ability to say, "Here's the problem," here's a clever video that pushes the company to behave better, that goes to Europe and goes to the places where we're buying the candy bars with the palm oil. It's just amazing what's possible now, that wasn't possible even five years ago.

RODRIGUES:

About the question about dams. We don't work directly on dams, but right now Acre is suffering the consequences of two dams that are being built in the state of Rondônia, the neighboring state. The biggest flood we've suffered reached 17.3 meters in depth. Now it's reached 19.8 meters. Acre is connected to the rest of Brazil by just one road, BR364. Along various stretches of the road, the Madeira River topped the road, leaving 1.6 meters of mud on the road. The road was completely blocked to truck traffic and the goods that come from south-central Brazil to Acre.

Granted that it rained heavily in Bolivia during a very wet winter, our rainy season in Amazonia. But coincidentally with two dams constructed and two in progress, we had the biggest flood ever of the Madeira, which is causing an incredibly big problem in Acre. We're running low on many goods. For example, it's been very difficult to find long-life milk. Acre doesn't have much industry, so we're dependent on the Center South. We have shortages because of the road being blocked as a result of the flood caused by the dams. A discussion is going on in Brazil about the problems with hydroelectric dams, problems with those already built. Suddenly the rain has lessened, and this has caused problems with reservoirs. This is a discussion that it's very important for us to have. I haven't seen the film, but we're also talking about this problem, too.

*Translated from Portuguese by Linda Rabben*

LOGAN:

I just wanted to comment on the Internet and the use of social media. Even though in Canada we think we're a modern country, up in my neck of the woods, one of our nations only got onto the Internet last year, and it's still sporadic. In some of our communities that are out in the bush, our only means of communication with them is still a two-way radio. Because of the huge facilities of oil and gas in our territories, sometimes they're putting up these towers so we're starting to get more access to cell ranges out in our territory. We're trying to utilize this as much as we can on the Internet, especially Facebook, because our populations are very, very young. Some of our nations that have Internet are creating their own Facebook pages as a means to access and communicate with their youth, who, unfortunately, aren't coming to the community meetings. On the other side of the coin, our elders and our older people who are not technically savvy, I guess, are not on the Facebook or Internet. So they lose out. It is a struggle with us.

In terms of dams, there's only one large river in our territory, and it's called the Peace River. There are currently two dams on that river in our territory. When they put in the W.A.C. Bennett dam in the '60s, it flooded out so many communities that they only had hours to vacate. It was just total devastation, where they had graveyards and homes floating in the reservoir.

It was unbelievable, but they then built the second dam, the Peace Canyon. Now we're fighting them putting a third dam on the Peace River, which is the Site C dam. And that, again, is going to devastate a lot of our cultural areas and some of our ancestral remains. So we're fighting tooth and nail. Right now it's gone through an environmental assessment review, and so we're waiting for the report from the joint panel review.

We're hoping they'll reject this dam because it has been rejected twice before in the last three decades by what's called the BC Utilities Commission. But our government in our province has paved the way for this dam to go through to provide electricity to liquified natural gas on the west coast that's going to supply our gas to the Orient.

Unfortunately, because we're so sparsely populated, and it's mostly indigenous people who are fighting this dam. Everybody says that it's a done deal, but we're not going to give up yet. We have some strategies in what we're going to do if the panel decides that they're going to go ahead, which is something we hope is not going to happen.

If it's been rejected twice, why would they approve it when things are so much more devastating with the oil and gas and the mining in our area? But we're getting prepared to fight the battle. Some of our elders, who have always been very pacifist in the past and said, "Let's just try to get along," are now saying, "It's time to fight, because there's not going to be any more left of our land that we can go out and fight on." When elders say that, it's serious.

I'm going to find this video; I've not seen it. I'd like to take it back and share it with our nations and our elders. When other countries are taking down dams, it just blows my mind that Canada is still building them. They have these myths that they were building it to provide electricity to the residents of the province. When that myth was kind of kiboshed, we find out that they were going to sell it to California, and then we find out that California is going green and decommissioning some dams. So when we did our homework and brought that to the front and made it public, well then, the province and its agency, BC Hydro, then changed their mind and the truth came out that they were only going to maximize the hydroelectricity on the dam for natural gas that they're going to export.

REVKIN:

That also illustrates the power of the Web in terms of being able to double-check and rebut claims that are made by people; you can do that very quickly now.

STEVE FENICHEL:

I never would have understood the connections of building a dam, because it's really sold as renewable energy source with hydroelectric. But there's another documentary I saw with a group of indigenous people—I think it was called *Birds of a Feather*.

They depend on the eider duck for their clothing, for their food, for everything. There was a dam built—it might have been in Alaska, if not Canada. With this dam built, it caused an intrusion of fresh water, where before the water was only saltwater, and it changed the quality of the ice that formed. Now the ice was an inferior kind of ice, but it closed off the nesting places for the eider duck. They decided to get a documentarian involved with their plight. And I believe that they were able through that documentary, *Birds of a Feather*, to have that dam decommissioned. So it can restore their cultural way of life, using the eider duck as before, being in harmony.

CUNNINGHAM:

Since the subject of dams has come up, there are a lot of myths that are put forward by proponents of new dams, which are increasingly proved incorrect, as my good friend Philip Fearnside will no doubt elaborate later. One of them is that they're clean and green, because especially in tropical areas hydroelectric dams clear huge amounts of methane. Methane is 25 times more powerful than carbon dioxide as a greenhouse gas. I think some of Philip's work, or some of his colleagues', shows that the Belo Monte dam, which is under construction at the moment, will be the third largest dam in the world, will add more to global warming than if they produced all of the same power from fossil fuels. So don't believe it when they tell you it's green power.

LOGAN:

If I could just all one more comment on dams: When they put in the W.A.C. Bennett dam, they didn't deforest, and it created methyl mercury, which is found in the fish that our people eat, because under our treaty we're allowed to hunt, fish, and trap anywhere in our territory without a license or permission.

But interestingly enough, the organization of the federal government, Health Canada, issues a bulletin to the local municipalities that they can only have one fish a month because of the high levels of methyl mercury in the fish. But they don't send one to the local First Nation or indigenous communities. That's just a classic scenario of how we're treated in our own country.

Dams and fighting Site C is a whole big presentation on its own that I usually do, and I know I'm not going to touch too much on it tomorrow. But I will try and give a bit more detail on what we're trying to do in terms of fighting that dam.

SHANLEY:

I would just to respond to a previous question. Without the media, without the help of the media and activists, all of our causes would not even get the light of day. We cannot underestimate the power of the media—not only just the print media and regular local newspapers and television, but also over the Internet, especially with petitions, signing petitions online and mobilizing. Very, very useful and very effective. Our panel is on creative activism, and it's on Sunday morning—probably everybody will be gone, but I hope not—9 to 12.

VANNARA:

What I've been told about damage, I agree with the speakers. The guidelines for the oil companies should be implemented to protect communities. We should review the theory of clean development mechanisms. The scientists have declared dams are one part of clean development mechanism. That is between the communities' perspective and the scientists' perspective. They should find the solution together with prior consent, in order to protect community health. Then they can participate in the whole development process in terms of participation and decision making under large-scale projects like this.

LAURI TANNER:

Just a quick comment before the reception. My name is Lauri Tanner, and I'm working with numerous NGOs around the world on an international initiative focused on land and environmental defenders. I'd like to invite everyone here to pick up an article on the outside table that we wrote about the landmark, precedent-setting case, *Kawas v. Honduras*, which is about Jeannette Kawas, who was murdered in Honduras years ago for her environmental activism.

Even though this case took place here in the Americas, its requirement that governments must protect at-risk environmental activists has global relevance and should be utilized and cited by environmental and land defenders who are being attacked or criminalized around the world. Especially important in the article is the epilogue, which contains critical advice for all land and environmental defenders and those who are shining a spotlight on and helping to protect the courageous activists like the folks in front of us. For people that are following this on the live webcast, you can go to our website, which is [environmentaldefenders.org](http://environmentaldefenders.org), and you can download for free that article. I would love to speak with everyone here about this case and how it can be utilized in every setting around the world, not just in courts but in international financial institutions, like a complaint to the World Bank like you were talking about, etc. Thank you.

REVKIN:

Just one more round of applause for the speakers. Thank you for coming from the ends of the earth!

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KEYNOTE 1:

# The legacy of Chico Mendes



KEYNOTE SPEAKER

Marina Silva

# INTRODUCTION

## DEAN JAMES GOLDGEIER:

I am James Goldgeier, Dean of the [American University] School of International Service. We are pleased to host the Chico Vive conference, which is bringing together international activists, students, faculty, NGOs, policymakers, journalists, and others to discuss the development of the global grassroots environmental movement in the 25 years since environmental martyr Chico Mendes' death. Now I would like to introduce the first keynote speaker, Marina Silva of Brazil.

During almost 30 years in public life, Marina Silva has become internationally known for her defense of ethics, natural resources, and sustainable development. After election to local, state, and national offices, she served as Brazil's environment minister from 2003 to 2008. As a result, the British newspaper the *Guardian* named her as one of 50 people who could help save the planet. A native of the Amazon state of Acre and daughter of a rubber tapper, Marina Silva learned to read and write as a teenager and graduated from the Federal University of Acre at age 26. A union leader and close associate of Chico Mendes, she first ran for public office at age 28 and was the youngest person ever elected to the Brazilian Senate, at age 36. After her tenure at the environment ministry she returned to the Senate. In 2010 she ran for the Brazilian presidency as the Green Party candidate and received 19 percent of the vote in the first round. In late 2013 she presented herself as the vice-presidential candidate of the Brazilian Socialist Party in the upcoming presidential election of [October] 2014. [She became the party's presidential candidate in August 2014 and placed third in the election.] Marina Silva has received numerous awards, including the UN's "Champion of the Earth" award, the Duke of Edinburgh's medal, and the Goldman Environmental Prize, among many others. Given our strong commitment here at the School of International Service to fostering a more just, peaceful and sustainable world, we are delighted to welcome Marina Silva to SIS.

## MARINA SILVA:



Good evening. First of all, I would like to tell you how glad I am to be here with all of you at this conference to pay homage to Chico Mendes, 25 years after his death.

I would especially like to thank the

Dean of the School of International Service of American University, James Goldgeier, and I apologize for not knowing how to pronounce his name. I would like to thank Linda, who worked tirelessly as others have already paid tribute to her as the organizer of this conference, together with other people. I would like to greet other friends in attendance—there are several people here whom I have known for a long time. And I would like to recognize my friends Gomercindo [Rodrigues] and Raimundo de Barros. I would like to congratulate Gomercindo, because I know that he was one of the planners of this event. I would like to thank all those who made possible this important event, and I would also like to greet Professor Phillip Fearnside, of the National Institute of Amazon Research, who honors us with his presence.

I beg your indulgence for being seated, as I have some visual limitations and this way I can better see my notes.

I was asked to talk about Chico Mendes' legacy, and I think that this is what all of us are celebrating here. Of course I would like to say to Linda, Gomercindo, and the other partners, to Barbara [Bramble] and Steve Schwartzman—who is a dear friend and who also fought together with Chico Mendes—Mary Allegretti, who unfortunately was unable to be here with us today but who is also part of this whole story, that I was very pleased with the idea of seeing all this as a legacy and not as an inheritance. I usually say that an inheritance is what was left by someone who passed away, and a legacy is something that continues to be alive while preserving the possibility of continuing the work of those who are no longer with us. A legacy is not something that someone will own but is something to be shared, so the perspective of a legacy is rather interesting.

As I look at Chico Mendes' legacy, I usually tell everyone that I do not have an academic formulation to describe Chico Mendes's contribution through his struggle. What I will try to do is to make some observations about my experiences, about what I have lived. And of course this is heavily influenced by my personal relationship with him and with many others who are here today.

In my opinion Chico Mendes' legacy could be understood on three levels. At the first level it would be he himself as a legacy—he as a person, who he was as a person. At the second stage we have a legacy resulting from what he has done and all that continues to be done as a consequence of his ideas, as a visible and concrete experience shared by thousands and millions of people, including people who are today fighting this same battle in different situations everywhere on earth, as I was glad to see during our opening session. These are people who share the same struggle

over how to implement these ideas. At a third stage Chico Mendes' legacy is something that we project onto him and also share—something that, however, is more subtle. It is something that is not so visible as his persona itself, his example, his witness, everything he achieved and that gave rise to his accomplishments. This legacy is almost a projection that we make, something that is equally important for me. I will try to talk about these three aspects within the time frame that was allotted to me.

First of all, I will mention his legacy as a testimony left by Chico himself, the person who he was. For me it is very important to do this, so that we do not separate it from a real person who devoted himself to a cause, to a struggle, but is someone of flesh and blood, just like the rest of us. Sometimes we create myths about things so that they become unattainable, and this myth-making is not good, as it leads us to think that someone does this because he is special, but so special that we are not able to reach him. So we have to think of him as a person and to recognize the contribution that he makes from that standpoint, so we can see ourselves as people who can do our part and make our contribution.

The first aspect of his legacy as a person and his witness was his ethic and commitment to what I call an intergenerational alliance. Despite the fact that he did not attend school in his early years—he became literate rather late, when he was 19 years old—Chico Mendes was someone who developed values and a commitment to his own reality, but particularly to those who would come after him. He was capable of translating that intergenerational commitment in his gestures and his attitudes, which were always laden with values. And these values cost a very high price, because his passion for the cause he defended went to such a radical point that it resulted in the loss of his own life. But his values and his commitment to strengthen ties with past and future generations made him a very special person, through his dedication to causes and traditional peoples. Through this dedication he conceived of the Alliance of the Peoples of the Forest. Later I will touch more on this concrete legacy.

Chico Mendes expressed his commitment in a very special way, even when faced with his limitations, his fears, and his weaknesses. So we must not see him as a person who was above good and evil, but as a real person. Raimundão [de Barros], who is here with us, was Chico's cousin, and because he knew Chico well, he knows he was a very real person. He had a very strong desire to run for an elected position, to be a representative. He was elected to the city council in Xapuri; he was a candidate for mayor and lost. He wanted to run for the state legislature to help the cause he believed in and also to protect himself from death threats he had received. This was a strong desire that came from his heart, almost as if it were a vocation. I felt

that he had a special affection for Acre and wanted to hold a political position. Also, he was very active in advancing his cause. He wanted to be elected, but not just through any means—he wanted to be elected defending the cause he believed in. He wanted to occupy a political position to defend those on whose behalf he worked, and perhaps for this very reason he was never elected. Although he had this desire and vocation, he did not place this desire and vocation above the cause he believed in.

A very special human trait of his was his deep love for his wife, Ilzamar. Chico loved her dearly. And this made him feel vulnerable for being away and missing her, being away from her and his children. In spite of all this, he was someone who devoted himself to his cause. He faced the trials of poverty, often experiencing loss of support. He shared everything that he had with many people, frequently having to lift people up when often he himself was down. He encouraged people when he often experienced fear himself, even smiling when he himself was often crying. This made him a very special person.

Chico Mendes was perhaps someone who lived in the practical world and lived what Sartre said, that we are not the result of what the past has done to us, but, rather, that we are the result of what we do with our past. Despite all the trials and deprivations in his past, the fact that he had been illiterate and neglected and was once a rubber tapper, that he had lived under a system of semi-slavery, he was capable of doing something productive, free and creative with his past, to the point of becoming the reference point that he is for all of us—becoming a legacy to all of us, like so many other special people that we have. He was someone who was capable of transforming into actions what many people were doing in theory, words and even wishes.

He always used to joke that when he began to understand the concepts of what he and we were doing in Acre with the help of people such as Barbara, Steve, Mary, Gomercindo, and so many others who provided technical and theoretical support, he used to joke, "Look, what I'm doing here, people over there say it's ecology." So everything that was said about preserving the forests and about ecology was what was being done in practice and in the struggle to protect the forests. He used to do all this without becoming a prisoner of situational ethics. By this I mean doing something that makes one more popular and engenders more support. The choices that were made were very difficult because of the high cost that he had to pay for his ideas, his positions, and everything that he began to do.

I would say that he was a man who had a forward-looking vision of the world, with forward-looking projects capable of bringing forth that vision, trying to translate it not just as an idea, but into forward-looking projects. I feel that his vision was anticipatory, first of all because he was not

dogmatic. He was open to new things, open-minded and able to break with old paradigms, and he paid a very high price for this. For instance, he was not chained to a purely unionist logic, or to the struggle for land reform in the traditional manner in accordance with Brazilian reality and, particularly, by the Brazilian left. He believed that it was possible to have a different land reform model and gave a new name to it, taking into account Amazonian reality. For all this he had to pay a hefty price to the Brazilian left, which felt that he was not revolutionary enough.

He also had to pay a high price to the conservatives, who labeled him a communist and a danger, saying he was going to bring about a revolution. The environmental community itself did not really understand it, since Chico Mendes would not relinquish his political militancy within the Workers' Party, and he would not give up the alliance he had with the classical union movements.

With his anticipatory vision, his forward-looking projects and the help of several people, when he tried to organize the struggle of the rubber tappers, he did not focus only on the idea of a union in the classical sense of the term. And then the National Rubber Tappers Council, a variation in another direction, was established. But at the same time he was connected to the union, to CUT [Workers' Central Confederation], to Lula [Luiz Inácio da Silva] and the Workers' Party. There's a certain ambiguity concerning Chico. On the environmental side, his union and political struggles were secondary. On the union side Chico's environmental struggle was secondary. Perhaps one of the ways to deal with Chico Mendes' legacy would be to reintegrate this man—who was a union member, a politician, an environmentalist—to show that we don't need to create any dichotomy.

It is not easy for me to be saying all this, because he was very important in my life. Also important was the fact that he had an incredible capacity to deal with three things that are very difficult for all of us. Of course it is only now that we can say this. In the eye of the storm, when we were all together—Raimundo, Steve, Barbara and so many others that I wouldn't be able to name—seeing how Chico Mendes handled certain situations served to teach me a great deal. If there was any conflict, he would always try to listen to many people. At that time I was more closely connected to CUT and the Workers' Party, and we always talked. He would make a point to talk to me, although I was very young. He would listen to Gomercindo, Binho [Arnóbio Marques de Almeida Jr] and Bishop Moacyr [Grechi] of the Catholic Church's Pastoral Land Commission, and all of us used to talk at length with him. When they finished he would talk with me. Then he would grab the phone and call Mary or Steve. On the other end of the line they would say a lot, and he would just go, "hmm, hmm." Afterward he would take all that into account and make a decision.

It would include something that Gomercindo said, something that Mary or I myself and many others said, sometimes what the bishop said. He would then make a synthesis of it all as a result of his great capacity to listen.

He also had a great capacity to derive gratification from what he did. Sometimes we want to experience the joy of our accomplishments right away. Also, he had a great capacity to deal with disappointments. I'll never forget when he was on a hunger strike, and a reporter wrote, to ridicule him, that someone had seen him eating behind a tree. All this aimed at undoing him, at demoralizing him. Whenever he announced that he had received death threats, some would say that since he was a political figure, it was a ploy he used to promote himself, playing the role of a victim to gain votes.

Around 10 days before his assassination I had to travel to São Paulo for medical reasons, to treat the aftereffects of many episodes of malaria and hepatitis that I had suffered, and I stopped in Xapuri. He took me to the bus terminal, which was a short distance from his house near the union hall. As we walked, he put his arm around my shoulder and said, as he used to call me, "Well, old black lady, I feel that this time there's no way out." I didn't want to hear that and I kept quiet. And he repeated, "Did you hear, old black lady? This time there's no way out."

I felt awkward because I didn't want to hear that, I didn't want to talk about it. And I said, "Of course there's a way out, Chico."

He said, "Those guys are going to get me."

I kept quiet and we walked silently. As we got near the bus and I was about to board, I said, "Why don't you go to Rio Branco and make this denunciation to the newspapers?" I mentioned the names of the local newspapers, *A Gazeta* and *O Rio Branco*.

He replied: "It won't help. They say that every time I do this I'm aiming at promoting myself, so it won't help. Whenever they kill me, they will see that I was not trying to promote myself."

That day I left for São Paulo. On the 22nd of the month they called my house, and I was in Ribeirão Pires, in the state of São Paulo. It was late in the evening, and my husband's cousin said that first he wanted to speak to my husband and not with me, because it was a serious matter. After my husband hung up I said, "They killed Chico Mendes," and his reply was, "This is exactly what happened."

He had an enormous capacity to face such situations. His friends [Fernando] Gabeira, Alfredo Sirkis, Lucélia Santos, had invited him to stay in Rio; his U.S. friends said he could come to the U.S.; his friends in Europe said he could go to Europe. But he preferred to stay in Xapuri, since he could not conceive of leaving his friends by themselves.

He was someone who knew how to share the authorship of ideas; he never claimed the sole authorship of the

work. He also shared accomplishments and recognition. He always found a way to share recognition for what had been done. He invested heavily in his friends and in people, including some of the more difficult ones. It was very easy to deal with Raimundão, Júlio Barbosa, and others. But it was very difficult to deal with Targino and Gomercindo. Why Gomercindo? It was difficult with Gomercindo because he was such a radical, and Chico Mendes had to make a great effort in order to bring matters at least to a middle position. Targino was a fellow rubber tapper who stirred things up and created a lot of confusion, but Chico was able to involve everyone. He was capable of investing in people and taking youth into account, giving lots of opportunities to the young—when Xapuri's cooperative was established, the young economists, the young agricultural engineers like Gomercindo, the young educators such as Binho. My husband also worked on the Rubber Tapper Project, even Mary [Allegretti], who at the time was a young anthropologist. He pressed into service young anthropologists such as Steve [Schwartzman] and many others. So he had an enormous capacity to invest in young people. I can say this because I was 17 years old when I met Chico, and meeting him changed my life. I lived in a convent; I intended to become a nun. The nuns were mostly conservative and only two there were connected to Liberation Theology. The others were very good people but had a more conservative vision of faith. One day I heard the nuns criticizing the bishop and accusing him and Chico Mendes of being communists. And I asked, "How come they are bad people?" I had just returned from the rubber estate, where my father, my sisters, and my family used to live.

And the nuns said, "Because they're against the landowners and defending the Indians and the rubber tappers." That shocked me deeply, as it meant that those who supported the rubber tappers were communists and bad people, and those who supported the landowners were good people. That was a shock to me. However, because of my faith I didn't want to question that.

One day during mass I saw a poster announcing a "Course for Union Leaders" to be given by Clodovis Boff and Chico Mendes. This poster was affixed to the church's door, its color was blue and the letters were a faint red written with highlighters. I said to myself, "I'm going to take this course, and then I'll be able to understand why the bishop and Chico Mendes are called communists." I enrolled in that course, and when I got back I told my Mother Superior, "Sister, I'm going to take a course on Saturday and Sunday at the church."

She asked, "What course is this, Maria?"

I said, "It is a course that the priest wants us to take." The priest had not been that emphatic about us taking the course, but because he'd put the poster on the church door, I imagined that that's what he wanted. So I took

the course, and that's when I was exposed to Liberation Theology and fell in love with it. It was then that I met Chico Mendes. During the course he shared the experience and the struggle of the workers of Brasília and Xapuri, which was just beginning. I became impressed by the association of the Sermon on the Mount with the practical commitment that Chico Mendes was translating to his companions in the base communities. I was in the group led by Chico Mendes, and there was another group led by Clodovis, which dealt with theory. Chico Mendes' group dealt with practice. Afterward each group would select a rapporteur who would report to the whole group about what was discussed.

Chico Mendes suggested my name as the rapporteur for my group. I became literate when I was 16 years old, and at that time I could not yet write well. And I decided to present my report in the style of *literatura de cordel* [folk ballad], as it was easier for me. I put it all in a ballad, and then I spoke from memory. Chico was very impressed by that. What mattered was that at the end he gave me his phone number and his address in Xapuri, and he asked for my address and phone number. And he started sending me in the convent a bulletin called, "We Brothers," which was used by the base communities. It talked about the struggle to defend the poor, the option for the poor, and so on. Also a left-leaning newspaper called *Movimento*, and everything was sent undercover. After living with this conflict for one year, I asked to leave the convent. However, a link had been established. I mention this because when I said that he was interested in young people, at that time I was an anonymous young girl who was just starting. He was the one who created this relationship and gave me some attention and this, no doubt, changed my life. This was so not only because I left the convent, but because I ended up working with him until his death.

It is not too common for someone to be this patient with young people, and it is also not too common to set aside one's experiences in order to be affected by all the new thoughts and ideas that they brought to us.

So far I've said a lot about his legacy as a person. Now I will talk about the legacy that he has already left us as a result of the shared struggle in defense of the peoples of the forest. I will also talk about the commitment that started then to stop the forests from being turned into grazing lands for cattle-raising, but instead to find a balance to ensure the rights of traditional populations to live on their land, manage and live off their resources, and to protect the Amazon, even at a time when this was not understood by Brazilians as it is today. If we stop to think today about what it meant to carry out this struggle 25 years ago and what it means now, there are no ways to compare the two. There were just about half-a-dozen people concerned about protecting the forests and to counter

the idea of a kind of progress that would turn the forests to other uses, whether for agriculture or cattle-raising. Just as it happens today, whoever did that then was labeled as being opposed to progress, to development, of being an enemy of Brazil and so forth. To do this today would give rise to these same remarks, so you can imagine what it was like 25 years ago.

Chico was assassinated 25 years ago for defending the Cachoeira landholding, the pepper trees, the Rio Branco where he lived, and for carrying out this struggle. Twenty-five years have gone by, and today Brazil's Forest Code was put to a vote to allow additional logging. This was recently approved by the National Congress with the support of the current government. The *Data Folha* did an opinion poll that showed that 85 percent of people were against additional logging, and 90 percent favored paying a little more for foodstuffs, so as not to see the forests destroyed.

Concerning his legacy, there is increased awareness—of course, not just because of Chico Mendes; he's a symbol, someone we have as a reference point. This is because of the work of a lot of people, both in Brazil and abroad. You all know how big this struggle is, and for this reason it has attained the magnitude it has. In Brazil this awareness has grown a lot.

As someone who had a forward-looking vision, and together with those who supported him, Chico Mendes ended up translating into practice a new concept for conservation units. These units had a classic form based on integral protection; but through Chico Mendes the concept of extractive reserves acquired the strength of sustainable use. All those, including Mary, who isn't here today, who helped him—technicians, anthropologists, sociologists, agricultural engineers—came up with this concept, and it became a reality in the system of conservation units in Brazil. These are sustainable-use units, not only forest extractive reserves but also marine reserves. Today we have extractive lake reserves, and this modality is now being used throughout the world, with extractive settlement projects that presuppose preservation and the sustainable use of natural resources as a means of providing regenerative capacity for that ecosystem.

Also as a result of this struggle, one of the aspects of this real, concrete legacy was the integration of economy and ecology in the same equation. To do something that would simultaneously protect people's lives and make them viable means integrating economy and ecology. And from that came the term socio-environmentalism, an expression that seems to have been coined in Brazil. It gained a lot of power starting with that struggle. Until then, the environmental struggle experienced a certain difficulty in dealing with social demands. Starting at that time the Alliance of the Peoples of the Forest, the National Rubber Tappers Council, the defense of the river dwellers [*ribeirinhos*], the

escaped-slave descendants [*quilombolas*], the babassu-nut breakers [*quebradeiras de coco*], all contributed to develop the idea of socio-environmentalism. This was something that in practice had to be translated into the protection of the forests, as well as improving people's lives by creating cooperatives to add value to products, so that people could have an income and a dignified life. At the same time schools were set up to give people an education, and health clinics were opened so that people could be cared for.

In the classic leftist view the government had this obligation. Whenever this was not done, we would criticize and that would be enough. According to Chico's socio-environmental view, this is something that had to be done, and we should take this step to pressure the government, which could do so much but did so little. That is how this grew so much, and it is now a reality in several places where we have schools and health clinics. The Alliance of the Peoples of the Forest became a political action coalition of rubber tappers and Indians. The National Rubber Tappers Council took positions that led to a form of struggle you're familiar with, the *empates*. These were a sort of civil disobedience, whose radicalism was exactly in its pacifism. Today, through dialogues with movements in Brazil that use performance with a good dose of aggressiveness, I'd say that peaceful civil disobedience is even more revolutionary and more transformative than any other action that could jeopardize the possibility of demonstration by people who make a difference. Had Chico Mendes opted to go down the road of resorting to arms and violence, he would have been massacred, just as he was. But then he would also have been massacred politically and morally. Since the struggle he waged and proposed to his comrades was peaceful, this is how we have carried out his ideas, which have survived up to the present day.

And that is why people continue keeping his ideas alive to this day. For me, another thing that constitutes his legacy and his contribution was his capacity to bring innumerable sectors into the cause, which he was already advancing when the issue was not even on the agenda. He made alliances with the progressive Catholic Church, trade unions, political parties, political leaders such as [Fernando] Gabeira, [Alfredo] Sirkis, Lula, [José] Genoino and others, as well as important environmental activists in Brazil and abroad, journalists who were prominent figures at editorial desks inside and outside Brazil, writers, academics, researchers who were committed to the cause, government officials and technical personnel whom he recruited to support projects for education, the cooperative movement, health, and many other things.

So he was a person who had a vision of acting more horizontally. Perhaps that's why he was capable of sharing credit for his initiatives and accomplishments. That whole

network of relationships helped with some achievements—such as when we camped out at the IBGE [Brazilian Institute of Geography and Statistics], leading the campaign to stop deforestation on the Bordon ranch. We were working on several fronts at the same time.

The last part of his legacy, the struggle for the extractive reserves, was victorious, as we have seen this model of land tenure adopted in Brazil. Today more than 10 million hectares have been demarcated for such reserves. During the whole struggle, from his death [1988] until 2003, 5 million hectares of protected area had been demarcated in those reserves when I became environment minister. When I left the ministry there were 10 million. From 2003 to 2008 we doubled the area of extractive reserves; it could not have been done otherwise.

Our effort was not on a small scale. Many parts of the government understood this. In most cases the creation of the reserves required dealing directly with President Lula, the only one who could withstand the pressure from the transportation, agriculture, and science and technology ministries, almost all of which opposed the idea. Yet we were able to double the area from 5 to 10 million hectares by May 2008. From then on the creation of conservation units declined considerably. Recently, by the way, Congress approved a provision giving the President of the Republic the power to reduce the areas already created, whether in parks or anywhere else, so that licenses could be issued for hydroelectric projects.

Moving to the legacy that I would say is more subtle and not as visible, which was shared by all of us—along with others who, thank God, are still alive, and some who are no longer with us, including Vandana Shiva, Wangari Maathai, Davi Yanomami, Sister Dorothy [Stang], José Cláudio and Maria do Espírito Santo, and everybody on these panels—Chico Mendes was capable of caring for the present and the past as a way of caring for the future.

That's what I call an intergenerational alliance. Traditional knowledge is associated with natural resources, the realities of the forests, water resources, land-based resources. Science, based on certain assumptions—some on target and others flawed—is so important to help us respond to many problems, but it is not a substitute for narrative wisdom. This kind of knowledge is also capable of producing understanding based on observation of experience and facts, while the land, natural resources, and experience produce wisdom we might not be able to explain. Yet cultures have narrative wisdom, which is also produced by science and the traditional knowledge associated with it.

At this moment of profound crisis that the world and humankind are going through, preserving those cultures requires a profound commitment not to lose the incredible capacity that communities have for resilience and ways of managing resources, extracting knowledge, ways of life,

ways of being in the world that can help us a great deal in our relationships with nature and with one another.

That legacy is a bit subtle, even for someone with a forward-looking and generous outlook or wisdom that goes beyond the here and now. Chico Mendes' letter to the youth of the future is a manifestation of his desire for an intergenerational partnership, for us to know how not to break the social ties that bind us. . . . As [theologian] Leonardo Boff said, if we break the chain that sustains life, it will cease to be sustainable. Chico and all those communities have an incredible capacity to translate ethics into ways of preserving what promotes the sustenance of life, as Boff said.

One important thing to think about is how we can update and revive the legacy. If the legacy is just remembered, commemorated, and repeated, it will become stagnant. Reviving the legacy of Chico Mendes and the struggle he began continues to be necessary, because people around the world are being threatened in their communities. Meanwhile governments are increasingly abandoning the gains that have been won, as is happening in Brazil. There is very great pressure today, as the idea of sustainable development as a panacea masks a series of very negative things that are happening. How can we revivify that experience so it does not become stagnant and dead through mere repetition? We celebrate the fact that Chico Mendes was a person who broke down paradigms. And he also made a break, in his simple way of being, with many dogmas, especially the dogma according to which we shouldn't get involved in politics. He thought he should indeed get involved in politics, but obviously in good politics. What are the dogmas, what are the paradigms that we might need to break down to revive his legacy for our time?

In my opinion we are living in a world in crisis, a serious crisis that I describe as a "crisis of civilization." Why call it that? It is a crisis of civilization because it is composed of five crises, all structural in nature: economic, social, environmental, political, and of values.

We do not have the experience to deal with crises of civilization. The Greeks collapsed, the Romans, the Egyptians, pre-Columbian civilizations, and they did not emerge from their collapse. There was a difference between the collapse they experienced and the one we are experiencing. They did not collapse all at once. Some were declining, and others were flourishing. We find ourselves in a localized reality and an interconnected world, in which the collapse encompasses all of us. Even the most isolated community that has never seen a white man is also part of the collapse.

The economic crisis, you know what that is. The social crisis is that we have 2 billion human beings subsisting on less than \$2 a day.

We are experiencing an environmental crisis involving climate change that is a sort of Armageddon. Why? The latest report of the IPCC [Intergovernmental Panel on Climate Change] describes the situation as getting worse and worse, threatening life on the planet. Some who are more worried about what is happening think we are already running the risk of having reached a point of no return.

The political crisis, the social crisis, is called that because it's about surviving at the bottom. People describe an economic crisis as what happens at the top. When one is crawling along the bottom it is not called an economic crisis, because those people don't even participate in the financial system. Yet we have a serious environmental crisis and a serious social crisis, and the political crisis is equally severe and profound. The demonstrations that happen around the world illustrate that people want to improve the quality of representation; they want to expand participation, to democratize democracy itself. When existing institutions were invented, with the French Revolution and the American Revolution, there were 1 billion persons on this earth. We had the printing press as the means for spreading those ideas. Today we are 7 billion with the Internet, which spreads ideas in real time, breaking down the old channels of information. We are living in a reality we describe as "prospective democracy," in which the Internet makes it possible to discover new ways of realizing democracy. A political crisis is happening, along with an effort to inform the political actors undertaking the transformations.

There is a crisis of values—not in the moralistic sense of the word, but in the sense of the ethics of values, as opposed to situational ethics that sacrifice the resources of thousands of years for the profit of a few decades. The crisis of values results in the separation of economics from ecology, politics from ethics, what is *said* from what is *done*. It sacrifices the resources of thousands of years for the profit of a few decades. It involves a logic of power for power's sake, money for money's sake. At the base of the economic, social, environmental, and political crises is the crisis of values, the politics of values.

I said that it was not a collapse that resolved the crisis of civilization. The Greeks did not resolve it, nor the Egyptians, nor the Romans, and we don't have experience to draw on in relation to that. Yet I don't trust that we have an advantage compared to them. We know that we are experiencing a crisis of civilization, and that changes everything, if we do what needs to be done. In his book, *In Search of Politics*, [Zygmunt] Bauman said that we can have a clinical attitude or a cynical attitude.

A clinical attitude sees the problem and engages in a systemic intervention to define it. A cynical attitude knows that the problem is serious but even so seeks to take advantage of it somehow. As a friend of mine says, a cynic is someone who has emphysema but keeps taking one last

puff until he dies. A cynical attitude leads to not providing leadership at Rio+20 or the resources to address global warming, loss of biodiversity, desertification, and so many other things on the agenda of adaptation and redress. Don't ask me what kind of attitude that is. I can only say it isn't clinical. Why have people put off defining objective terms for sustainable development until 2015 and will not begin until 2020 to implement something that we knew had to be done 20 years ago?

How might it be possible for people to undertake this revival [of Chico's legacy]? I think by breaking down paradigms. In my opinion we are indeed experiencing a crisis of civilization that cannot be taken on by a group, an individual or a [political] party. It's no longer a question of being an activist for one isolated cause, even though each of us may still have our causes. We are activists on behalf of civilization, humankind, life—not just human beings. That makes all the difference. It is not something that can be done only by environmentalists, business people, scientists, men, or women. It's now a question of acting on behalf of everyone at the same time.

We always thought it necessary to make a transition or an abrupt break. I believe that this crisis cannot be addressed by a transition or by an abrupt break. We have to think about a kind of mutation that creates possibilities in which the very social fabric brings about the change. Rubber tappers rising up against the development model 25 years ago were already part of that mutation. Scientists who began to research renewable energy from the wind or the soil—biomass—were already part of that mutation. People everywhere, trying to make a difference—inside governments, in private enterprise, academia, social entrepreneurship—have been part of that mutation, which should create new possibilities.

And why is that? Because a new activism that I call "self-driven" is emerging in the world. The activism we had until recently was directed by political parties, trade unions, NGOs, student movements, corporations—those who could sponsor that type of activism. Today, with the Internet and all that is happening, there is a personal, self-driven activism, in which each person is the mobilizer and protagonist. Thus thousands of people take to the plazas and streets in Spain, Canada, Chile, the United States, Europe. Now we are seeing multitudes, in Brazil in June, as well. That's not going to stop. If we cannot revive our political experience, we are going to continue witnessing those movements, because they don't fit within our old paradigms, they are not transformative.

I believe that with his vision of breaking down paradigms and his innovative vision, in his simplicity, his reality of leading by example, Chico Mendes calls on us to revive that experience in light of what is happening, observing that there is a stagnant core that is power for power's sake,

money for money's sake. A kind of fringe movement is forming that I hope is coming to encapsulate the center in a positive sense. What is always stagnant can be encapsulated by that fringe that struggles for a better world. That is why in Brazil, the country of soccer, people took to the streets for health, education, decent housing, transportation, saying that they want all that according to FIFA [first-world] standards, respecting democracy. No one saw any placards saying, "Get Rid of [President] Dilma [Rousseff]."

People respect the political institutional framework, but they know it's not good. They are not asking permission

from political parties, charismatic leaders or the media to be self-driven actors, mobilizers, and protagonists. That makes each of us what I believe Chico Mendes was: a small gravitational point. Today those small points may be found all around the world, and everyone can be a gravitational point in his or her company, government, university, home, wherever you find yourself. Soon people experience a mutation that creates more possibilities, because now Chico invites us to become activists on behalf of civilization. Thank you very much.

## QUESTIONS & ANSWERS

**QUESTION 1:** Good evening. My name is André, I'm a student at George Washington University. I'm concerned about the future of the environment, but also the future of the populations who live in that environment. I want to know: Now there is much talk of tourism, especially now that Brazil will host the World Cup and also the Olympics. What is the future of tourism in Brazil, and the impact it will have on the populations and also on the environment? Thank you.

**MARINA SILVA:** If there are more questions I'll answer them all together, so we can move more quickly.

**QUESTION 2:** Senator, I wanted to ask about your outlook, whether you think there will be room in the next election for a debate on the direction Brazil is going to take in the coming years.

**QUESTION 3:** Georgina Shanley. I would like to thank you very much and also to ask, how are Chico's wife and children? How are they doing?

**QUESTION 4:** My name is Godfrey Massay, and I'm from Tanzania. I just wanted to hear from you: How do you see the existing environmental legal instruments? Do you see hope in them, or do you see the need for more improvement of existing legal instruments?

**QUESTION 5:** Hello. Thank you and congratulations. . . . I want to ask a bit more about the rivers. In Peru, Ecuador, and Colombia, we have rivers whose sources are to be found in our mountains, which we are polluting. There is pollution from Quito, Guayaquil, the cities in the Andes, despite treaties of cooperation among the Andean countries. As you were the minister of the environment, the question is: Just as they are implementing IIRSA, the Latin American regional infrastructure initiative, is there is a commitment by Brazil to respect the waters, because the food sovereignty of the indigenous peoples of Ecuador, Brazil, and Peru depends on the Amazon river?

**MARINA SILVA:** A question was asked about tourism, wasn't it? Tourism is an important activity and one which, if properly thought through and planned, is a source of income, employment, dignified living, and a fantastic economic alternative for developed and developing countries—especially countries such as ours, which has natural wealth and beautiful landscapes, a very beautiful historical patrimony. But unfortunately it has not yet been properly planned. Thinking about the reality of the communities, community-based tourism may be a source of income if done adequately, with support, including precautions so that the communities do not lose their characteristics and way of life. Unfortunately, when people think of tourism associated with major events, there it begins to be a problem. The activity has to be constant, and when there is a big event you are going to harvest what you've done during a lifetime of investing in tourism. If not, suddenly you have a wave that has a [negative] impact because it has not been adequately prepared for.

Unfortunately, as something very great that most of the population wasn't even close to, in large measure those events are not organized to leave a legacy, in which one preserves the goods and services that can be produced, generated, and leveraged by those major events. But it is certainly a source of wealth, entertainment, and even of preservation of communities that may find a means of maintaining their way of life through tourism.

In Brazil, for example, beyond the traditional communities, there are also traditional family farmers, in very interesting regions in Minas Gerais and other places, who are becoming much more involved in rural tourism than in agriculture per se, since some places face difficulties subsisting exclusively on farming.

Regarding the development model in the Brazilian context: That's a discussion that we have to have worldwide and certainly in Brazil. There's no way to address the crisis of civilization without leaving the model. It seems simple to abandon the unsustainable model for the sustainable one, but it isn't.

The development model is unsustainable not just environmentally, economically, and socially, but also politically, culturally, ethically, and aesthetically. Sustainability is not a way of doing—for me, sustainability is a way of being. So Brazil has to adopt a new model. In our case I would say that much of what we are not doing is not because of lack of resources, even financial resources, but rather a lack of vision. We have the largest area of sun-drenched land on the planet, and our 10-year energy plan does not contain a single word about solar energy. How is it that Germany, with no sun, is producing 15 percent of [the world's] solar energy, and Brazil, with so much sun, draws up an energy plan for the next 10 years without a word about solar energy?

In large measure the problems are not technical but ethical, reflecting a lack of vision. What's needed is to think up a new model in every sense, and that's not going to happen from one day to the next. I don't peddle the idea that tomorrow someone is going to decree that everything is sustainable without long-term investment, quality education, technology, innovation. Professor Philip [Fearnside] knows that you cannot get that in 10 years, it is a long-term investment. We need sources of energy that are clean, diversified, and well distributed. These are lasting investments that the world must make.

We must conceive of a structure for sustainable development in which 30 percent of the energy produced isn't wasted, as in those enormous hydroelectric facilities. Thirty percent of agricultural output is lost because of lack of storage and logistical infrastructure. These investments require a strategic vision, and that's why I think that the change of model that we need is a mutation.

When I was in the environment ministry, we thought about the environment in the following way: We should cross boundaries, taking into account all sectors of government. That effort lasted five-and-a-half years. Then the pressures were so great that I ended up leaving, along with my team. But I have a very good example, which was the plan to fight deforestation carried out in 2004, when deforestation reached 27,000 square kilometers. With the implementation of the plan in the past 10 years, it fell 80 percent, representing a reduction of 4 billion tons of CO<sub>2</sub>.

The plan was put together so well that even when we left, the staff did everything possible to stop it but were unable to do so. Deforestation continued falling until they decided to change the law, and it has once again increased 28 percent. It will probably reach more than 30 percent this year. In other words, the steps that we took were practicable. Brazil was the first developing country to adopt goals for CO<sub>2</sub> reductions under the Climate Change Convention, partly because of its positive results on deforestation.

Take agriculture, for example. Brazil has a huge agricultural area. Two-hundred-fifty million hectares are devoted to agriculture, and we have nearly 60 million hectares of degraded land that could be recovered for agriculture. Some 100,000 square kilometers are abandoned or semi-abandoned in unproductive areas. If all that were treated adequately, increasing production through productivity gains, we

could free up more than 17 million [hectares] of those abandoned lands for other uses. In other words the development model will have to be open for discussion. It is not magic, it [won't change] from one day to the next, but it must be done. Right now we're not doing enough.

We changed the law to increase production for predatory expansion of the agricultural frontier. We are changing the law so that mining can be done on indigenous lands. We want to change the law so that Congress approves the creation of indigenous lands. The lower chamber of the Congress has 503 legislators, and not one of them is a member of an indigenous community. So no indigenous land will ever again be established in Brazil. We're going to have to rethink the development model.

And that is only possible if countries have a long-term agenda that resolves this, not one based on the short-term calculations of politicians. The problem is that people draw up short-term policies to extend the terms of the politicians. So what needs to be done does not get done. Politicians do what they need to do to get re-elected.

The logic that the world requires from us, the clinical attitude, is like a relay race: Each runner takes the baton and does what he or she can with it. I spent five years at the environment ministry, and I knew that I could fall at any moment; but while I was there I could do what had to be done. Whoever occupies that post has to do what needs to be done.

These are our governments; they need to work like that. Now much of that does not happen, because there hasn't been political sustainability, because people believe they are going to elect a savior of the homeland, and he or she is the one who is going to make things better. The one who sets the terms of reference is society, the citizen, not just those who are running the government.

In Brazil we have serious problems that many of you here are following: allegations of corruption, a series of things. People always ask me what I think of Dilma. I say: Corruption is not Dilma's problem, nor was it Lula's, [Fernando] Collor's, Fernando Henrique [Cardoso]'s or [José] Sarney's. And it's also not Obama's problem.

It is *our* problem. Insofar as [we think] corruption is not our problem, there's going to be ugly corruption. As for the strategic agenda for addressing the problem of climate change in Brazil and the United States, the loss of biodiversity in Brazil and in the world, in China, in India—insofar as [we think] it's not our problem, we're not going to resolve it. Once it is our problem, certainly we will move to resolve it, because it will become the problem of business, government, and especially citizens. It is indeed necessary to change the development model. And I believe that Brazil is the country best situated to do so.

Do I have hope for the laws? In Brazil we have excellent legislation, including environmental legislation. The advanced aspects of the law are hard to implement, and their implementation is a challenge. It is clear that the reality of each country can be improved upon. Obviously, for a law to be implemented you have to have a culture that accepts that law. If not, such laws do not achieve viability.

Shared management of water resources is the great challenge, both in terms of our countries and for states that share river borders, as is the case of various parts of Brazil, especially the Amazon region. So one must think about shared management based on integration that is not just economic. Today our problem, indeed Latin America's problem, is that people are thinking only about economic integration. Social and cultural integration are needed, so people have another vision of how to conduct that relationship among brothers and sisters. It's often said that Latin America has very bountiful water resources, a great quantity of minerals and fertile land, with only 500 million inhabitants. That is no small thing.

I would say that Brazil is the country that has the best conditions for taking the step toward economic, social, environmental, and cultural sustainability, because we have vast natural resources. And I would

say that in the twenty-first century we are where the United States was in the twentieth century, a young country competing with countries with ancient cultures, that ended up becoming more developed than those older nations. We are a young country, competing with technologically highly developed countries with great potential, such as China and India, but we have a very great comparative advantage. We have more than 20 percent of all the living species on the planet, 11 percent of the fresh water, fantastic cultural diversity, as well as other advantages that I already mentioned. The problem is how to transform that into competitive advantages in the good sense of the word. Obviously we need to move from the mania of seeing ourselves as a giant based on the scale of nature itself, to being a giant based on the nature of the decisions we make.

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*Translated from Portuguese by Lauro de Barros, Charles Roberts, Linda Rabben, Brian Ross, and John Garrison  
Translation in memory of Lauro de Barros (1948-2014).*

## CHICO MENDES' STORY

# Chico's Story



### MODERATOR

Biorn Maybury-Lewis is co-founder and executive director of the Cambridge [MA] Institute for Brazilian Studies.

### PRESENTERS

Margaret Keck  
Barbara Bramble  
Raimundo de Barros  
Steve Schwartzman  
Gomercindo Rodrigues

# INTRODUCTION

## BIORN MAYBURY-LEWIS, MODERATOR:



Good morning. My name is Biorn Maybury-Lewis, from the Cambridge Institute for Brazilian Studies. Welcome to the panel on Chico Mendes' story. We have today a truly distinguished group of people who all knew Chico Mendes, and all have had a long experience with the issues Chico Mendes fought for, dealt with, worked on behalf of. We have five speakers today, so I'm going to try to be brief, to introduce them, and they will each speak for 12 to 15 minutes. We're on the clock, of course, and we want to leave time at the end for the all-important question-and-answer period.

I will introduce them all in the order that they're going to speak, and then we will go right ahead with their presentations. Margaret Keck is a professor of political science at Johns Hopkins University, focusing on Latin American studies, social movements, and the environment. She's published widely read work on the Brazilian Workers' Party (PT), environmental politics, and the Amazon region. She monitored in Acre the forging of the alliance between Chico Mendes and Lula [Luiz Inácio da Silva] at the founding of the Workers' Party and has written on this important part of Chico Mendes' organizational experience. Margaret received her PhD in comparative politics from Columbia University.

Barbara Bramble, on the end of our panel, to my left, is the senior adviser for international climate and energy at the National Wildlife Federation, where she works for U.S. laws and regulations and international agreements to reduce the threat of climate change. She works with the private sector, bringing the National Wildlife Federation's massive membership to bear in convincing major retail brands to avoid purchasing meat, leather, agricultural commodities that originate from recently cleared tropical rainforests and other carbon-rich lands. A lawyer, Barbara chairs the Roundtable on Sustainable Biomaterials, the global initiative to certify biomass that meets its sustainability standards.

Raimundo de Barros is a comrade and cousin of Chico Mendes himself. A rubber tapper, Raimundo is still taking care of 300 hectares of rubber and Brazil nut trees in the Chico Mendes extractive reserve in Acre. He served for 16 years in Acrean politics in the town of Xapuri and in Rio Branco, and he was a senior member of the Federation of World Rural Workers Unions of the state of Acre. Raimundo,

or Raimundão, as he is known to friends, is the personal embodiment of the cause for which Chico Mendes dedicated his life.

Steve Schwartzman, just to my left, is the director of the Tropical Forest Policy Program at the Environmental Defense Fund, working for over three decades defending the rainforest. An anthropologist, Steve Schwartzman has lived among the Panará Indians of the Amazon, learning their language. Before coming to the Environmental Defense Fund, Steve represented Brazil's Institute for Socioeconomic Studies, INESC, served as coordinator of the U.S.-Brazil Tropical Forest Action Network and consulted for the Anthropology Resource Center and other indigenous rights organizations. Steve played a key role by helping to bring Chico Mendes here to Washington and other parts of the United States in the late 1980s, to make known Chico Mendes' cause and ideas. Dr. Schwartzman received his PhD in anthropology from the University of Chicago.

Last, but by no means least, is Gomercindo Rodrigues, a lawyer, agronomist, and activist. He left his home state of Mato Grosso do Sul as a young agronomist to work with the rubber tappers of Acre and Chico Mendes as the movement was beginning to take hold in the 1970s and '80s. There, Gomercindo would learn of the struggles of the western Amazon, the work of Chico Mendes and the achievements of Mendes' efforts to organize the rural workers into unions.

Indeed, Gomercindo participated in the unionization drive. This dramatic, true story Gomercindo has recounted in his book, *Walking the Forest with Chico Mendes*, which I encourage you all to read; it's available here. Linda Rabben, our intrepid conference leader, translated and edited it; I offered an Introduction. After Chico Mendes' assassination, Gomercindo decided to earn a law degree and has been practicing law in Rio Branco, Acre, ever since, often defending rural workers. Gomercindo originated the idea for this Chico Vive conference and is on our planning committee.

Finally, I just wanted to mention that I've prepared for participants of this conference a paper on some of the controversies concerning Chico Mendes' legacy. If any of you are interested in getting a copy, I have some here and would be happy to share copies with you. It's called "Chico Mendes: Environmentalist, Unionist or Visionary?" [The Introduction to this book is a revised version of this paper.] So without much further ado I want to turn it over to our panel and Margaret Keck.

# SPEAKERS

## MARGARET KECK



First, let me say that it's an honor to be here, and let me apologize to all of you for not being Mary Allegretti, who was supposed to be on this panel and who was unable to come. Mary was a central node in the network of relations that Chico Mendes and others built from Acre, and even more played a crucial role helping to imagine astonishingly creative solutions to a seemingly insoluble problem in the face of really impossible impediments. That network included people in this room—some from quite early on, and some later—people who came to believe, and then act, as if impossible ideas could become real when enough people enacted them in practice. I will explain what I mean by this in a minute.

I met Chico Mendes a couple of times in 1982 and 1983. The first time was when my husband and I went to Rio Branco at the end of 1982, to meet with PT and rural union leaders there. This was not too long after the 1982 elections—the first time in 17 years that gubernatorial elections had been held. Remember, Brazil was still under a military government. They were also legislative and in some cases municipal elections. This was the first time the PT—the Workers' Party, which had been formed a couple of years earlier—had run candidates in elections. Contrary to the expectations of its organizers, the PT did pretty badly in those elections, but Acre was one of the places that it did best. I was studying the party's organizing process and wanted to figure out why. My husband and I had been involved in labor solidarity, mobilizing support from American unions for Brazilian trade unionists being charged under a vague and encompassing national security law. Acre was a part of that story too.

Chico Mendes was part of almost all the conversations we had on that trip. He was a PT activist and had been a candidate for state assemblyman on the PT ticket. While we were there a big state meeting was held to discuss what happened in the November elections. He was an important part of that. When we talked to Nilson Morão, who was the PT's gubernatorial candidate, Chico was there.

We had a long meeting with João Maia, who had come to Acre as an organizer for the National Confederation of Agricultural Workers [CONTAG]. Chico was there too, since by the time CONTAG got to Acre, rubber tappers had already built a base of organization around resistance to exploitation by the remaining rubber barons (*seringalistas*) and encroaching cattle ranchers.

He was also there when we met with archbishop Dom Moacyr Grechi, head of the Comissão Pastoral da Terra, the Catholic Church's pastoral land commission. Along with members of Catholic base communities, Chico had worked to win the commitment of the opposition MDB [Movimento Democrático Brasileiro] party to a decalogue of principles in 1978, besides running for municipal councilman in Xapurí.

You get the general idea. He was everywhere; he was connected with everyone we met.

I didn't know much about Acre. It was a small state in the back of beyond in the Amazon, pretty far from São Paulo, where a lot of my research was based. I knew it was an area of struggle, where the president of the rural workers' union of Brasília, Wilson Pinheiro, had been assassinated in 1980 by hired guns of local landowners. They were apparently out to get Chico, too, who had also been an organizer of that union, but they missed him that time. He was off organizing rubber tappers to join a newer union in Xapurí, an area between Rio Branco and Brasília.

After a week in which the authorities didn't seem to be doing anything about the murder of Pinheiro, a group of rubber tappers got together and allegedly killed a landowner believed to have been one of those who hired the assassins. After that a lot of rubber tappers were arrested and tortured. National leaders of the PT, including Lula, and the president of CONTAG, had participated in a rally in Acre to protest the murder of Pinheiro. As a result they and some local leaders, including Chico Mendes, were indicted under Brazil's national security law. This helped bring national and a little bit of international attention to the region, and the PT named its first party think tank the *Instituto Wilson Pinheiro*, after the murdered leader.

So I first talked with Chico Mendes in the office of João Maia, who was the CONTAG representative in Acre. Maia was also the president of the PT and had just run for office on the PT ticket. When CONTAG had come in the 1970s to organize in Acre, they quickly recognized that the struggle of rubber tappers to protect their livelihoods against the incursions of cattle ranchers was where the action was, and they tried to work with them to develop legal strategies to protect their land. By the time we were there, the rubber tappers were already working with Mary [Allegretti] and others to develop the Seringueiro Project, to bring educational opportunities and health care to the isolated areas where they lived. In 1986 they intensified one of the most famous *empates* [stand-offs] against the Bordon company, an act of resistance that seemed positively quixotic, against an adversary that by any measure was much more

powerful. And they won.

Confronting abusive rubber barons and powerful ranching interests was bad enough. Perhaps just as bad was confronting the discovery that even after getting rid of these more-immediate threats, the rubber tappers faced an unexpected one: the discovery that there was no way to make tapping natural latex into an economically viable undertaking without the subsidies that the government had paid the old owners. The acute injustice of it—after a decade of struggle to sustain their livelihoods, to be told by their friends that they had to find other ways to make a living—was bitter. But they stuck it out, developing small-scale alternatives, building networks, connecting with more-powerful allies, gaining recognition for a form of land use that most people had not known existed—and if they had known, probably assumed it would die out.

The other time I met Chico Mendes was at the founding conference of the CUT, the Brazilian labor confederation. He saw us there, and with his customary enthusiasm came running up to us, to tell us about what had been going on, and to ask us to tell people in the United States about what they were doing. He never stopped recruiting people.

It's hard to exaggerate the magnitude of this struggle, or its importance. It's not only that these were little people fighting giants. This was also an essentially creative act. There was no model they could follow. Rubber tappers and their allies built this model from the ground up, in practice. They experimented, and many of their experiments failed, so they experimented some more. They built relationships and inspired the people they built them with to build more. What were the chances in a neoliberal world, where, as Margaret Thatcher announced, there is no alternative, of the emergence of such a powerful one—not from the repertoires of international development institutions or big corporations, but from the imaginations and determination of ordinary people? They, too, saw no alternative. And so they built one.

## BARBARA BRAMBLE



I, too, am really honored and pleased to be here. It's a really wonderful event, and thank you, Linda and Gomercindo, for thinking it up and all the hard work that went into getting our wonderful guests, that we met yesterday afternoon, to be here. It's an inspiration, a continued inspiration, especially to see young people taking up this very difficult cause.

I think what you're going to hear from us and maybe all through the day and tomorrow is that a lot of the

problems that Chico and his compatriots faced continue today. I was just talking to a friend who said that there are invasions of Kayapó reserves going on this very weekend by gold miners. A lot of the problems and solutions that were relevant to the times we're talking about today are still relevant. Some are still being developed, and the story continues. And that's what's so extraordinary, that 25 years have passed and the story continues.

The other theme is relationships. What was so fabulous about Chico to all of us who knew him and to any of you who didn't was how he reached out to ever-expanding, different groups of people who he thought could be part of this eclectic vision that he had that was going to bring together so many different parts of environment, development, social activism, leadership, and followership. He was just looking for anyone who wanted to help and perfectly happy to understand how his goals connected to their goals.

I knew Chico only because of the wonderful work of others, and particularly several people here. Steve Schwartzman introduced me to him directly and introduced me to Mary Allegretti before that. Robert Goodland, who unfortunately died recently, introduced me to Adrian Cowell, who was filming all of this. You're going to see one of Adrian's films, *The Killing of Chico Mendes*, tomorrow afternoon.

Jonmin, Robert's widow, was here yesterday and I hope that she'll be back, so you can meet her. Robert was working on the inside, at the World Bank, while so many of us were trying to work on the outside.

What I was doing in the mid-1980s was working with Bruce Rich, of the Environmental Defense Fund—some of you know he was here yesterday afternoon—and Brent Blackwelder of Friends of the Earth. We were trying to understand and to figure out how one might reform policies of the money guys: the World Bank, the Inter-American Development Bank, and others. And we were really searching out case studies. We were looking for ways to illustrate that the development theories and plans and projects of the time were faulty in so many ways.

They weren't even achieving "development," but meanwhile they were also making poor people destitute and they were destroying natural resources, the environment where so many people depended on forests and clean water and rivers and streams. And so the project of the paving of the BR-364 road was financed through Rondônia by the World Bank—and then, after all the debacle that was caused there, unbelievably continued into Acre by the Inter-American Development Bank. It was pretty much the perfect example.

So we wanted to help Chico and anybody else who wanted to tell the story of what these faulty development ideas were all about, what it meant to them, what it looked

like on the ground from their side. That was really about a campaign, and Chico was going to help our campaign. But after I met him I realized that he was so much more. Lots of people talk about how calm and kind and mild-mannered and quiet and unassuming he was, but he was a very unusual kind of leader. Yesterday, I think it was Marina [Silva], but somebody said he was so great because he listened. He actually understood what other people were trying to do, what their goals were, and he was finding a way to help them do what they wanted to do.

I first met him in the early months of 1987, when Steve and I went to Xapuri. The idea was to talk to Chico and to some of his pals—Raimundão and Gomercindo are two of them—about whether he should come to the United States a couple of months after that. There was this famous Inter-American Development Bank annual meeting [in Miami] that you'll see in the film tomorrow afternoon. The idea was to lobby the board members, those representative countries who were members of the IDB, and ask them to implement the environmental conditions of that loan for the paving. There actually were some environmental and social conditions, but they weren't being implemented; crucially, they weren't being implemented before the paving. So if you can imagine, the paving comes first and the environmental and social conditions would come after, if at all. By that time all the damage would be done.

So we wanted to bring Chico to talk to these people, to give a face to the problem. As you can imagine, humans react much better when there's a face to any problem. So there ensued Steve and my staff person at the time, Stewart Hudson, leading Chico around, meeting the different people. And he met me and then he came to Washington and met with Senator [Robert] Kasten and Senator Kasten's aide. All the things ensued that you've heard about—Chico becoming well known to journalists and to environmental groups like my own.

But when I first met him the point was, he was really concerned about what his fellow rubber tapper companions would think about him flying off to Washington. That was one of his biggest concerns. In the past, when people found a way to leave the forest, they often didn't come back. And so Steve and I went around with him, from one rubber tapper holding to another, talking to people, explaining about this opportunity, telling everybody that Chico would be with us, he would be coming back. And we also found out why he was so stout—I mean he walked everywhere; but everywhere he stopped, somebody wanted to feed him. Do you remember, Steve, all of the feasts that were laid out of all the unusual, to me anyway, different kinds of food?

We were spending time trying to help him make the case that this was a good thing to do, and I think he was weighing the consequences of making this move. In all the

danger that was surrounding him and the cause in Acre, would it be better to be well known internationally or not? And in the end he made the calculus that whatever was going to happen to him was going to happen, and that it would be better to have all the international friends that he could have.

During that trip he talked to me about Adrian, who became my partner for 25 years. Adrian had just lost his son, and so had Chico, one of his babies that had been recently born.

One of the things that I remember that was most important that he taught me was that the rubber tappers wanted development. They just wanted it to be a certain kind of development. That included, of course, education and health care; but he also said they wanted that road to be paved eventually—but not until protections for their land and their way of life were in place.

After this trip that Steve and I took—you'll see all this in the film—all of this politics and Washington trip, the request was that the U.S. withhold funds from the IDB in order to put pressure on this road. And amazingly the IDB began to question the loan, and they did actually stop the construction for several months.

And then some very interesting negotiations started, at one point with a whole bunch of IDB and Brazilian state and federal government people meeting with the rubber tappers in the middle of the forest, not in an air-conditioned hotel. I can just imagine how irked the officials were about having to be out with the bugs and the heat. But they had to learn to listen to the local people. They kept calling Steve, and once they called me to say, well, can you tell us that it's OK now to start the paving? We said no, you actually have to deal with the people who are on the ground and are facing these conditions.

In any event, the consequences of all of that international pressure did provide some environmental reforms. But of course, as all of you know, the anger of the rural landholders was so great that he really couldn't escape. He knew it at the end, that he was going to be assassinated at some point or another.

I just want to say a couple more things. Chico was obviously an enigma. Marina talked about it yesterday, and it's in Biorn's paper, the question[s]: Was Chico an environmentalist? Was Chico a union leader, was Chico a leftist, was Chico actually a closet conservative? Was he a negotiator, was he a leader? Obviously he was all of those things, but what made him so extraordinary was that he synthesized them all. He didn't feel the contradictions. Those of us who try to turn him into one thing, one simpleminded thing, are always going to be wrong. He was the person who embodied the concept of sustainable development before that word even existed. Thanks very much.



Hello, everyone. I want to express my happiness at participating in this conference. I want to speak about the importance of my comrade and cousin, Chico Mendes. Twenty-five years after his barbaric assassination, the world still registers it. Without a doubt this is a reason for happiness, pride, satisfaction, not only for this backwoodsman (as we're called), but also for everyone of his class and those who wish and work for a more equal world.

Chico was one of thousands and thousands of children born and raised on the rubber estates of Amazonia. In those days no provision by public authority existed there. He too was raised in this world where public authority wasn't present. So much so that none of us of that generation, or our parents' generation or our grandparents' generation, had the opportunity to learn to read and write. Everybody was illiterate. Ninety-nine-point-nine percent were born and raised to create wealth for the nation. But they weren't even registered in the vital statistics. Chico was born into this world.

He was a child who had no opportunity to play, only to work. In that place, from one's first steps one started working: doing chores around the house, tapping rubber, and collecting Brazil nuts. He grew up following the same routine of work. But without a doubt this boy was born with a gift from God, and that gift was wisdom. The gift was there even when he was young, and it was the gift of perceiving that he lived in a world of exploitation and repression by the rubber barons, whom we had at that time.

This meant that he was 17 or 18 when he started to read and write, because his father could read a little. Then there was Euclides [Fernando Távora], a fugitive from the Prestes Column, who arrived in Amazonia and stayed at Chico's family's house for six to eight months. He was a very intelligent man who took advantage of his time in Chico's house to teach the boy a little. This made Chico able to express himself to people outside and the authorities about the exploitation and repression in which the rubber tappers lived.

I remember on January 20, at the festival in my town of Xapuri, in Plácido de Castro Square, he was very happy to tell me, "I wrote a letter and I'll put it in the mailbox, to the state government, asking that they pay attention to us, the rubber tappers, because the bosses are stealing by under-weighting and undervaluing our merchandise. The government should take measures." This marked and still marks Chico's wisdom and audacity, even at that age [18].

Later, when the first rural literacy campaigns emerged, on the basis of what little knowledge he had, Chico was

chosen to teach those who were still illiterate. It was called MOBREAL [Movimento Brasileiro de Alfabetização], I remember, and Chico did this work with great pride and joy. He wasn't paid anything. He got the books and went to the communities. He'd meet with five or 10 families that were working there for two or three days, and then he'd go to other communities. So he became a person who started to attract a lot of attention and trust from other members of his class.

Then a change came in production because the subsidies to the bosses played out, moving from rubber to big ranches. If the boss was the sort I described, cheating and exploiting our people by under-weighting and undervaluing, the ranchers were even worse. It wasn't possible to process rubber and collect nuts anymore. We were pushed off the land and cattle took our place. Chico was wise about this. In those years the Catholic Church's ecclesial base communities were emerging. Chico and various other comrades, including me, took part in those meetings and discussions. This broadened Chico's horizons. With every passing day Chico became more active, more effective at finding ways to help defend his class.

Outside the Catholic Church Chico developed contacts with other organizations that were becoming aware of what was happening in our Amazon, especially in the state of Acre. A delegation from Brasília arrived in Acre to build up the first unions. As Marina Silva mentioned [in her keynote speech], the first union to be founded was in Brasília, which is near Xapuri, about 100-some kilometers away. Chico's activities were on the borders of the two townships. The comrades called on Chico to participate in the discussions leading to the formation of the unions. They saw that he had the capacity to be part of the directorate. He was elected general secretary of the Brasília union, and he spent two years working with Elias Rosendo, who was the first president of that union. They did good work, and it was there that he gained his first experience of the *empates* [stand-offs]. These are a way of bringing together class members to go to the frontline of the forest and prevent the hired hands from doing their work [cutting down trees].

The following year he moved to Xapuri, and we elected him president of our union. That was when we got together and carried out several *empates* and marches to Brasília and Rio, looking for allies with the support of several other comrades. It was a very difficult road, because our backers consisted only of ourselves, the Church in a timid way, other comrades who supported us, very few on the national level, and some on the international level. There on the spot, in the state where he carried out his work, Chico was very discriminated against. He encountered absurd defamations aimed at him. These were intended to ensure that his work would not succeed. The exploitation

and destruction of our forest and the exodus of our comrades to the city were much worse.

This was the reality. I want to finish by asking everybody here, especially the young people, to keep embracing this cause, which has been chugging along for many years, starting in Acre but today in many parts of the world and other countries, where very disagreeable things are still happening. In our country these things still go on, but this solidarity is very important, as is support on the international level.

*Translated from Portuguese by Linda Rabben*

## STEVE SCHWARTZMAN



I want to start by telling a story that Chico told me when he was staying at my house in 1987, the first time that he came to Washington. It's about the moment when Chico had been indicted on national security charges and was going to have to go to trial, he and an up-and-coming union leader named Luiz Inácio da Silva—Lula—after the assassination of Wilson Pinheiro. Chico said he was in Rio Branco, the capital of Acre, and in some months was going to have to go to Manaus to stand trial on national security charges, for subversion and inciting riots.

A group of ranchers approached him and said: "Chico, we want to talk to you. We know that you're going to have to go to Manaus and stand trial on these national security charges. We know a lot of people in government and the security community. We could help you out with that. We're not trying to buy you off, we're not trying to do anything like that, but if you would just be willing to help us mediate these conflicts between the rubber tappers and the ranchers, we can fix it so you don't have to stand trial. We're not trying to corrupt you or anything."

Chico said: "I'm sorry, but when I joined the union movement I made a commitment, and I can't go back on that commitment. I can't do that. I'm afraid I'm going to have to go to Manaus and stand trial after all."

The ranchers said: "Chico, you're crazy. You fighting against us is like a mosquito against an elephant. We have all the money and all the guns and all the power. It doesn't make any sense."

Chico said: "It's true, you do have all the money and all the guns and all the power, but when the people recognize their true strength, the money, the guns and the power won't make any difference. And it won't be a mosquito against an elephant anymore."

What I want to suggest here is that Chico was right. I think this is an example of what Marina Silva has described

as his anticipatory vision and his ability to enable change, and is illustrative of his legacy. As Marina noted, Chico indeed tried very hard to get elected to office and succeeded only once, the first time. Chico's strategy, the Workers' Party strategy, was to get a foothold in the unions and win political office. It didn't work for Chico; it did for Marina. Chico took a different pathway to political influence, by allying himself with the international (and national) environmental movement, winning international environmental prizes, and getting his story and his message into the international media. When Chico was murdered, the death threats against him had already been covered in the *New York Times*. Unlike some hundreds of other assassinations in land conflicts of rural union leaders and activists in the 20-some years before that in the interior of Brazil, Chico's story ran on the cover of the *New York Times*. Part of his legacy was this symbolic and political capital.

A struggle over the meaning of Chico's story followed his death, with people attributing different meanings to it, according to their political perspectives. Some on the right said that Chico was a tool of international imperialism who was trying to help the *gringos* get control of the Amazon. Some in government took the view that Chico was a kind of quixotic figure, tilting against windmills, an idealist but somebody who was profoundly unrealistic and who was fighting for unattainable goals. Chico's friends and the Popular Front in Acre took a very different view—that Chico was a brave man who had good ideas, and that what he said about government-sponsored development in Acre and the Amazon was true. Subsidizing large-scale cattle ranching and deforestation while ignoring human rights abuses, and altogether failing to address massively inequitable distribution of land and wealth, was not a successful development model, and Chico's ideas pointed the way to a better one.

In Acre this interpretation resonated strongly with people's experience. In the words of Acrean journalist Antônio Alves, "[Ten] years after he was assassinated, Chico Mendes came to power in Acre."

A succession of four—likely to be five after the 2014 election—state governments founded on Chico's legacy, led by the people who worked with and supported him in his lifetime, has achieved transformational social and environmental change. Through broadly participatory processes the last four governments have designed and implemented policies that have reduced deforestation in the state over 70 percent since 2005, while increasing per capita GDP more than national averages. Acre's cattle herd—formerly the driver of large-scale deforestation—has increased substantially over the same period. Social indicators for health and education have also improved markedly, while deforestation has gone down.

Chico's legacy extends beyond Acre, however. When

Lula was elected president in 2002 he named Marina Silva environment minister. Marina designed an innovative and bold plan to reduce deforestation. Most people in upper echelons of Brazilian government at that time didn't think it was possible for Brazil to control Amazon deforestation. They felt that it was too big and complex a problem for national policy to affect.

Marina designed a program called the National Plan to Prevent and Control Amazon Deforestation, including the creation of a vast area of new protected areas and indigenous territories, about the size of France, in the Amazon over a period of about five years. A number of other measures, in combination with various other factors, ended up allowing Brazil to reduce its deforestation more than 70 percent between 2005 and 2013, while the major drivers of deforestation, cattle and soy production, were going up (Figure 1). A critical factor, and one Chico contributed to significantly with the extractive reserves concept, was in the creation of protected areas, particularly sustainable-use protected areas inhabited by traditional populations and indigenous territories.

Going back to the beginning of Chico's story in the 1960s and looking at the map of the Amazon, one would see virtually no deforestation on one side, but also no recognized indigenous territories and very few conservation areas. Today half of the Amazon is recognized indigenous territory and protected areas. There is good independent research showing very clearly that these territories are critical to reducing deforestation. Brazil and the Amazon are, in a real sense, in the same position as the United States in the 1830s, when much land west of the Mississippi was legally recognized as Indian territory.

As Marina suggested, we should see Chico Mendes' legacy as alive and able to continue to produce transformation. The ability of the environmental community, in the broadest sense, to continue to move that transformation will be extremely important to the future of these territories. It remains an open question whether or not the tragic history of U.S. indigenous territories will be repeated in Brazil. The effectiveness of indigenous territories and protected areas in stopping deforestation is evident in satellite images (Figure 2); but indigenous and traditional peoples will need considerable support going forward for this to continue.

New signals from markets have the potential to help catalyze the transformation to sustainable agriculture. The Consumer Goods Forum, including 400 major corporations with over \$3 trillion in revenue, has committed to eliminate deforestation from beef, soy, and palm oil supply chains by 2020. Many of its members have yet to adopt such commitments themselves, but industry leaders—Unilever, Nestlé, Walmart—have, to a greater or lesser degree. It is not evident that these companies are themselves clear on

how they will meet these goals, but the trend toward “zero deforestation” commodities is clear. Brazilian, and global, political culture vis-à-vis deforestation has changed.

When Chico Mendes was alive the received wisdom in business, government, and public opinion was that deforestation was the inevitable price of progress. Industrialized countries cleared their forest and became rich. Why should Brazil not do the same? Today no one defends this position—in no small measure because of Chico Mendes' vision.

Chico Mendes' living legacy has made Brazil the largest reducer of greenhouse gas emissions in the world—3.2 billion tons of CO<sub>2</sub>, or more than the entire Kyoto Protocol including the EU, with very little international compensation to date. This creates enormous opportunity.

Brazil's comparative advantage as a twenty-first century green-economy powerhouse is clear: advanced, low-carbon sugar ethanol, huge wind and solar energy potential, a high-tech plantation forestry sector with great socio-environmental credentials, and an ambitious, well-financed low-carbon agriculture program. And Chico's legacy—world leadership in combating climate change—potentially gives Brazil the moral and political capital to lead the negotiation of a new international climate agreement, leverage the creation and development of more robust carbon markets (including its own), continue to produce more food on less land, and give real value to living forests. The prospects for Brazil's global leadership in low-carbon, high-value, high social-equity growth looked even brighter in September 2014, as Marina Silva surged ahead in presidential election polls. [Marina Silva placed third in the election in October 2014.]

Seizing this opportunity requires clear, consistent environmental and development policies. Deforestation had already picked up in 2013 and had not decreased in 2014. It is profoundly unlikely that rates can continue to go down if government fails to create positive incentives for reducing deforestation and restoring degraded lands, undercuts indigenous rights for uncontrolled resource exploitation, or looks the other way while the *bancada ruralista* [rural landowners' bloc in Congress] passes amendments to the Constitution and laws that undermine the indigenous lands and protected areas that have been central to controlling deforestation. Subsidizing economically inefficient and socio-environmentally destructive mega-dams in the Amazon, such as the Belo Monte hydroelectric project, is not the kind of investment that will make Brazil an environmental super-power. Chico's key insight—that good environmental and social governance are preconditions of development, not trade-offs—points the way forward for Brazil as a twenty-first century global ecological and economic leader.



Hello, everybody. I'm going to ask Biorn to take a piece of paper and pass it around. Each person will tear off a piece of any size, from any part, in any way he or she wants and pass it along. Let's start. That's right, pass it along. Each one tears off a piece in the shape, size and place you want. That's all, nothing more. Later we'll talk about this.

I met Chico Mendes in 1984 because, as Biorn pointed out, I wasn't born in Acre, I was born and lived in Mato Grosso do Sul until I graduated as an agronomist. My family, my father (my mother died a little more than a year ago) still live in Bonito, a tourist town in Mato Grosso do Sul, very pretty, where I grew up.

I went to Acre as an agronomy graduate. First I worked for about two years in public agencies. Then, because I never worked as a government employee but rather as a public servant, this wasn't agreeable to my employers, because they always thought that I had to be a government employee and not a public servant, and this difference of opinion created a big problem.

Because of political issues, even though I'd passed the civil service exam, I ended up quitting and going to work first with rural workers, where the government didn't want me to go as an agronomist, and then I went to live as a rural worker. During this period I met Chico, though the Workers' Party and the rural workers' movement, but not in Xapuri.

It was only in 1986 that I went there to help and evaluate some experimental cooperatives that hadn't worked. People wanted someone from outside who would review and try to help this analysis as an agronomist. That's where I met and began working with Chico, starting in January '86, and I worked with him until the day they killed him.

Raimundo already talked about Chico's youth, and I'll talk about the Chico I knew. For me, aside from being a great teacher, a great master, Chico taught me a great deal. He, Raimundo, many comrades—much of what I know and what I learned, I learned from them. Even though I graduated in agronomy, I think that 90 percent of what I know I learned from them and not at the two universities where I studied.

He was a man ahead of his time—and when I say this, I'm speaking of a rubber tapper who, elected city councilman in 1977 until 1982 in the City Council of Xapuri, made several speeches in which he spoke of the defense of Amazonia. Unfortunately, the speeches were recorded but the tapes were not preserved. The archives of the City Council recorded only the summaries: "The city councilman Francisco Alves Mendes Jr. used his time to speak in

defense of Amazonia."

Now imagine, in Xapuri, a small town, in 1979, the person who made the speech was not a highly educated person, he was somebody who might have had a middle-school education at most. From his speech the summary said, "He spoke in defense of Amazonia." Not he spoke in defense of Xapuri, or the rubber tappers—he spoke in defense of Amazonia. That is, the secretary understood that he had spoken in defense of Amazonia in the Xapuri City Council.

To understand how he managed to speak of much bigger matters than Xapuri, much bigger than the rubber tappers, how a man ahead of his time went out looking for different kinds of support at a time when few Brazilian intellectuals, few environmentalists were speaking in defense of Amazonia, you had a rubber tapper there in the depths of the Amazon speaking in defense of Amazonia. This is somebody ahead of his time.

As such a man, clearly always counting on support because he always looked for support, as Marina said yesterday, he succeeded in calling on people; he managed to bring together the most diverse ideologies, from the radical Workers' Party member to the Green Party activist in Rio de Janeiro, in the bars of Ipanema. He succeeded in bringing together Steve, Barbara, Mary Allegretti in an indigestible salad, from the point of view that they could be mixed together, and he brought together these people and made them work together.

This was also a capacity for leadership that was very great, so much so that today we don't have anybody like Chico Mendes. Nobody has replaced him, nobody had the capacity to replace him. We have Marina, who grew out of this movement and who, through her collaboration, everything that she studied she put together. But if you ask me if Marina has replaced Chico today, I'd say no. She plays one role but doesn't fill others because those belonged to Chico. He succeeded.

As president of the union he called the First National Meeting of Rubber Tappers, put together by the Rural Workers Union of Xapuri in Brasilia. One came from Amazonas, two from Mato Grosso, 70 from Acre, 40 from Rondônia, and they organized the meeting. They spoke and invited politicians to the meeting site at the University of Brasilia. They invited environmentalists and everybody else. It was there that the proposal for the creation of extractive reserves was launched. This idea genuinely came from the rubber tappers. The term "extractive reserve," no, it was from one of the advisers, Mary Allegretti or somebody else who was there. What they said was: "We would like to live in the forest the way the Indians do. They have protection, and they can live there the way they want, according to their culture. That's what we want, too." Why? Because the rancher was always arriving with a land

title and expelling the rubber tapper. And the rubber tapper was forced into the city. So they said: "We'd like, more or less like the Indians, to be protected, to have land-use rights. We don't want property rights. I don't want the land title, I want the right to live in the forest with nobody bothering me. And so somebody said, "Indigenous reserve. . . . you're not Indians, you're extractivists, so extractive reserve. Ah, extractive reserve, beautiful." They gave it a name and that was that. The name somebody gave them, but the idea came from them.

And what is an extractive reserve? It's a public area, not private property, inhabited by a traditional population that uses the land sustainably and rationally, with public policies, health, education, guarantee of an outflow of production, marketing guarantees, everything that would improve these populations' quality of life. This is the idea of the extractive reserve.

The radical environmentalists were antagonistic, because for them human beings are predators; they have to be kept out because human beings are destructive. The idea of the extractive reserve is of conservation by the population that lives in a particular environment. It's a different idea, in the avant garde, which actually embodies in practice what the Brundtland Commission called sustainable development in 1972. So you have the rubber tappers putting forward the idea of sustainable development when it was still a vague idea, as a practical proposal for development with conservation and preservation.

This also was an idea ahead of its time. And Chico Mendes became the principal spokesman for this idea. It was for this that he was assassinated: because he represented a model that was opposed to the predatory model of the Brazilian government, which bankrolled the ranchers, gave them subsidies, and encouraged devastation.

The environmentalists were saying, "You have to preserve Amazonia," but it was only a slogan. They said the Amazon had to be preserved but without any specific proposal. Then suddenly the government replied, "Amazon has to be developed; to put an end to poverty in the Amazon, it has to be settled. And the environmentalists said, "It has to be preserved." But they had nothing, and the government had a project, money, investment, while the environmentalists had only rhetoric.

Then the rubber tappers introduced the proposal of extractive reserves, and the environmentalists said, "The Amazon has to be preserved." The government said, "Amazonia has to be developed," and the environmentalists replied, "We agree with what the rubber tappers want, with extractive reserves." Now they had a proposal, they had a model. We put into practice what had only been rhetoric, and the idea came from the rubber tappers. It wasn't created by any intellectual. There were a lot of intellectuals around, but the idea, the concept came from

them, talking among themselves and discussing it.

The extractive reserve serves as a template for sustainable development and land reform in Amazonia without parceling the land. The model for land reform had always been: expropriate the property, give out the title, then the new owner sells it, the rancher buys it again and recreates the same ranch. The extractive reserve is public property, with no concern for the right to private property, which is one of the pillars of Brazilian society. Thus you have a proposal that proclaims: "No, we don't want property, that doesn't interest us. What interests us is the right to use the land and live on it." The idea is so good that it can work for any traditional community that makes rational and sustainable use of any natural resource. Today there are extractive reserves for freshwater and ocean fishermen, crab harvesters, babassu-nut processors. So the model can be adapted to any part of the world and any population.

Chico was a prophetic figure. In early 1980 he made a speech in City Council in which he said that Wilson Pinheiro, whom Margaret Keck mentioned, was in danger of being killed and was constantly being threatened. And on July 21, 1980, Wilson Pinheiro was assassinated. He was the first great leader of the rural workers in Acre. Much later, in 1999, I was the defense lawyer for the rubber tappers, and we managed to get their acquittal, because I proved that they hadn't killed the ranch manager accused of Pinheiro's death. Two or three guys who had been hired by the ranchers themselves were shown to be guilty.

Chico gave an interview on December 11, 1988, in Rio de Janeiro, 11 days before he was killed, and he said, "I'm returning to Acre to die. The men who will kill me are Darly and Alvarino Alves, who say they're backed by the Federal Police, the superintendent of the Federal Police. . . ." This interview was to have been published in the *Jornal do Brasil*. But it wasn't. And he was killed.

There are other examples. I believe he made one error in his prophecies, the only error he made, when he said in the same interview: "If an angel came down from heaven and said that my death would help save Amazonia, I'd die happy. But unfortunately history has shown us that neither speeches nor funerals will save the Amazon for us. For that reason I want to live." That's where the film you'll see tomorrow, *I Want to Live*, comes from.

I think that this might have been the only incorrect prophecy he made, because his killing, even if it didn't help save the Amazon, at least helped to lessen the pressure [on it] and turned the eyes of the world toward Amazonia.

I'll tell the story quickly of a confrontation that I think is emblematic. I tell this story in my book, to talk about the importance that women had in the Xapuri union, because Chico always valued women's participation.

We were camping on the Cachoeira rubber estate to stop the entry of Darly [Alves], who had "bought" it. We

believed that he got 6,000 hectares in the heart of the estate so he could clear the 18,000 hectares that surrounded it. The rubber tappers of Cachoeira met and said, "He's not going to come in." They sent a message to Chico, who was in town. Chico said, "If you stop him here, the union will support what you've done."

I was at the other side of the estate. Ten days later I passed by Raimundo's house, and he told me there was a camp at Cachoeira, and I went straight there after stopping in Xapuri. I didn't go there at night because people told me, "No, it could be dangerous, because people might think you're a gunman of Darly's, since you travel by motorbike." So I said, "I'll go early tomorrow."

Deforestation was going on in a neighboring estate, Equador. And we decided to stage a stand-off [*empate*]. We did that one time. Then the rancher went to court, and the judge ordered 49 police to protect the deforestation. We decided to stage the *empate* even so. And we did. One hundred-fifty-nine people, more or less, men, women and children. At night we held a meeting and planned how the *empate* would happen. As we were leaving, the women arrived and said, "Oh, we're going in the front with the children, because the police won't shoot at us. We've already had a meeting and decided that we'll go first." Fine, yes, ladies. And they really did go out ahead.

Even more interesting—even Gloria Perez in that miniseries "Amazonia" didn't manage to show this—fiction was worse than the reality. At the time we were arriving, the police were lined up, carrying their weapons. When we were about 20 meters away the police regrouped in two lines, and two schoolteachers started singing the National Anthem. Now the Brazilian National Anthem is a patriotic symbol, so a soldier has to take a respectful position in front of a patriotic symbol. But we hadn't known this or even thought about it (I hadn't served in the army). So when we started to sing the anthem, the commander gave an order and all the soldiers saluted, along with the commander. We sang the entire National Anthem, which is long. We sang all the verses. Led by the women. And we respected their position. Chico, who was president of the union, said, "This is good, the women decided, and we're going to respect their decision." Because both men and women rubber tappers went to all the *empates*. That's why they were nonviolent, because the women and children went.

Now who has the piece of paper that I gave out? OK. Biorn, I gave you a piece of paper and you give me *this*? Let me explain the joke. I always do this, even with students. When some nut tells us to destroy, we don't even think, we destroy and don't even consider why, because destroying is the easiest thing to do. So we don't think, we destroy. I've collected pieces of paper—people make a pretty heart and cut it out. Each one destroys in a particular way. One takes a tiny piece, another leaves a piece

in the middle, makes a little circle and starts destroying right in the middle. In little ways we destroy—this is the first message.

Now I'm going to tell you another story, and this is why I asked to speak last. On December 22, 1988, at about 6 p.m., I arrived at Chico's house. He was playing dominoes with two policemen of the three who were providing security; the third had gone to dinner at the station. And when I arrived he said, "Oh Guma, it's good you've arrived—sit down, we're going to play. I'm winning from these nerds here."

But I felt a tightness in my chest. On the 21st, when he'd returned from a trip with the brand-new pickup truck for the Cooperative, he circled around town with the children in the cab and stopped at the hospital. The nuns said, "How marvelous, now things will be good. Next year will be better."

He said, prophetically, "Well, sister" (to one of the nuns at the hospital, who was his friend), "Well, sister, it's too bad that they're not going to let me live until the New Year." On December 21st he said that.

So I said to him, "Chico, I'm worried"—because I really was feeling anguished, you know how you feel when your heart is aching and there's something wrong, but you don't know what it is.

"But why?"

"Because I don't see the gunmen anymore."

From May until the beginning of December, every day when I'd open the window where I lived, in the back of the CTA [Centro dos Trabalhadores Amazônicos] office—I'd open the window of the office and there were two gunmen in the square in front. If they weren't there, they'd arrive soon after. They stayed there all day long, not doing anything, just loitering there, armed. You could see their guns. I'd go down to the union, 200 meters away, and under the tree in front two gunmen were sitting down. One was supposed to have fired at Chico and was convicted of this. They'd stay there, not doing anything, all day. I said, "I'm not seeing them." And there were others in town. Every day it was like that. Suddenly they vanished. I told Chico, "I'm not seeing the gunmen."

"Guma, I'll look into this tomorrow."

Then, on December 22nd, I said, "Chico, I don't know how to play [dominoes]."

"But to beat these guys you don't have to know how to play." They were playing for 25 cents.

I said, "No, Chico, I'm no good at this."

He said, "Ah, Guma, playing for nothing with these nerds isn't worth it, it's a waste of time." He loved to play dominoes; it was a pastime he was very fond of.

I said, "No, Chico, I'm worried about what I told you yesterday."

He said, "Yeah, I really didn't notice." At this point, his wife arrived and said, "Oh, I want to put dinner on the table, the soap opera is going to start and I want to watch

it." December 22nd, a Thursday, the next-to-last chapter of *Anything Goes: Who Killed Odete Roitman?* This show was on TV Globo, the next-to-last episode, who had killed the female villain.

So he said, "Oh, Guma, come eat here with me!"

I said, "No thanks, Chico." Because 1988 was a year when I didn't have a project; nothing was keeping me in Xapuri. I had no money, so people were raising money so I could put gas in the motorbike, eat. . . . He knew this, but what he had was also very little, and sharing that little bit wasn't something I felt good about doing. But he knew that the situation was bad for me, that I was in good shape only when I was on the homesteads in the forest. There I did very well.

So I said, "Buddy, I'm worried."

He said, "You go and see, because I really didn't see, and when you come back we'll eat. Meanwhile I'll take a shower."

I left, got on my bike, rode around. . . . There's a picture I didn't bring, Barbara, in which you're beside it. I'm in the photo with Bosco's boy on the bike, and you're there, too. So I went around town, I spent five or 10 minutes, and when I returned, as I was arriving, Ilza ran out shouting, "Guma, they've shot Chico!" I looked behind me, 50 meters away was the police station. The police were on the sidewalk—doing nothing! I said, "You bastards, aren't you going to do anything?!"

At that moment a friend said, "We need a car because he's wounded." I thought, "He isn't dead." Since I had gone through the city, and Xapuri had very few cars, I'd passed in front of the bank and saw that people were working and their cars were there. They were bank workers; they

had cars. I ran there, I got on the bike and sped over there. When we got there I yelled, "We need a car!" The guy came out, we got a car, and when we arrived they were already putting Chico in a small pick-up. I asked a friend, "How is he?" And he said, "Ah, he's dead but he isn't dead, right?"

I went back to the house, grabbed a revolver, put it in a shoulder bag, put in two bullets and went to the hospital. When I arrived there they wouldn't let me in because I was wearing shorts. I thought, "OK, I'm not a doctor, I can't do anything to help here." So I went home and started to phone people. The first reaction was, "Don't joke about that, Guma!" Since I was crying, they asked, "But how is he? Is he dead?" [I said,] "Look, he's either seriously wounded or dead, I don't know."

After a few phone calls my telephone went dead, so I went to the public phone. Before this I returned to the hospital, still in shorts. They let me in. When I went down the hall, there was a stretcher. On that stretcher, only in shorts, because he was going to take a shower, with his chest torn apart on the right side because the bullet had gone from right to left because he was turning when he opened the door—there was Chico. Dead.

I thought, "Dead? Dead?" No, he wasn't dead. He isn't dead because if he were, more than 25 years later, we wouldn't be here in Washington talking about his ideals. Those who shot at Chico missed their target. They lost their aim. Those who think they killed him made him immortal.

Thanks very much, and excuse me for taking so much time.

*Translated from Portuguese by Renato Alvim and Linda Rabben*

## QUESTIONS AND ANSWERS

**MAYBURY-LEWIS:** Thank you, Gomercindo. We've gone a little bit late, but it's very important to have questions and answers in this last part of our panel today. So without much further ado, I would like the audience to please feel free, and make, if you would, questions short.

**QUESTION 1.** [inaudible]. . . I wonder if anyone on the panel have a thought if that [extractive reserves?] could work for Native Americans in the United States and for other populations in rural locations [inaudible]?

**SCHWARTZMAN:** I don't know. There is a whole set of agreements and treaties and legislation and administrative regulation of indigenous territories in the United States. Extractive reserves were really, as Gomercindo and Raimundão explained so well, designed to respond to a specific set of issues that rubber tappers but then other traditional populations in the Amazon were facing.

When they talk about extractivists that means people who make part of their living from sustainably extracting products like native rubber latex, Brazil nuts, babassu palm nuts, and so on. There's a kind of analogy in West Virginia, as far as I understand, or in the Appalachians, that there are people who supplement their income or make a lot of their income from things like collecting ginseng.

- QUESTION (cont.):** From a legal standpoint is there a way—I actually live down in West Virginia.
- SCHWARTZMAN:** I don't think we have a figure like this in U.S. environmental legislation.
- BRAMBLE:** I think the main point is that there should be a legal basis for indigenous peoples' reserves as the rights of American Indians should have. One should go for that. This is a second tier for people who don't have the possibility to go for that.
- MAYBURY-LEWIS:** Margaret Keck said something interesting, in my opinion, which was that there was no model to go on. She and I are social scientists, and it's a bit social science-y, but she's right. There wasn't any blueprint for the rubber tappers of Acre to go on, but they did take elements from other movements, to think about them.
- Obviously Chico Mendes had an education, one way or the other, which Raimundo de Barros touched upon, with the *tenente* [lieutenant, Euclides Távora] who lived with them for a while. But that's the challenge for social movements, it seems to me: to find elements that work in your circumstances. No circumstances are exactly the same. That was a challenge that Chico Mendes embraced, as Gomercindo pointed out, with such creativity.
- QUESTION 2:** First of all, I'd like to say thank you to Gomercindo and to Raimundão, for bringing the reality of life in Xapuri to us here in Washington today. My question is: Those years in the 1980s and perhaps going into the 1990s, when Brazil produced a wonderful, very forward-looking Constitution, were a really vital, lively time. In view of the fact that it's 25 years now, I'd like you to comment on the current situation in Brazil and the attitude of the current Brazilian government, and how you see the future progressing from here.
- RODRIGUES:** Well, I think that effectively we have a Constitution that was very good. We got a Constitution that was much better than the actions of the current Congress. The Congress has tried to slash or diminish achievements of the 1988 Constitution.
- Not only the Congress but the Judiciary, the Supreme Court itself, which is our Constitutional court, has made interpretations that limit the rights, even fundamental rights in the so-called rock-bottom clauses, which cannot be changed, even through Constitutional amendments. The Supreme Court has "made flexible" some interpretations that overturn hard-won victories.
- I think we had advances, as Steve [Schwartzman] showed with his data, improvements related to what I said. Chico's assassination, contrary to what his killers believed, instead of eliminating the immediate problems of the ranchers, the big capitalists, and Brazilian investors, put the problem at the center of the debate. Amazonia had all eyes turned toward it.
- Senator Robert Kasten, an American conservative, chairman of the powerful Budget Committee, wrote a very critical article in the *New York Times* when he found out about Chico's assassination. He had met with Chico. As a result this event called attention to Amazonia. When the article came out in the *Times*, Brazilian journalists who hadn't even heard of Chico rushed to find out who he was. An interview he had given on December 11 was supposed to be published on the 16th, and on the 23rd he got two pages in the *Jornal do Brasil*. But by then he was dead. Wilson Martins, the journalist who had interviewed him, ran to the *JB* and said, "Where's the interview?" "No, we're not going to publish it, it makes no difference: he's dead." It should have been published before.
- The truth is that we had advances, but right now we're having some setbacks that I think will be very damaging. The passage of the new Forest Code opened doors to increase devastation and decrease protected areas. So the new Forest Code, the law that addresses environmental issues, opened doors to defeats for us. This is a complicating factor.

The Brazilian government has an energy policy aimed at hydroelectric [development], which is causing a great many social problems at Belo Monte for the Indians of the region. Acre has no land link to the rest of Brazil. It has only one highway, which is flooded in some places as much as 1.6 meters above the road surface, because they built two dams in Porto Velho, 500 kilometers from Rio Branco. They say, "No, the reason is that it rained a lot, it has nothing to do with the dams." How can it have nothing to do with it, if the Madeira River never had risen more than 17 meters, and the water is now almost 20 meters deep?

The two dams certainly do affect the highway, perhaps less than the chaos that took place with problems in gasoline supply, food, everything that comes from the Central South of Brazil. We don't have roads. It would take a veritable campaign by the government to transport goods by raft on the river, taking the long way around. So we've got problems, and the possibility of these problems getting worse.

Obviously we hope the problems don't get any worse. I believe that maybe there will be an opportunity to discuss this during the election campaign this year, to reframe the issues. But unfortunately I don't have great hopes.

*Translated from Portuguese by Linda Rabben*

**MARCIA MACHADO:** Many years ago I was in the Upper Juruá with [Antônio] Macedo, in the extractive reserve that hadn't been created yet, and they had just created the Alliance of the Peoples of the Forest. I'd like to know if this alliance existed in the Xapuri area, and if an alliance between Indians and rubber tappers still exists. Could you please comment on this? I also don't know what happened in the Upper Juruá.

*Translated from Portuguese by Linda Rabben*

**RODRIGUES:** The Alliance of the Peoples of the Forest wasn't in the Juruá. It was articulated by the National Council of Rubber Tappers, which had been created and about which Marina spoke yesterday. Why was this council created? There was a meeting of the National Rubber Council, an official body formed by government representatives and the rubber traders. The rubber tappers weren't part of the Council. Speaking on behalf of the rubber industry were the rubber barons, the owners of the rubber estates, rubber processing businesses and the government. And the producers played no role. They learned that the Rubber Council was meeting and went to Brasilia to participate in the meeting. "Look, they're talking about us, let's go there." The rubber tappers entered through one door, and the rubber barons left through the other. They fled.

So the rubber tappers said, "OK, we can't participate in the National Rubber Council, so we'll create the National Rubber Tappers Council [CNS]." And they did just that, creating the organization that organized the rubber tappers of the Brazilian Amazon. With the creation of the CNS, the rubber tappers and the Indians, who had always been enemies because the rubber tappers had been used as soldiers to kill the Indians so that the rubber barons could increase their estates. The estates were expanded because they took over indigenous land. And the soldiers were rubber tappers sent by the bosses to attack the Indians. There had always been tension, but this had been in earlier times.

The Union of Indigenous Nations (UNI), which was run by Ailton Krenak at that time, and Chico met up and started talking. They agreed: "We're both getting beat up in the same way. It's the government and the traders that are hitting us. Why don't we stop fighting each other? If we're going to be attacked, why not get together? Let's be attacked together." And that's how the Alliance of the Peoples of the Forest was created, a joint effort of the CNS and UNI.

This was at the level of both organizations, and it happened in the Upper Juruá, where there were many more indigenous groups and rubber tappers working nearby. The process took place from the bottom up, not only at the top. It was a process in which Indians and rubber tappers started a dialogue. In Xapuri there weren't indigenous peoples, but the alliance still worked.

Now the CNS has opened up. It's still called CNS, but now it involves all the extractivists, whether of babassu, fishers, a broad range of people. There isn't so much contact between leaders as Chico and Raimundão managed to develop with indigenous leaders at that time. For this reason there isn't the same level of activity.

It's something that's always possible. For example, at the second National Rubber Tappers' Meeting in Rio Branco, after Chico's assassination, the first meeting of the Peoples of the Forest took place with the participation of Indians and rubber tappers. That was the first meeting of the Alliance of the Peoples of the Forest. These days there isn't as strong a collaboration as there was then, as far as I know. I haven't followed it closely.

*Translated from Portuguese by Linda Rabben*

**DAN BARON COHEN:** Hello. I'll speak in Portuguese, but I'm from Wales. I'll speak in Portuguese so that my friend here can understand everything I want to say. Speaking about the current situation, I'd like to reflect and respond to the panel. Today, April 5, is the anniversary of the Marabá massacre. At this moment Marabá is commemorating the killing of Maria da Silva, an extractivist who was a partner in our project in Marabá. I'd like to point out that Camila, who is 18 years old, will dance this evening, making a parallel between the violation of human beings and the violation of Amazonia. Camila didn't know anything about Chico Mendes. She lives in Amazonia but didn't know she was an Amazonian, typical of a generation of young people who know nothing about the legacy of Chico Mendes or even who he was.

I'd also like to note that today, at 7 a.m., the city commemorated, in the pioneer area of Marabá, its anniversary. The event was financed completely by the Vale do Rio Doce—that is, the largest mining company in the world, responsible for the destruction of both the forests and the rivers. Today, buying not only politicians but also state institutions, in the name of Chico Mendes and responsible socio-ecological extraction, it is buying and colonizing the Amazonian imagination.

I'd also like to talk about the issue of Belo Monte, not only about the hydroelectric generating plant now under construction at Marabá, but also about Dilma Rousseff's government, the state government of Pará, the city government. In the name of Chico Mendes they are building a commercial and industrial project that will destroy the planetary equilibrium.

Likewise, it was said earlier that Chico Mendes had the vision, as a rubber tapper, to perceive that it wasn't only a union issue but rather a paradigmatic issue, just as Marina yesterday said that we're living through a civilizational crisis, I'm saying today that Marabá is preparing to become the world geopolitical giant in the name of Chico Mendes. We cannot underestimate the importance of this meeting in Washington, which has the capacity to sensitize the peoples of the world as well as the peoples of Amazonia and Brazil.

*Translated from Portuguese by Linda Rabben*

**MAYBURY-LEWIS:** Thank you very much for your comments. Would the panel like to comment on the comment? I think the comment speaks for itself. We can take one last question, and then we'll break. Well, we'll take a break, then. Thank you all. Please give a round of applause for our excellent panel.

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## PANEL

# Human Rights and the Environment



### MODERATOR

Eve Bratman is assistant professor, American University School of International Service.

### PRESENTERS

Cristhian Prado Andrade  
Tek Vannara  
Edwin Cisco  
Joji Carino  
Franco Viteri  
Barbara Rose Johnston

# INTRODUCTION

## EVE BRATMAN, MODERATOR:



Our next panel this morning is on human rights and the environment. We have six panelists, each of whom has prepared elements from their own activism and research and life stories to share with our group today. If you all come in and sit down, that will allow us all more time for questions and rich discussion.

I'll just begin with some of the introductions, and as I call your name, if you're not already sitting up here I'd appreciate your coming to the front. The first speaker is Cristhian Prado Andrade. He is a member of the San Sebastián indigenous community, a subgroup of the Cañari of Azuay, Ecuador. From around 2006 to 2010 he participated in campaigns against the government's proposals to begin large-scale mining in areas primarily inhabited by indigenous groups that use small-scale, artisanal mining as their primary source of livelihood. His father was murdered, presumably because of his position as one of the leaders of the Santa Barbara mines. In 2010 military officials forcibly expelled Cristhian and other members of his community from their land. He suffered physical injuries, including the loss of a kidney. In late 2013 he was granted asylum in the United States, where he now lives. He's sponsored in his visit here to Washington by Amnesty International USA Group 297. Thank you so much, Amnesty Group 297. We're very grateful to have Cristhian here with us today to share his work.

The next speaker will be Franco Viteri. He is president of the Governing Organization of the Indigenous Nationalities of the Ecuadorian Amazon and a longtime defender of indigenous peoples' rights and territories. He is a leading voice in opposition to the Ecuadorian government's new oil expansion plans in Yasuni National Park in the southern Ecuadorian Amazon, instead promoting Salvaviviente, Living Forest Alternatives. His sponsor is Amazon Watch. Thank you, Amazon Watch, for bringing Franco to Washington to be with us.

Tek Vannara is the executive director of the NGO Forum on Cambodia, a network of civil society organizations in Cambodia, conducting policy analysis and advocacy to promote pro-poor development policies and to give communities a voice in holding policymakers accountable. He is an expert on natural resource management, having had over 12 years of experience working with NGOs and other community organizations on issues including land, forestry and water resource management. Specifically, he

has also worked on government policies on hydropower dam projects and climate change adaptation. Thank you, Tek, for being with us today, and also thanks to Oxfam for helping to support his travels.

Next we have Edwin Cisco, who is the general secretary of the Firestone Agricultural Workers Union of Liberia (FAWUL), which represents Liberian rubber tappers. He recently helped secure groundbreaking new contracts that support rubber tappers and other workers across the industry, and his story certainly has some strong echoes of what we just heard about Chico's life and legacy. His sponsor is the International Labor Rights Forum. Thank you also to them for bringing Edwin here with us today.

Our fifth speaker will be Joji Carino, who is the director of the Forest Peoples Programme. She was formerly policy adviser of the Tebtebba Foundation, which is the indigenous peoples' international center for policy research and education, and helped its program on biodiversity and indigenous peoples. An Ibaloi Igorot from the Cordillera region of the Philippines, she served on the World Commission on Dams.

Last, but certainly not least, is someone whom I greatly admire for her work, which I've known about since I was a graduate student interested in environmental justice issues. It is my great pleasure to also welcome Barbara Rose Johnston to our panel. She is a senior research fellow at the Center for Political Ecology in Santa Cruz, California. As an anthropologist she does action research, exploring the linkages between environmental crisis and human rights abuse, seeking acknowledgment in implementation of the right to a healthy environment, environmental equity, reparation and meaningful remedy and assisting endangered and dislocated communities. She's the editor of *Life and Death Matters*, which is one of the books we're selling outside. . . . There's another book by Barbara Rose out there as well. Read her work, as well as listening to what she has to say today. She's absolutely a fantastic writer and researcher and activist, all in one. Thank you to the multiple AU student organizations, including EcoSense and IDPSA and so many that I can barely keep track of them, for helping to support her trip to Washington, D.C. The student activism around this conference has been terrific.

So without further ado, again the theme of this panel is human rights and the environment, and I've asked each panelist to speak for around 10 minutes, give or take. You see how things go. We have time for questions after the panel. So I will try to keep things moving in a relatively prompt manner as moderator, and I know that we'll have

lots of interesting food for thought. So if your stomachs are growling, you'll know what our timing is like. We will have this wrapped by 1 o'clock, so that everybody gets fed at a

reasonable hour. So that's our timing.

Without further ado I leave it now to Cristhian to kick off our discussion. Thank you.

## SPEAKERS

### CRISTHIAN PRADO ANDRADE



Good morning, everyone. I thank God first and then those who have made this event possible. I am sorry that yesterday I was late; the driver left me far away at a block of houses, and nobody could help me because they did not know who I was. I really respect and admire Linda's initiative and all those who are promoting this project. Chico Vive, Chico Mendes lives!

He is an example to all of us. I received political asylum here. I left my country because of the mistreatment we received there, for having been born in places where the government says we are not allowed to live in our homes and has legally stripped our land from us. I consider Chico Mendes a hero, because even though he knew that he would be killed, he continued to live at home. A colleague told me this morning, "We all seek to survive." I requested political asylum in this country, and it was granted to me; but I also want to tell you how, in our indigenous communities, we are being evicted by the government.

Large-scale industrial mining promises not to harm the environment, and that's a lie that will end up destroying and shattering what little we have. Although in the eyes of the world Ecuador is a country that is progressing, now there is no freedom of expression in my country. Now the press virtually does what the government commands, and no one can say anything against it. You also need to know that many indigenous communities were attacked.

I come from the indigenous township of San Sebastián, where we have lived for over 450 years. I have a copy of documents that show that these lands were granted to us by the king of Spain. The government wants to end those communities and sell inexpensive concepts that we will develop. There is much talk of economic growth that Latin America should have, unity among brothers [that] we must have, but even the government tries to sell the idea of development without realizing that the only thing that it will bring is negative environmental impact.

I was surprised yesterday to hear that the dams are causing a massive amount of damage. In Ecuador they are just now beginning to talk about dams as something modern that will give us power for all Ecuadorians, so no one

goes without it. There is already talk of selling electricity to Colombia and Peru because of the environmental damage in these countries. They want to deprive the artisanal miners who mine on the river banks and live day to day from agriculture, preserving the forests and mountains and woodlands and corn that we still have in the plains. The government wants to avoid saying that we contribute to the state. They want to deprive us, saying that we do not help with taxes, that our work does not generate revenue for the state.

The government wants to drive us from there because the big international companies, if they are going to make enough money to support the Ecuadorian government, prefer to forget we are Indians and the owners of those lands. I also have a document in which the Ecuadorian government is racist, claiming that Ecuadorians are almost 80 percent *mestizo* and that indigenous communities do not exist. I want to say that this is false. We all know, and those who know Latin America know, that Bolivia, Peru, and Ecuador have similar cultures, and we are countries of indigenous peoples, not as the government tells us.

This morning I saw Christina [Wilkes, Amnesty International Group 297], whom I also thank for helping me to be here. Some people told me, "You look like a fool with your hat and scarf, hopefully you didn't bring the poncho as well; we are not indigenous people. Ecuador now looks to the future; we want to be like New York, we want to be like Amsterdam, we want to have modern cities with electric trains." It is pity that the young educated people think that way. Maybe I do not have a college degree, but this worries me because I think that is not development.

I would like to make people aware of these issues once again. I thank God first for being here, and then the people who made this possible with the help they gave me. Now I'm going to live in the United States and would like find ways to attend this event next year on my own. I would like to say that there is a little place called Ecuador, where our traditions and our culture are disappearing. We really do not have the "lungs of oxygen," as Brazil does. It is time that we put all our efforts toward saving the planet.

As my colleague said, and I agree, we will pollute the water with large-scale transnational mining. I would like it to get into the government's head that there is no "technological" mining, there is no technological gold exploitation.

If large-scale mining takes place in the mountains, the rivers that come down from the mountains will go directly to the rivers of the Ecuadorian Amazon, which feed the Marañón. The Marañón feeds the Amazon, which crosses Brazil. Someone told me the problem is from Brazil and Peru, but I believe the problem is the world's. Everyone must get involved because we all live on this planet.

The Ecuadorian government is telling us that everything in the country is going well, we have a more solvent economy, and we are a developing country. The government is endorsing Europe. It often insults this country, the United States, for which I thank God and appreciate its greatness and courage. Many American activists are there, exploring and seeing that we still save biodiversity, what little we have left. But the government says, "No, they just want to see us underdeveloped, they want us not to have the same buildings that they have in New York."

I now understand why they are there. They want to rescue the last things left, to rescue the last things we have. So thank you very much. I would like to address many more issues, but there are many fellow panelists who wish to share things as I do. I wanted to tell you that this is our reality. I guess my compatriot will also explain more about the reality sold by the government of Ecuador. Beware! I'm not trying to put myself in a political position. We are not political, I'm not political. We don't belong to any political party, not the official party or any party that is against the government. The indigenous people stopped being work horses long ago!

I send my thanks to Miguel Morocho, because he changed the vision of the indigenous community of San Sebastián. He gave back its identity. Before, a political party would come and buy us by giving away things, and then we all went out to the streets to protest. Not now! Now we are proud indigenous, trained people, some are doctors and lawyers, and the Congress wants us not to fight. The government wants us to stop fighting, they want to leave us behind, this is what is happening, this is our reality, dear friends. Once again thank you, and please give another round of applause to Chico Mendes, because Chico Mendes is not dead.

*Translated from Spanish by Paola Bichara and Nathalia Montoya Casanova*

## TEK VANNARA



Good morning, everyone. My name is Tek Vannara. I am from Cambodia. I would like to say a little about human rights and the environment, the Cambodian case. I will present three points. The first is an overview of

human rights and the environment, the second point will present the current situation of human rights and the environment, and the last one is the NGO Forum on Cambodia's response to human rights and the environment.

Originally the common property of the environment belongs to the community and belongs to the whole Cambodian people. So they can assert their right to their common property at any time, the right to water, right to land, right to forests and to the wind. So they can access their common property without payment and freely.

Looking at the current situation of human rights and the environment, the government starts privatizing the common resource without full implementation of the laws and policy. For example, they start forestry concession, economic land concession and hydropower dam development in the country and also in the whole Mekong River. This is a common area for 60 million people. Also private mining and extractive industries are very important in Cambodia. We observe more companies from Vietnam and China, but they do not implement environmental safeguards or guidelines. This is a fight for the community and especially for indigenous people.

The issue of privatization—they start to convert natural forestry into plantations (rubber, cassava, and other monocultures) throughout the country. The privatization occurs without implementation and law enforcement. This puts pressure on the basic right to life of the community.

The social issues of privatization of common resources include land conflicts throughout the country and legal or illegal clear-cutting of forests. Impacts include water pollution and loss of land. The people lose their access to their resources and rights. Other problems include forced eviction and exclusive development without information and consent or environmental impact assessment. In the case of hydropower development, basic rights (such as those in the World Commission on Dams guidelines) are not implemented.

Due to those issues, the people have to pay for every service (for example, for water, forests, and land) if they want to access their property.

I'd like to show you one quote from the community, the Indigenous Peoples' Community Statement on Human Rights and the Environment. This is a quote from the Pnong village in northeast Cambodia. They said, "I don't know anything about the Constitution, laws and policies, but I just know that when I was born, all the forests, rivers, fish, cultivation were the common property of our community, we could access it anytime, anywhere we wanted. But now all the land and forests belong to companies, rich men and powerful men. Where are my property and rights, how can we access these resources? Please tell us now!"

This quote comes from the national consultation, where they looked at land and forestry concessions. In the

river is the hydropower dam development. So the communities cannot access their land right now. Most resources have been privatized.

How does the NGO Forum deal with the issue and respond in order to ensure that community rights and needs are included in the policies and that they respond to their concerns? The NGO Forum is a membership organization with 91 national and international members. We have eight NGO networks, combining 340 national and international organizations. We work on five main issues. First we provide capacity building to our NGO members so they can do advocacy work. We also do networking to make a social movement strong for the communities in the whole country, so they can stand up to do advocacy to protect their natural resources by themselves.

We also do policy advocacy in the community, nationally, regionally, and internationally. Also we do media work. Media is a very important tool for every stakeholder, especially for civil society in Cambodia, so they can express their concerns and their needs to decision makers, governmental or intergovernmental. To make our work very concrete, we have to conduct research and information sharing. This evidence is to show our stakeholders, especially the government and the companies, the conditions in the communities.

We have some achievements, such as the Environmental Impact Assessment Law. We dealt with the government, and finally civil society was included in the final draft law. We also deal with the National Strategy Development Plan, a five-year plan, to ensure that the needs and concerns of all are included in the plan.

We try to empower the community to participate in land reform, forestry reform, and fishery reform. Finally the government recognized the community's legal rights. We organized the hydropower development reform. We tried to ask the government and land partners, especially the companies, to include the whole people in participation and decision making. We tried to advocate national budget reform. This is very important, so the community council can respond directly to the needs and concerns of the people.

We also contribute to climate change policies in terms of financing. We try to ensure that everything is inclusive development. Due to our important role, human rights and environment have been discussed in some areas, but still not enough for community people.

Through our capacity building and community dialogue we provide space to civil society to come up and raise their voice to the government and development partners. We organize networking so that the community affected by land, forestry, and land issues can come together and present their statement to all stakeholders, to address the issues. We also debate with the government, especially the environment and agriculture ministries. At the national

level we also go to the National Assembly to bring the people's voice directly and pressure the government to do enforcement at the grassroots level.

We also bring the community, especially indigenous people, to present their statements to regional leaders, to let them know the issues. Internationally, we also connect and need to have a two-way conversation with the media, so we can bring the impacts of hydropower dams on the Mekong. So we take some communities to address the issue, then we ask academic experts to analyze issues and provide recommendations to all stakeholders, including the government and civil society. Those parties come together and recognize the issue and listen to the people's voice. The nation hears about the issue from the communities. To make our efforts effective we have to conduct some research in the communities for the government and development partners.

That's all for my presentation. Thank you very much.

### EDWIN CISCO



I bring you greetings from over 8,000 workers and their families at the Bridgeton-Firestone plantation in the forests of my native country, Liberia. Today, as we commemorate Chico Mendes for his audacity, his courage, his bravery, and his integrity in exposing

and fighting to change the plights of millions of workers and their families and end the wanton degradation of our environment, let us realize that by touching the life of one worker in the deep forests of Brazil, he has positively impacted the life of another rubber tapper in the forest of Margibi County in Liberia.

The work of rubber tappers was the worst form of work that anyone could aspire to in my country of Liberia. The rubber tapper was considered the lowest denominator in any or all aspects of his existence as a worker. He went barefooted, in tattered clothing, with no regard to his physical being as a human. He worked under extreme and difficult conditions. His living environment was even more deplorable, [as if he were] in a slave road camp of the 1800s in the States. And to be a child of a rubber tapper was being the worst among the worst. Bullying was a normal routine in every aspect of life while going to work in the fields with your parents.

All of this took place on a backdrop of immense economic benefits for the national revenue base of the Liberian government and also to the financial health of Firestone—with poverty, degradation, and massive pollution of our rivers and streams, a plan designed by the masters to ensure a continuous flow of cheap labor for the vast forests of

rubber trees.

Today we have a new history. FAWUL, which is the Firestone Agricultural Workers Union of Liberia, with the assistance of our partners, the American Center for International Labor Solidarity, the United Steelworkers, the Institute for Policy Studies, and the International Labor Rights Forum, we have succeeded in breaking this chain of enslavement, the cycle of poverty, the lack of access to education, and the spoilage of our rivers and streams. Through our efforts, we now have one of the best school systems in Liberia, with previous enrollments of less than 2,000 across the plantation five years ago to over 20,000 students currently enrolled from pre-school to 12th grade. Our workplaces and homes now bear a semblance of human dignity and respect.

Despite these gains FAWUL's efforts and positive impact in the lives of workers on Bridgeton-Firestone plantation cannot be sustained while thousands of workers and their families in the emerging multinational oil palm sector and supply chains remain exposed to the same conditions.

FAWUL is working tirelessly to organize these sectors and is also advocating for the passage of a new labor code, called the Decent Work Bill. We continue to ask our partners and friends for support to confront these challenges in assuring that the vestiges of child labor, the lack of access to education, poverty, and [un]fair labor practices are curtailed in Liberia. We strongly believe, just like Chico Mendes, if we stand together as a global force for change, we can achieve anything and transform lives and save our environment for future generations.

Thank you very much.

## JOJI CARINO



Last month, at another global conference held in Palangka Raya, Central Kalimantan [Indonesia], indigenous and forest peoples, allies, and concerned organizations met to discuss deforestation and the rights of forest peoples.

Its central message speaks to the very heart of our panel's deliberations on Human Rights and Environment, and I read:

### **Palangka Raya Declaration**

*"Global efforts to curb deforestation are failing as forests are cleared faster than ever for agribusiness, timber, and other land development schemes. We, forest peoples, are being pushed to the limits of our endurance just to survive. Checking deforestation requires respect for our basic rights, which are the rights of all peoples and all human beings. Deforestation is unleashed when our rights*

*are not protected and our lands and forests are taken over by industrial interests without our consent. The evidence is compelling that when our peoples' rights are secured then deforestation can be halted and even reversed. We call for a change in policy to put rights and justice at the centre of deforestation efforts. The world cannot afford further delays.*

*"We therefore urge governments, international agencies and the international community to:*

- *halt the production, trade and consumption of commodities derived from deforestation, land grabs and other violations of the rights of forest peoples;*
- *stop the invasion of forest peoples' lands and forests by agribusiness, extractive industries, infrastructures, energy and green economy projects that deny our fundamental rights; [and]*
- *take immediate and concrete actions to uphold forest peoples' rights at all levels including the right to land, territories, and resources, the right to self-determined development and to continue to own, control, and manage our lands according to our knowledge and livelihoods.*

*"We will work in solidarity together to form a global grassroots accountability network to independently monitor, document, challenge and denounce forest destruction and associated violations of forest peoples' rights."*

The Palangka Raya Declaration makes an unequivocal statement about the relationship of human rights and environment, from the perspective of indigenous and forest peoples.

Having followed deforestation trends over many years, I was very alarmed by the imposed, multiple pressures on forests faced by indigenous peoples today, including by so-called "green approaches" like REDD+ , low-carbon development strategies, and commitments to consider "high conservation values" in forest management.

Given the reality that most of the world's remaining forests overlap the lands and territories of indigenous peoples and other forest peoples, there is a strong urgency to respond to the calls made by the participants at the Palangka Raya Conference. A call has been made for other forest peoples and their supporters to endorse the Palangka Raya Declaration as a global statement from all parts of the world.

From another vantage point, and given the renewed push for dam-building as a "green and renewable energy alternative" to fossil fuels, I wish to highlight some conclusions arrived at by the World Commission on Dams, on which I served as a commissioner, on this subject of human rights and environment.

The power of free, prior, and informed consent lies in its potential to transform oppressive conditions by

introducing processes that require negotiated agreements between indigenous peoples and other interested parties with respect to their lands, territories, and resources. It requires relationships of respect and understanding among the interested and affected parties in a development process whose outcome lies in the hands of the parties themselves.

The World Commission on Dams promoted a human-rights-based approach and an ecosystems-based approach, in which decisions about water and energy development are made together with rights-holders, and in the context of local and regional priorities.

### FROM THE REPORT OF THE WORLD COMMISSION ON DAMS

#### Strategic Priority 1 Gaining Public Acceptance

*“Public acceptance of key decisions is essential for equitable and sustainable water and energy resources development. Acceptance emerges from recognizing rights, addressing risks, and safeguarding the entitlements of all groups of affected people, particularly indigenous and tribal peoples, women and other vulnerable groups. Decision-making processes and mechanisms are used that enable informed participation by all groups of people, and result in the demonstrable acceptance of key decisions. Where projects affect indigenous and tribal peoples, such processes are guided by their free, prior and informed consent.”*

Ultimately it will require a political process that prioritizes cultural and natural diversity as core values in our lives and our survival, which are values upheld by peoples and communities with close economic, social, cultural, spiritual relationships with the land. These issues go beyond human rights and environment to encompass the underpinnings of our economic and political systems, and our ethical and spiritual values and relationships with nature. Such was the paradigm shift embodied in the life and thinking of Chico Mendes.

Speaking of the threat posed to the Himba pastoralists by the Epupa dam in Namibia, Maongo Hembinda told the WCD Joint Consultation on Dams, Indigenous Peoples, and Ethnic Minorities in Geneva:

*“Cattle is one thing we have received from God and we depend on them very heavily. If the cattle die from*

*the construction of the dam, we will also die, because we depend on the cattle. This is a form of killing the Himba people—it is a mystery to us why the government is doing this to us. . . . God created all peoples equal. We should be treated the same way as all other peoples.”*

The Akawaio Indians in the Upper Mazuruni District, Guyana, had this to say about forced resettlement and why they don't want to move:

*“This land is where we belong—it is God's gift to us and has made us who we are. This land is where we are at home, we know its ways, and the things that happened here are known and remembered, so that the stories the old people told are still alive here.*

*“This land is needed for those who come after—we are becoming more and more than before, and we must start new settlements, with new farms around them. If we have to move, it is likely that there will be other people there and we shall not be free to spread out as we need to, and the land will not be enough for our people, so that we will grow poor.*

*“This land is the place where we know where to find all that it provides for us—food from hunting and fishing, and farms, buildings and tool materials, medicines. Also the spirits around us know us and are friendly and helpful.*

*“This land keep us together within its mountains. We come to understand that we are not just a few people or separate villages, but one people belonging to a homeland. If we had to move, we would be lost to those that remain in the other villages. This would be a sadness to us all, like the sadness of death. Those who moved would be strangers to the people and spirits and places where they are made to go.”*

Another testimony from the Nam Theun 2 dam in Laos (which will displace approximately 4,500 people, primarily from the Lao Theung and Lao Loum ethnic minority groups) tells that consultations with villagers consisted largely of officials telling local people that the dam will be built and they will benefit from it.

*“The governor asked for our cooperation to leave our homes. But he nicely promised to give us new homes and a good road in the village. He said every house would have electricity. Well, we have no television, no refrigerators and we don't know yet what we can use that electricity for. But it might be good to have it,” says Thiang, a villager who will be relocated by the dam. “If we had a choice we would stay and protect the forest. We feel very sad to lose the forest. But what can we do?”*

The experience of indigenous communities in the Philippines stands as a vehement reminder that surface-level change is not sufficient. Despite progressive law (Indigenous Peoples Rights Act and Implementing Rules and Regulations on Free, Prior, and Informed Consent) that promises to involve indigenous communities in the future

of their ancestral lands, our voices and choices continue to be manipulated and ignored in the face of foreign-owned mining firms. When industry interests clash with local interests, the right to say No is subverted or denied.

Deep social inequalities within societies underpin and drive the inequitable and unsustainable decisions about the exploitation and use of natural resources. Unequal societies lead to environmental injustice. A deep process of democratization is to address the inter-linkages between human rights and environment.

To counteract this the national government, NGOs, and local communities will have to devote resources to promoting the access and information as well as the voice that the indigenous communities need to fully realize the benefits of free, prior, informed consent. Free, prior, and informed consent has now won the endorsements by governments, in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), multilateral development banks and financial institutions, UN agencies, multilateral environmental agreements like the Convention on Biological Diversity, various voluntary roundtables and certification standards such as the Roundtable on Sustainable Palm Oil and the Forest Stewardship Council. Empowering indigenous peoples and local communities to exercise free, prior, informed consent is important for securing human rights in the development process and the exercise of self-determined development for the well-being of peoples and the planet.

## FRANCO VITERI



Thank you. As I said yesterday, my motive for coming here—leaving my family, including my 5-month old son—was that I first heard about Chico Mendes when I was 15 years old. The news was like a boom in Ecuador, where there wasn't an environmental consciousness.

Back then indigenous organizations were just growing, and the news really hit me. Hearing about Chico Mendes again 20-some years later struck me as interesting. So after missing my flight and having visa issues, I'm here.

I'd like to say that Chico Mendes is everywhere. There are many Chico Mendes's around the world—in Africa, in Asia, in America, in Alaska—wherever you go there are people like Chico Mendes. This is important: It offers strength to our struggles and legitimizes the rights of different peoples.

I'd like to start with a general panorama of Ecuador. We have a very good Constitution—in theory. It guarantees rights and is the world's first Constitution to talk about the rights of nature. But as we say in Ecuador, there's nothing there in practice. The government cleverly manipulates

an environmental and pro-human rights discourse, but its intention is actually to neutralize popular struggles.

They say they are against imperialism, but are also negotiating with another imperial power, China. So there are contradictions within this government. They talk about an alleged revolution, but we see that in practice they aren't really revolutionary. It's a mix of capitalism and socialism, but as you can see, both capitalism and socialism are similar in many ways. Both are oppressive.

I've never been in agreement with governments that last more than 10 years in power; this isn't democratic. In Ecuador they are thinking about doing this. Anyway, I don't want to go into the political details, but all this ends up being very political.

They are using the concept of "Living Well" (*Buen Vivir*), also known as *Sumak Kawsay* in the Kichwa language. Living Well is being interpreted from the perspective of multinational corporations, from the perspective of capitalism. Seen from this point of view, Living Well becomes materialistic. This leads to the depredation of nature. As indigenous peoples we have to fight against this vision, this ideology, this philosophy of life.

Currently there are three main threats. I can talk about large-scale, open-pit mining, we also have oil companies, and lastly, the control of water resources. The government wants to impose centralized control of water without participation of other relevant actors. Their only goal is to be able to raise revenues. They say that water is power. We don't see it as power but instead as a source of life, which is distinct. We need to change the terms. It's important to understand that for us, water is life. Air is life, as are tranquility, peace, and the green Amazon. These things don't have a price tag.

Unfortunately, as much as the Ecuadorian government says they are revolutionary, they are copying methods and practices that don't respect human rights, and especially not the rights of nature. There is a tendency to criminalize social protests, of which you see a clear example through the story of Cristhian, here on the panel. You can't talk about defending rights, you can't carry out a peaceful march. To do so you have to request permission from the government, which then sends infiltrators and ends up beating you and incarcerating you. I have myself been part of a trial that is, for the time being, suspended because they haven't been able to prove that I was against national security or destabilizing the country. I've been accused of that simply because I was leading opposition to oil activities in the south central Ecuadorian Amazon.

That said, I'd like to emphasize this: Sometimes we wear out our people with too many mobilizations. A lot of people have infiltrated indigenous organizations and social sectors in resistance, the same as with the labor unions. They co-opt leaders and encourage them to mobilize their

people. Sometimes I have questioned the procedures of some NGOs in my country that have led us to be criminalized. We haven't seen adequate strategies. For example, I'm currently leading a strategy that isn't about cozying up to the government but is about dialogue with the state, whoever happens to be part of the current government. We want to go there with proposals. For now we're not going into the streets, because they are waiting for us to protest and to get aggressive, so they can justify repression. So we don't want to offer them the opportunity.

We're developing proposals like Living Forest (*Selva Viviente*), which would be a distinct category of protected area. We want the state to recognize this category. Why have we proposed this? Well, as you know better than I do, there are seven categories of protected areas; a faithful replica of what was done here in the United States is being applied there. The thing is, they reduced access for us.

For example, if this table were a protected area and we indigenous peoples said we wanted to use part of it, they would say to us, "No, you don't have rights to this area. You are the ones that destroy it and kill animals." As Gomercindo said, this is the extremism of the environmentalist, which I'm not criticizing but have to say it's the truth. My intention is not to criticize, but for us to understand each other. I'm a hunter, I'm a fisherman. I need to hunt monkeys and *huatusa* [jungle "rat rabbits"]. But I also need to preserve those animals.

A concrete example is that in my community we used to have an annual festival for which we hunted 2,000 animals. But we young people realized we couldn't continue at that pace, since we would have wiped out the population in the name of tradition and culture. We had a three-year debate, in which the adults didn't want to hear anything about our proposal. They said, "How can you push this idea which is going to make us lose our culture?"

But at the end of the three years the young people's idea won out. Since then we have been doing the celebration each year but also have clear policies of preserving species threatened by extinction, like the tapir and the *paujil*, among others. It's these kinds of practical issues that the Ministry of Environment neither does nor supports. Instead they just offer propaganda about things they have never actually done.

The idea of Living Forest includes philosophical, cultural, and spiritual concepts. We have to look at the jungle as a living being. This permits us to respect it. Otherwise, if you see it simply as a material issue, where we have to take advantage of it without respect, we're going to arrive at our own destruction. This is our conclusion—and I believe many who spoke yesterday and today and will speak later will agree—that we can't continue with this disrespectful attitude toward nature.

This has led to proposals like Living Forest, also called

*Kausak Sacha* in Kichwa and *Sacre* in Achuar, as alternatives. The government knows about them but doesn't want to pay attention. They close their eyes and ears because they know our proposals go against oil exploration and respond to a need to change the energy production matrix. The government talks about changing the energy matrix, but just wants to get the oil and move on to hydroelectric dams. It wants to export electricity to Colombia. The contradictions states hold are incredible.

For us wealth implies balance between spirituality, emotions, psychology, and culture. This is what we want. However, lately we're seeing a threat against ITT. Yesterday two public functionaries with the program Strategic Ecuador were killed because they were going into Huaorani territory without consent and in a pressured way. We triumphed in the Sarayaku case at the Inter-American Court of Human Rights. This coming April 10th the president of Ecuador has a trip planned to the United States. He says he's opposed to imperialism but travels here to try to clean up his image through propaganda.

I think my time is up, so I'll thank you and say I hope we can converse. I'm very thankful because I have learned a lot just in the past day; I've taken a lot of notes that are going to serve my leadership back in Ecuador. Thank you very much!

*Translated from Spanish by Andrew Miller.*

## BARBARA ROSE JOHNSTON



I work at the intersection between human rights and the environment, documenting the crises, contexts, and remedial needs of those who struggle to survive in the aftermath of "development disasters" and militarism—processes that, in too many instances, have resulted in ecocide, ethnocide, and genocide. My initial efforts were prompted by a 1991 Sierra Club Legal Defense Fund call for case study contributions in support of Mme. Fatma Ksentini, the first UN Special Rapporteur on human rights and the environment. I chaired a committee for human rights and the environment initiative sponsored by professional anthropology organizations, drafting and publishing case-specific studies of human environmental crises from around the world, with the aim of encouraging remedial attention in the United Nations, regional bodies, and national governments.

Collectively this work argued that cultural groups as well as individuals had rights; these rights were being abused by broad processes, such as militarism and development; and in countless cases involving the consequences of development and militarism, people have no recourse

due to the lack of a viable judiciary and the inability to bring some actors (state governments, transnational corporations, international financial institutions) to a regional or international court, where claims can be filed and some measure of remedy provided. A broad-spectrum approach to “making the case” in varied public arenas produced a number of tangible results, generating further demand for a science and human rights approach that not only documents abuse in credible ways, but facilitates the struggle to secure meaningful remedy.

To highlight some of the lessons emerging from the global struggle to secure reparation and the right to remedy, I draw from the specific experiences in one case in Guatemala: human rights abuse and related environmental crises accompanying the internationally financed Chixoy Dam.

Built in the late 1970s and early 1980s when the country was ruled by military dictatorships engaged in a brutally bloody civil war, the dam was financed largely by Inter-American Development Bank and World Bank loans. Designs were approved, the project financed, and construction begun without notifying the local population; without legal acquisition of the land supporting the construction works, the dam, the hydroelectric generation facility, the reservoir, or the farms needed to support resettled communities; and without a comprehensive census of affected peoples or a plan to address compensation, resettlement, and alternative livelihoods for some 3,445 mostly Mayan residents.

The project was completed without assessing the losses or providing compensatory measures for the 6,000 households in surrounding communities. Civilian protest occurred when negotiations with authorities failed and petitions were submitted to the Guatemalan government and the Spanish Embassy. These complaints were interpreted by the military government as evidence of insurgent influence, and the army declared these “resistant communities” subversive.

When construction was complete and the reservoir waters rose in January 1983, 10 communities in the Chixoy River Basin had been destroyed by massacre. In Río Negro alone some 444 of the 791 original inhabitants had been killed. Survivors were hunted in the surrounding hills and forcibly resettled at gunpoint in guarded concentration camps built with development funding, with designs provided by the United States military to control the civilian population.

The Río Negro massacre was later cited by a UN-sponsored commission as an exemplary case of genocide, part of a broader pattern of state-sponsored violence against its citizens that resulted in the massacre of at least 200,000 Mayan civilians. Mass grave exhumations in the years since continue to expand the death count; recent

reports on the total number killed in this genocide have run as high as 600,000.

In the ensuing years investigations have taken place and reparations for massacre survivors were stipulated in the 1996 peace plan, although they have not been implemented. With regard to the other losses and injuries experienced by dam-affected communities, occasional efforts at modest remedy have largely failed to provide effective assistance; resettled communities experience severe poverty, widespread hunger, and high malnutrition rates. Dam releases occur with no warning, and resulting flashfloods destroy crops, drown livestock, and sometimes kill people. Upstream communities have seen part of their agricultural land flooded and lost access to land, roads, and regional markets. Because the national electric utility was privatized and hydroelectric dam loans repaid in full, no mechanism exists for affected people to complain or negotiate assistance with the utility or the international financiers.

I reviewed this case as part of the World Commission on Dams’ “reparations and right to remedy” briefing. This and other cases moved the WCD in its 2000 report to draw attention to the serious human rights abuse associated with internationally financed hydro-development and to outline specific measures to secure reparation and the right to remedy in cases of flawed and inept development. In 2003 I received an invitation from affected communities to conduct an independent audit of the Chixoy Dam development history, document the consequential damages and develop a strategy to help secure reparations.

In 2003 a participatory-action research plan was crafted with input from (and subsequent cosponsorship of) the American Anthropological Association and the American Association for the Advancement of Science. Over the next two years several hundred people worked on this reparations initiative in community outreach, capacity building, documentation of community histories and needs assessments, household surveys, land title searches, archival research, oral histories, ethnographic interviews, translations, data analysis, and peer review.

In the summer of 2004 preliminary findings from the land-title research prompted community protests at the dam site. Word had spread that a large portion of the land used for the dam, its reservoir, and power generation was still titled in the name of the customary landholders—massacred and surviving families from Río Negro and surrounding communities—demonstrating the Guatemalan government’s failure to secure legal title. Some 5,000 Mayans spent three days occupying the dam and electrical generation works, and following a very tense negotiation an agreement was signed to negotiate reparations.

In 2005 the five-volume report of Chixoy Legacy Issues was prepared, based on a mixture of qualitative and quantitative data reviewed by peers and endorsed by professional

associations. A few of its many findings: Throughout the development project history and contrary to contractual agreements, the Inter-American Development Bank and the World Bank released loan funds with no evidence that legal title to the development site had been obtained and with the knowledge that the project lacked resettlement and compensation plans and agreements. The failure to implement a viable plan for resettlement and socioeconomic development at the time of dam construction contributed to violence in the area. The land that supports a portion of the dam, the hydroelectric facility and most of the land beneath the reservoir are, to this day, owned by individuals and Mayan communities. Evidence showed that international financiers were aware of these serious problems.

In May 2005 the study was published in English and Spanish on key websites, submitted to UN Special Rapporteur for Indigenous Peoples Rodolfo Stavenhagen, distributed to the government of Guatemala at a formal press event in Guatemala City, presented to the world at a Washington, D.C., press club event and personally delivered by massacre survivors to officers of the World Bank and the Inter-American Development Bank.

Presentation of this study in 2005 prompted the Guatemalan government to announce its intention to organize a reparations negotiation commission (established in 2006 and reconfirmed with presidential signature in 2008), involving affected community representatives, their pro-bono legal counsel and representatives of the World Bank and the Inter-American Development Bank. With its chain of events, findings, and recommendations, the study was accepted as one of three core documents in a negotiation process that operated, in fits and starts, until its successful completion with a signed agreement in 2010.

The negotiation process was supported by the periodic attention of the UN Special Rapporteur of Indigenous Populations, with negotiations facilitated by a representative of the Inter-American Human Rights Commission. The study also served as a supporting document in the Rio Negro Massacre case, filed with the Inter-American Human Rights Commission, and in the Spanish court case of genocide and crimes against humanity, filed against former dictators and Guatemalan government ministers.

When the reparations study began in 2003, there was no rights-protective vehicle or forum to present the case, and the primary goal of the study was to force such a mechanism to come into being. Many of the indigenous representatives of dam-affected communities are also massacre survivors and key witnesses in cases filed in Guatemala courts for criminal prosecution of genocide and other crimes against humanity. As we proceeded with the study various individuals, participants, and investigators received death threats.

The offices of one of the supporting NGOs partners was broken into and computers containing study findings and communications stolen. Members of one village who lived on a patron's land received death threats if they continued to participate in the community history/needs assessment. Community leaders who signed the September 9, 2004, agreement with the electric utility and the Guatemalan government to develop a reparations process (following peaceful protest at the Chixoy Dam site) were charged with trespass, vandalism, and other crimes against the state and arrested. Their case proceeded through two years of hearings before finally being dismissed.

In the years since, human rights threats and sporadic incidents of violence have continued with changes in Guatemalan government, renewed attention to the case in light of the Rios Montt genocide case (and the question of who financed genocide at a time when Chixoy development loans were the only source of foreign financial aid to Guatemala) and most recently in reaction to international efforts to force a recalcitrant Guatemalan government back to the table to finalize the 2010 negotiated reparations plan.

As a scholar and scientific adviser I found it very difficult to provide advice, given the real possibility that in acting on this advice, people might find themselves in danger or worse. What ultimately became apparent is that the science-adviser role not only included the responsibility to provide information that supported thoughtful actions and anticipate any dangers or risk, but also ensured that all actors—be they activists, advocates, community representatives, or other concerned parties—understood the various risks associated with publicizing information and did not take independent, decisive action without the input and consensus of dam-affected communities.

Given this history and volatile context, I believe several key facets of our independent investigation served as modest protection: Our work was transparent. We consistently publicized the full array of partners and supporters.

We created a rights-protective space by emphasizing the independent scientific nature of the investigation and developing consultative and reporting relationships with the United Nations Special Rapporteur for Indigenous Populations, the Inter-American Human Rights Commission, the American Association for the Advancement of Science's Science and Human Rights Program, the Society for Applied Anthropology, the American Anthropological Association, World Bank and Inter-American Development Bank former and current staff and consultants, and a number of private foundations that financed the community outreach, training, participation, and scientific study. Because the case involved well-known aspects of Guatemala's history, it had the interest of the international community. Critical attention was on the case

when a host of new hydroelectric development and mining projects were announced and funding solicited.

In terms of the on-the-ground outcomes: Conditions in the dam-affected communities are still problematic, and the announcement of two new dams upstream further inflames local tensions. Dam-affected community leaders are now seasoned activists, and their advice, outreach, and experiences have had a marked influence in educating, mobilizing, and influencing the strategies of anti-development groups in Guatemala and, more broadly, in Central America.

In legal reviews of reparations cases, the Chixoy case has been offered as an important precedent, where social documentation in collaborative, transparent ways, with a heavy reliance on evidentiary analysis, created the pressure on international financial institutions to acknowledge a degree of accountability and meaningfully participate in a reparations process (see Powers 2007).

My own sense of the case is a bit different. First and foremost I see success in the fact that people were able to act “eyes wide open”—aware of danger, under threats of violence, with the previous history of seeing those threats carried out—and they survived. No one has been killed. In securing access to archival documents, we managed to push the World Bank to implement its disclosure policies. The government of Guatemala not only accepted the report in public ways, they acknowledged a degree of responsibility that was previously denied regarding massacres and other crimes against humanity.

The American Anthropological Association and the American Association for the Advancement of Science’s Science and Human Rights Program facilitated the production of an independent study, naming me as a formal delegate and writing letters of introduction to the government of Guatemala, the World Bank, and the Inter-American Development Bank.

Their support helped expand rights-protective space in the early phases of work, played a role in our ability to access and review Bank and government files, and allowed a credible statement of findings to emerge. Hundreds of colleagues from around the world offered information, reports, publications, and peer review time, ensuring that each phase of work incorporated all available data and reflected best practices. The resulting body of evidence has among its uses an objective summation of evidence, especially in encouraging political action in those rare moments when advocacy in the court of public opinion incites attention and political will to act.

The case of Guatemala’s Chixoy Dam played an important role in garnering public attention and encouraging Congressional action. The history of violence and massacres accompanying Chixoy Dam development received international media attention again in spring 2013, with the

highly publicized genocide trial of former dictator General Rios Montt and the related questions: Who financed these crimes against humanity? Who profited? What remaining obligations exist to provide meaningful redress to victims and their families? At the height of the genocide the sole source of funding for the military government was obtained through internationally financed hydro-development. In the years since, grave human rights abuses have been found to have occurred in association with IFI [international financial institution]-financed development.

These concerns prompted several U.S. senators to explore corrective action in the Foreign Appropriations bill adopted by the Senate in the spring of 2013, following a series of meetings with U.S. Treasury officials, representatives of affected communities, IFI staff, civil society advocates and with input from independent experts such as myself. Documentary evidence submitted in support of Senate deliberations demonstrates IFI failures to attend to the recommendations of internal and external compliance mechanisms, and thus an unmet IFI obligation regarding continuing human rights abuse.

In January 2014 the U.S. Congress passed compromise legislation on the annual budget. Buried within its 1,500+ pages is specific and far-reaching language that clarifies U.S. obligations and related policy regarding public funds invested in foreign contexts, including U.S. investment in international financial institutions. Specifically, IFIs must:

- Ensure that a negotiated reparation agreement between the government of Guatemala and communities affected by Chixoy Dam construction, forced evictions, and related violence is fully implemented;
- Take demonstrative measures to ensure similar compliance to reparation agreements between residents of Boeung Kak lake in Cambodia and the Cambodian government; and
- Oppose financing for any activities that involve forced evictions or other violations of human rights in Ethiopia.
- This law also requires U.S. representatives at IFIs:
- To vote against “any financing to support or promote the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forest as of December 30, 2013”;
- To vote against “any loan, grant, strategy or policy of such institution to support the construction of any large hydroelectric dam (as defined in “Dams and Development: A New Framework for Decision-Making [World Commission on Dams, 2000])”;
- To undertake independent outside evaluations of all of its lending, to ensure that each institution “responds to the findings and recommendations

of its accountability mechanisms by providing just compensation or other appropriate redress to individuals and communities that suffer violations of human rights.”

Initial response to Congressional requirements? The World Bank and the Inter-American Development Bank have designated staff and made tentative efforts to encourage Guatemalan government implementation of the reparation plan; they have issued an initial report on their action to Congress.

However, it is unclear if IFI support for large dams has changed, and it appears that the World Bank is continuing its trend of divesting institutional responsibility for attending to human rights and environment concerns by leaving such concerns up to the recipient nation or corporate partner. As noted by the World Bank Group Inspection Panel report of 2013, the number of projects involving involuntary resettlement continues to rise. At the same time the number of resettlement action plans required via World Bank loan stipulations significantly declined.

In places like Guatemala, initial construction of a public-financed large dam and the related roads and transmission grounds set the stage for access and intrusion to previously isolated regions rich in potential extractive energy and mineral wealth. The Chixoy Dam was first in a series of 22 dams first proposed by the World Bank in their country assessment conducted in the 1950s, and this template still serves to direct investment attention and energies.

These days a new hydro-development boom, especially small hydro, is under way, largely occurring with private rather than public funds, often involving investors whose wealth is generated through drug trafficking, human smuggling, and other illicit means, in partnership with international mining and extractive energy corporations. Legislation adopted in the prior administration, aimed at reducing illicit financial flows in Guatemala by requiring proof of legal title to property, is actually being used to evict indigenous communities from traditional lands, especially those with significant mineral or energy resources.

The Guatemala Natural Resources Law recognizes indigenous rights, including the right to free and prior informed consent, and hundreds of indigenous community consultations have been held to implement free and prior informed consent requirements. However, there is absolutely zero political will to respect the outcome of community consultation (99 percent vote no). This has precipitated a host of violent confrontations, where the state sends in troops to support private investment, targeted assassination of community leaders goes unpunished, and

indigenous community leaders are declared terrorists for attempting to exercise their civil rights. In the years since the Guatemalan government accepted the “never again” promise of the Peace Accords, a promise renewed in the Chixoy Reparation Agreement, business as usual is still the norm.

The architecture available to secure reparation and the right to remedy in cases of human and environmental rights abuse is clearly porous and flawed. Human rights language may be strong in international agreements, regional and national implementation mechanisms; yet meaningful implementation—real on-the-ground change that reflects the values, needs, and concerns of affected peoples and the environments on which they depend—is elusive.

My reading of the congressional language on human rights and international financial institution obligations is that a powerful political potential has been created: Congress is requiring IFI development and use of an *independent* audit and reparation mechanism, requiring a review of the past record to identify abuses and provide reparation and requiring institutional changes that ensure that international investments do not finance future abuses.

When the 2014 bill was signed into law, I asked development anthropologist Ted Scudder, former commissioner of the World Commission on Dams and a key expert on independent inspection panels, if given his knowledge of human rights violations associated with bank-financed development, how many of these projects might be eligible for review and remediation. His answer: all but maybe one. And that one is on the fence, given failures to fully implement remedial agreements.

Whether this language translates into meaningful remedy for past harm and demonstrably sustainable future development remains to be seen. Organized, persistent advocacy is needed if an independent audit and remediation mechanism is to emerge. For advocacy to be effective an expansive vision is needed. What might a public advocate mechanism look like? Where would it be situated, to insure both independence and efficacy? How would findings and remedial action plans be financed? How would reparation be monitored?

Chico Mendes helped launch an age of socially responsible environmentalism in which biocultural health is recognized as the primary indicator of sustainability. In this age of government-facilitated plunder, as human environmental rights abuse proliferates and ulcerates, we now need commitment and actions that implement the fundamental promise of reparation: “never again.”

# FOR MORE INFORMATION:

## CONSOLIDATED APPROPRIATIONS ACT, 2014

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr3547enr/pdf/BILLS-113hr3547enr.pdf>

"New Hope for Environmental Justice in IFI Projects: A Fact Sheet on the Opportunities Provided by the 2014 US Budget Bill. Annex: Excerpts from the US Budget Bill," p. 4.

Peter Bossard, AIDA and International Rivers.

[http://www.internationalrivers.org/files/attached-files/budget\\_bill\\_factsheet\\_wo\\_bic\\_0314.pdf](http://www.internationalrivers.org/files/attached-files/budget_bill_factsheet_wo_bic_0314.pdf)

## GUATEMALA CASE

"Chixoy Dam Legacies: The struggle to secure reparation, and the right to remedy in Guatemala." B.R. Johnston, *Water Alternatives*, 3(2): 341-361, June 2010.

*Chixoy Dam Legacies. Social Commitments and Resettlement Obligations: Promises, Actions, Consequential Damages, and Community Needs.* B.R. Johnston. Five-volume report presented to the Government of Guatemala Presidential Commission on Human Rights (COPREDEH), UN Special Rapporteur for Indigenous Peoples Rudolfo Stavenhagan, the World Bank, and the Inter-American Development Bank. Center for Political Ecology (Santa Cruz, CA). March 17, 2005. <http://www.centerforpolitical ecology.org/chixoy.html>

"Reparation Plan for Damages Suffered by the Communities Affected by the Construction of the Chixoy Hydroelectric Dam in Guatemala." April 2010.

[http://www.internationalrivers.org/files/attached-files/plan\\_de\\_reparacion1.final\\_.pdf](http://www.internationalrivers.org/files/attached-files/plan_de_reparacion1.final_.pdf)

## HYDRO-DEVELOPMENT, DISPLACEMENT AND REPARATIONS

Dams and Development—A new Framework for Decision Making. The Final Report of the World Commission on Dams. Cape Town, South Africa : World Commission on Dams, 2000.

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"The Globalization of Reparations Movements," Kathy Powers. *The NAACP Advocate*, July 2007. [http://www.naacp.org/advocacy/theadvocate/rat\\_sped/july\\_07/reparations/index.htm](http://www.naacp.org/advocacy/theadvocate/rat_sped/july_07/reparations/index.htm)

World Commission on Dams. *Dams and Development: A New Framework for Decision-Making.* The Report of the World Commission on Dams. London: Earthscan Publishers, 2000. <http://www.dams.org/report/>

## WATER, CULTURAL DIVERSITY AND ENVIRONMENTAL CHANGE

"The Precarious State of the Hydrosphere: Why Biocultural Health Matters" by B.R. Johnston and S.J. Fiske. Invited opinion, 2014 inaugural issue, *WIRES Water*, 2013. <http://onlinelibrary.wiley.com/doi/10.1002/wat2.1003/abstract>

*Water, Cultural Diversity and Global Environmental Change: Emerging Trends, Sustainable Futures?* Barbara Rose Johnston, editor-in-chief. Section editors B.R. Johnston, L. Hiwasaki, I.J. Klaver, M. Barber, A. Ramos-Castillo, and D. Niles. Copublished by UNESCO (Jakarta) and Springer Publishing (Netherlands), 560 pp. Available via UNESCO open access agreement: <http://unesdoc.unesco.org/images/0021/002151/215119E.pdf>

# QUESTIONS AND ANSWERS

**QUESTION 1:** You're seeing success with FAWUL? It's going good?

**CISCO:** Yes, definitely, we are seeing success because of our organizing, and the global solidarity that we are amassing and collaborating is giving us an edge in terms of the achievements that we are carrying out. I think if we continue in this direction, then we will be able to achieve a lot more.

Currently, as we speak, let's just leave the rubber aside right now, we have a large oil palm industry that is currently emerging in our country. And so what we are doing is to ensure that we get on the ground while these multinationals are coming in to exploit the land for the oil. We get on the ground and organize workers at the early stages, so as the company grows the workers will try to defend their rights to the company. That's what we're doing.

**QUESTION 2:** You mentioned American unions. We're supporting you there in Liberia. What are the names of those unions again?

**CISCO:** Particularly the United Steelworkers. They organize all of Bridgeton-Firestone plants in Canada and America, and so that's the link. The rubber from Liberia flows directly here to them. So we interact and collaborate with them. They give us a lot of edge, in terms of dealing with our corporate businesses there.

**QUESTION 2 (cont.):** So we should complement them for helping?

**CISCO:** Definitely, yeah, sure.

**QUESTION 3:** This one's also for Edwin, because I know you have to leave. Is there a value in your work? You've been organizing the workers, which is fundamental. But would another useful tool be international standards for the products that we could ask companies to abide by that would include all the things we've been talking about—free, prior, and informed consent and, of course, a whole range of labor conditions obviously, as well as the environmental protections? There are some standards we might talk about that right now do not apply to rubber, but maybe in future could, and do apply to oil palms. I want to talk to you about that later.

**CISCO:** Yes, definitely, and initially we have had no standards in the industry, and everybody got in there and would do anything. Firestone is the biggest industry; we try to set the standard with Firestone and try to transfer that standard to the rest of the other industry. So definitely I think it's something we can work on.

**QUESTION 4:** My question's mostly for Barbara [Johnston], but it can be answered by anyone. I'm wondering, based on your case study in Guatemala, but maybe applying to a broader scale, do you think that there's some sort of relationship between the structural violence that's taking place and maybe expressions of criminal violence, either by the state or people, and whether that has a relation to human rights violations?

**BRATMAN:** Barbara, don't answer that one yet, let's take another question and then bounce the answers around.

**JOHNSTON:** My answer is really short—yes. It's not a satisfying situation.

**QUESTION 5:** I just want to remind everyone that's here that we have the UN independent expert on human

rights and the environment about to give the keynote talk at the luncheon today. And I assume that you, John Knox back here, will be replying to many of the comments in this panel today, including Barbara's call for remedy at the UN level, relating to all these issues. Well, you've called for a lot more than that. But the point is, I hope everyone can listen to Prof. Knox's talk that will be coming up shortly, during lunch.

**QUESTION 6:**

One of the things that Edwin had mentioned, in terms of the organizing efforts and successes of the organizing efforts, was the development of one of the best school systems in Liberia. I was curious to know how your group went about accomplishing that and what effects you've seen through the education of youth in the area.

**CISCO:**

What actually happened is that it's a vast plantation, almost a million acres, and schools were sparsely placed in the entire plantation. So parents were more or less compelled to take their kids in the field, because if you had a kid, you'd have to walk seven to 10 miles to get to a school. That was scary. So they had to take their kids in the field. So what we did was to ensure that right now, to our collective agreement, the company had schools in every community. That gave the children the access to get to school, and the parents were secure to ensure that they'd go to work and the kids would be in school.

So that was one of the aspects that we used. Besides that, we also ensured that transportation was available for schools that were far away for the children. That was also put into place. And so the facilities are there. We encouraged everyone to use the asset and build upon it. That is the kind of model that we are ensuring that we transferred to the rest of the other multinationals that are there.

They get in the business and invest, and they just do anything. We said no, this cannot be. We are trying to ensure that workers and their families would have a fair share of their labor, and that's what we continue to do.

**QUESTION 7:**

I'm going to bring an elephant into the room, an elephant in the form of the largest hydroelectric project in the world, Belo Monte, in Brazil. I was listening to your presentation about Guatemala. Belo Monte is not financed by a normal IFI, but it is financed by a development bank, a Brazilian development bank. Belo Monte has been challenged in the courts of Brazil, and the Brazilian government has merely set those challenges aside, using a law introduced during the military dictatorship. Under these circumstances, where you have a government which is more than willing to set aside all its commitments, its international commitments, its commitments in its own Constitution, its own legal commitments, what recourse is there in those circumstances?

**JOHNSTON (sighs):**

I wish I could say—I think that's why we turn to the United Nations, and we get frustrated with the United Nations because of its member nations. And be it Belo Monte or be it similar abusive situations involving corporate actors which manage to slip through. At least with the Chixoy dam we had an international financial bank involved, and we had recognition in the U.S. of some measure of law to go after, in terms of trying to come up with some kind of remedy. I wish I could say, and I'm hoping that perhaps John [Knox] can add this to his very long list of things this particular question. It's very relevant, this question of how do we handle the fact that there is law, and the rule of law can be easily corrupted and changed. And at what point do international concerns, especially the international concern for human rights and the environment, supersede state rights?

At what point do nations intervene? In the Guatemala case, what gave us a lot of traction was that Spain interceded. Because of that Spanish Embassy bombing and the loss of Spanish lives, they felt they had grounds to proceed initially with [a] genocide [case], and our survivors

testified in Spain. So it created larger political pressure and international involvement. And I think it was the involvement of the international community at that level of, at what point do we supersede sovereign rights, that comes into play.

BRATMAN:

I've been researching the Belo Monte dam myself for quite some time, and my quick response is, there's no substitute for the strength of unified and resilient grassroots activism. In spite of all the terrific legal progress that has been made at the international level and with the IFIs, if you don't have an active base on the ground, still consistently making demands clear for a national government—yes and no, and we can, of course, continue the conversation into the coming sessions and together in conversations.

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KEYNOTE 2:

# Environmental Defenders as Human Rights Defenders



KEYNOTE SPEAKER

John Knox

# INTRODUCTION

## LINDA RABBEN:



I'd like to introduce to you John H. Knox, who is our second keynote speaker for the conference. John Knox is an internationally recognized expert on human rights law and international environmental law. In July 2012 the United Nations Human Rights Council appointed him to a three-year mandate as its first independent expert on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. He's preparing a series of reports to the Human Rights Council of the United Nations on the relationship between human rights and environmental protection.

John is the Henry C. Lauerman Professor of International Law at Wake Forest University. In 2003 he was awarded the Francis Deák Prize, established by the American Society of International Law, to honor a younger author who has made a "meritorious contribution to international legal scholarship." From 2001 to 2005, he chaired a national advisory committee to the Environmental Protection Agency on the North American Commission for Environmental Cooperation. More recently he has provided pro bono assistance to environmental groups and to the Maldives, a small island state in the Indian Ocean.

Please, let's welcome John Knox.

## JOHN KNOX



Thank you, Linda, and all the organizers of this conference, American University for providing a space for it, and the participants for coming. It's really an honor to be here with you, to celebrate the life and contributions of Chico Mendes and to talk about the threats that face environmental human rights defenders today. It's a special honor to be here with so many people who, in their day-to-day lives, work to try to achieve environmental justice against the powerful interests that seek to silence their voices. I'm always inspired by the people who show their bravery and courage every day, just by going out and trying to protect the environment, trying to protect the human rights of people who depend on the environment. You're really the front line, I think, of efforts to protect the land, air and water on which all of us depend.

We need to better understand what environmental defenders are doing, the threats they face, and how we can

better protect them in their jobs. Chico Mendes' fight to protect human rights and the environment made him an inspiration, not only in Brazil but around the world. But as other speakers have already pointed out, the struggle to which he gave his life did not end with his death. On the contrary it continues today, and it continues to claim the lives of others who fight for environmental protection and human rights.

So I want to begin by recalling some people who, like Chico Mendes, have given their lives for that cause. They all have been killed in the past two or three years because they tried to halt untrammled destruction of the environment and protect the human rights of people who were dependent on it.

In May 2011, as many of you know, Zé Claudio Ribeiro da Silva and Maria do Espírito Santo da Silva were shot to death in Brazil. Their crime was that they had fought for years to protect the rainforest, just as Chico Mendes had.

On April 20, 2012, Chut Wuddy was shot and killed in Cambodia, where he had led efforts to expose and prevent illegal logging. He was shot while he was escorting two journalists near a protected forest in Koh Kong province.

In May 2012 Margarito Cabal was killed in the Philippines; he was opposing a hydroelectric mega-dam that would end up submerging 22 villages. He was the 13th environmentalist killed in the Philippines in the previous two years.

In May 2013 Jairo Mora Sandoval, a 26-year-old conservationist who was working to protect sea turtles on the beaches of Costa Rica, was killed while he was showing some volunteers around at night on a beach. He had been warned previously by poachers, and they stopped him and his four volunteers. They separated them, took Jairo and killed him.

In September of last year Adelinda Gómez Gaviria was killed in Colombia. She was opposing gold mining there, not only because of its harm to the environment but also to the livelihoods of peasant farmers. A month before her death she received a telephone death threat: "Stop messing around with this mining thing, it's risky and you're going to get yourself killed."

Murder is obviously the greatest threat faced by environmental human rights defenders, but it's important to remember it's not the only threat; it's just the most visible. For every environmental defender who is killed, countless more are harassed, threatened, arbitrarily detained. Some of them do make the news.

Yevgeny Vitishko became famous in February as a result of the Sochi Olympics. He's not an athlete, he's not a

coach—he’s an environmentalist who wrote a report pointing out the ways in which the Sochi Olympics were harming the environment. He was arrested and put in prison for 15 days for cursing in public, an offense that no doubt many of us would be guilty of. The 15 days happened to coincide with the Olympics. After the Olympics he was sentenced to another three-year prison term for violation of probation for a previous effort he had made to try to prevent illegal use of a protected forest.

In many ways environmental defenders are like other human rights defenders, who also put themselves at risk to stand up for other people’s human rights. In that sense they’re in the company of a long list of illustrious names, as well as some people not so well known. The most famous include Mohandas Gandhi, Nelson Mandela, Aung Sang Suu Kyi. But in fact environmental defenders are often at greater risk than other human rights defenders.

I’m going to talk now about some work done by Margaret Sekkagya, who’s the UN Special Rapporteur on Human Rights Defenders. Let me just briefly describe what that means, who she is, and what UN special rapporteurs are. The UN Human Rights Council, which meets in the Palais des Nations in Geneva, is the principal human rights body. It’s composed of 47 governments. It meets several times a year, and frankly, most of what it does is just talk and adopt resolutions and occasionally declarations. But it does have a system of special rapporteurs that’s highly valuable. These are independent experts who were appointed to monitor compliance with certain human rights. Juan Méndez, here at American University, is a special rapporteur on torture; there are working groups on disappearances. Olivier de Schutter is the special rapporteur on the right to food, and so forth and so on.

Margaret Sekkagya’s mandate is to monitor the situation and the threats facing human rights defenders all around the world. In that position she receives literally hundreds of communications every year, alleging threats to human rights defenders all over the world. Now, to be clear about this, the benefit of this system is that it can shed light on situations; it’s not that Margaret Sekkagya has the power to stop governments from doing what they want. The UN has no special human rights police force,—it has no special human rights courts, even.

Nevertheless, Margaret Sekkagya can try to bring international attention to situations, and that is a valuable thing. For now my point is simply that Margaret Sekkagya and her predecessors in that position have definitely taken environmental defenders into consideration as human rights defenders. They treat environmental defenders as other human rights defenders.

In 2007 the special rapporteur on human rights defenders reported, “The second most vulnerable group, when it comes to the danger of being killed because of

their activities in the defense of human rights, are defenders working on land rights and natural resources.” Just last August Margaret Sekkagya reported that their situation appears to have worsened since 2007. She described the extraordinary risks, including threats, harassment, and physical violence, that those defending the rights of local communities face when they oppose projects that have a direct impact on natural resources, the land, or the environment.

In 2012 a nonprofit human rights group called Global Witness issued a report that reached the same conclusion. Global Witness counted the number of people killed over the previous 10 years who were defending their human rights in the context of land or environmental rights. It found that 711 individuals were killed over that 10-year period—that works out to an average of more than one a week.

The death toll had increased over time: 106 were killed in 2011 alone, nearly twice the toll in 2009. Global Witness said this rise might be partly the result of better technologies, allowing for better information sharing and collation. In other words, maybe we just know more about what’s going on than we used to. But it also said that a rise in killings would corroborate our own and others’ sense that violent disputes over land and forests between communities and activists, landowners, companies, and authorities are occurring more frequently.

The countries with the highest number of reported deaths include Peru, Colombia, and the Philippines. The country with the single highest number is Brazil. Global Witness also emphasized that as high as this number is, it’s almost certainly an underestimate. It emphasized that in many countries it’s impossible to find accurate information about the threats to and the killings of environmentalists. Killings in some countries, such as Brazil, are more likely to be reported than they are in many other countries.

In addition, because of resource constraints, Global Witness did not even look at people killed in conflicts over gas and oil; they were focusing on land and forest disputes. Global Witness has kept looking at this issue, and in fact they’re going to issue a new report, [*Deadly Environment*] later this month, which I encourage you to look for when it comes out. The details of the report have not been released yet, but they have told me that it will confirm that the situation is even worse than it appeared in 2012. More people are being killed, and the need for urgent action is even greater than it seemed then.

Why are environmental defenders at such risk? What is it about them that puts them at such risk? I feel humble trying to answer that question. Many of you in this room know better than I do, from direct experience, what it’s like. But let me give some thoughts of other environmental human rights defenders that I’ve talked to at other meetings. In

particular let me identify three common patterns, three common elements that often seem to occur in the context of environmental human rights defenders.

First, and perhaps most important, they're taking on powerful, wealthy interests that have enormous economic incentives to shut them up. Again, in the words of Global Witness, "Most commonly those killed were protesting or making grievances against mining operations, agribusiness, logging operations, tree plantations, hydropower dams, urban development, and poaching." There's a lot of money in those areas.

Similarly the special rapporteur on human rights defenders has emphasized that these defenders are often taking on large-scale development projects. Some of the projects are governmental, but as we've discussed, and as people have already mentioned, many are run by private corporations, which can lead to direct human rights abuses by those corporations and complicity in abuses by governments.

The special rapporteur has pointed to incidents in which security guards employed by oil and mining companies have allegedly threatened to kill, harass, attack human rights defenders. She also highlighted cases in which local authorities had colluded with the private sector and in which private companies had aided and abetted violations against human rights defenders. This is not news to people in this room.

But it does, I think, illustrate that when enormous amounts of money are involved, then it creates enormous incentives for all those who are benefiting to corrupt the system. So governments whose responsibility should be to protect against human rights violations may be corrupted and may be part of the problem. More generally these projects are often seen, even by politicians that aren't corrupt at all, as vital to national economic development. As a result those who oppose them are often stigmatized; they're described as "getting in the way" of national progress. And of course that paves the way for others to commit harm against them with apparent impunity.

So that's one factor. The second factor—in contrast to the enormous power among the interests that are trying to oppose the exercise of these rights—is that often the people seeking to exercise these rights are just ordinary people. By which I mean they're ordinary people who don't set out to be human rights defenders. They find themselves thrust into situations really accidentally.

As one human rights activist put it to me: "These people are accidental human rights defenders. They start off by being concerned about some local problem, and before they realize it, often they find themselves up against enormously powerful interests that are trying to silence them." They don't know, in other words, that they're human rights defenders. Maybe the fact that they don't have a label for

what they are is not that important. But what it indicates, or the more important point, I think, is that they don't have access to international methods of protection, or often even national methods of protection.

I don't want to over-generalize here; obviously there are many sophisticated local environmental activists. But let me give you an example of the kind of thing I'm talking about. Phyllis Omido is a young woman in Mombasa, Kenya. Phyllis got a job in a battery smelter. When I put these pictures together [in the PowerPoint], I really didn't mean to have it look like she was gazing at the smelter, but I suppose that's appropriate in a way. So she got a job at a battery smelter. I imagine many of you are familiar with how smelters work, but this is a smelter that breaks down batteries to get the elements from them.

Some of the elements include toxic substances, such as lead. Phyllis Omido had a young son who got very sick, so she took him to the hospital. They couldn't really figure out exactly what the problem was. A friend of hers at the smelter said: "You know, you should have him checked for lead poisoning. And by the way, don't tell anyone I told you that."

Phyllis had no idea what lead poisoning was—she was 21, 22 years old; but she started to find out. And this, I think, is typical of how many environmental human rights defenders begin: they simply try to find out more information. What Phyllis found out scared her quite a bit. She discovered that lead is not only a toxic substance, but it's particularly bad for small children. It has all kinds of bad effects on the brain and neurological development. So she ended up moving away from the smelter.

But by this time, because she had spread this knowledge among other people, she didn't want to leave her friends and coworkers behind in ignorance. So she told them what she had found out. And again, without really intending to, she became a kind of an information point for her community. People kept coming back to her. She didn't move far away, she just stopped work at the smelter and moved away. So people kept seeking her out and asking her to find more information. And then she became a voice of the community to the smelter owners. And of course by doing all that she made herself a target. So one day when she was—this doesn't have a horrible ending, I'll just tell you that now, so in case you're braced for that; it's not great, but it's not horrible.

So one day, when she's coming back from church with her young son, who's now much better, she is stopped at the door of her house by two men who tell her to lie down on the ground. She's sure that they're going to kill her, so she asks them if her son can go inside. She doesn't want her son to see her shot. In fact they did not kill her—that's the part that's not the bad ending. They did beat her up, told her to stay away from the smelter, stop bothering with

things like that that weren't any of her business.

And the next thing I have to say—and it always amazes and inspires me, I don't have any words for this—is that Phyllis Omido didn't stop. She kept working with the community, she kept organizing protests, at some of which the government would arrest some of the protesters, because the government didn't want them to get in the way of the smelter. So Phyllis Omido is an example of what I mean. She finds herself arrayed against powerful interests—economic, political, governmental—without setting out to do that.

A third common factor is that many environmental defenders are overlooked by both human rights groups and international environmental groups. Often it seems as if international human rights organizations don't really get involved until *after* someone has been killed or arrested. I was told at one meeting that Yevgeny Vitishko, the Russian protester or analyst of the socio-environmental harm caused by Sochi, was overlooked by human rights groups because they didn't think it was a human rights issue—until, of course, after he was arrested on obviously trumped-up charges, and then they got involved. Which is better late than never, right? But if you're Yevgeny, you might have liked a little support before you were in jail.

Similarly, international environmental organizations often historically have not been engaged with this. I think they have tended to think of it more as a human rights issue. That's not really their issue. I don't want to overstate this. Obviously many organizations have been involved in this historically, but I have talked to many people who have the feeling that in a way, these people fall through the cracks. It's not clearly a human rights issue, it's not clearly an environmental issue in every case. To some degree neither international community has really focused on it.

Having said that, I do think that this last factor is changing fairly rapidly. Increasingly, large international human rights and environmental organizations are paying more attention to the particular threats faced by human rights defenders in environmental areas, and they are treating it as a critical issue. As a result they're working to bring attention to the problem.

Phyllis, for example, made contact with Human Rights Watch, and Human Rights Watch responded to her, and Human Rights Watch since then has been a fierce ally of hers. One thing that we'll come back to later, but that many participants have already alluded to, is that it makes a difference when a very local activist has international support. It makes a huge difference when someone like Phyllis Omido has an organization with the resources of Human Rights Watch behind her. Many other organizations—Greenpeace, AIDA in Latin America, World Resources Institute and many others, including some that you're

more familiar with probably than I am—have also brought increasing attention to these issues.

More generally, and this is something I want to spend a bit of time on, the links between the environment and human rights are becoming much clearer than they've ever been before. The ability of Chico Mendes to see the future has already been alluded to. Here's one of my favorite quotes from him: "At first I thought I was trying to save rubber trees, then I thought I was trying to save the Amazon rainforest, now I realize I'm fighting for humanity." I think that progression of thought has happened quite a bit in the past 25 years. The idea is that the environment and human rights are interdependent, that you cannot enjoy human rights without a healthy environment that allows you to enjoy them, and you can't really protect the environment without protection of human rights. They really are interdependent. That's been recognized more and more by human rights and environmental bodies around the world.

There are many more examples of this development that I could give. More than 90 national constitutions actually include an explicit right to a healthy environment. Virtually every regional human rights treaty in the world now includes a reference to the right to a healthy environment. There still is no UN global right to a healthy environment, but UN and regional bodies have interpreted existing human rights to apply to the environment. So rights to life, health, freedom of expression and freedom of association and so forth have environmental dimensions. And that's increasingly well accepted.

That brings us to my mandate. The Human Rights Council meets in the Palais des Nations. For those of you who've never been there or seen it, the ceiling is not about to fall, although it does seem that way if you're sitting underneath one of those stalactites. . . . If you're sitting there and it looks like it might fall on your head, it does tend to distract you from what the speakers are saying.

The Human Rights Council in March 2012 decided to appoint an independent expert to a three-year mandate to study the relationship between human rights law and environmental protection. Now in some ways the Human Rights Council is coming to this late, but better late than never, right?

So the Human Rights Council, led by countries such as Costa Rica, Switzerland, and the Maldives, decided that this new mandate would have two main components. This independent expert would have a mandate to study the human rights obligations relating to the enjoyment of a safe, clean and healthy, and sustainable environment and to identify, promote, and exchange views on best practices relating to human rights obligations in this respect.

I was appointed to that position in July 2012, and last month I reported to the Council, essentially on the first

part of this mandate—that is, the study, the clarification of human rights obligations. With the help of a lot of other people, I did this study on the basis of a thorough review of the texts of human rights treaties, how they've been interpreted by human rights bodies at the regional level and the global level. We looked at statements by special rapporteurs such as Margaret Sekkagya and Olivier de Schutter. We looked at resolutions of the General Assembly and the Human Rights Council—I could go on.

The result was that we actually issued 14 separate reports, each of which covered a particular source or set of sources. I wanted this to be as thorough as possible, so that the conclusions I drew could not be challenged. They could be challenged on other grounds, but not on the ground that I hadn't really looked at the evidence. I wanted to have looked at the evidence as carefully as possible. This part of the job was a lot of work; but in fact, writing the summary turned out to be fairly straightforward because so many of these sources said very similar things. And so it turned out to be fairly straightforward to summarize what they had said.

The first thing they said was: There's really no doubt that environmental harm adversely affects the enjoyment of human rights, and it adversely affects the enjoyment of a lot of human rights. Particular bodies found, in particular cases, violations or infringements of the enjoyment of all these rights, rights to help the environment, life, health, adequate standard of living, and so forth and so on.

That actually is now fairly well accepted, even by governments that in the past hadn't been very enthusiastic about the link between human rights and the environment. But the more important thing is not so much that environmental harm can adversely affect the enjoyment of human rights. That's important; but the real question is, so what? What do states have to do about that?

I identified three major sets of obligations. The first set has to do with procedural obligations. States have duties under human rights law to assess environmental impacts on human rights before going ahead with projects or policies; to make environmental information public to those most affected; to facilitate participation in decision making; and to provide access to effective remedies. As Barbara [Johnston] said in the last panel, without that the rest of this doesn't really matter that much. And I emphasize that the obligation to facilitate public participation includes obligations to safeguard the rights of freedom of expression and association against threats, harassment, and violence. In other words, states have obligations to protect human rights defenders when they're trying to defend environmental rights.

Those are procedural obligations. Substantive obligations include adopting legal and institutional frameworks that protect against environmental harm that interferes

with the enjoyment of human rights. I understand this is kind of a vague standard. I don't think that's too surprising; the idea here is that states do have some discretion to decide how to strike a balance between environmental protection and other interests, such as jobs or economic development. No one denies that. But the obligation, while it does not require states to simply prohibit all activities that cause any environmental harm, does require them to make sure that the balance they strike is not unreasonable and doesn't result in unjustified procedural infringements of human rights.

That could include things such as taking into account relevant national and international standards and applying the law once the balance has been struck—a problem in many, many countries around the world. It's one thing to say, well, we struck a balance that results in this level of protection; it's another thing to act and implement that balance—something states very often don't do.

A third category is the special requirements relating to groups in vulnerable situations. States have a general requirement of nondiscrimination, and again this is true throughout the law. It certainly applies to environmental laws and policies. But they also have additional obligations to certain groups. I identified obligations with respect to women, children, and indigenous groups in particular. The special protections of indigenous peoples have already been mentioned, but I'll just briefly mention them again. Because of their close relationship with the environment, indigenous peoples are highly vulnerable to impairment of their rights through environmental harm or land grabbing. The special rapporteur on the rights of indigenous peoples has said that implementation of natural resource extraction and other development projects on or near indigenous territories is possibly the most pervasive source of challenges to the full exercise of their rights. It's possibly the biggest human rights challenge they face.

The law on this is pretty well understood now in detail—not to say that it's implemented, but the law itself is pretty clear, and again some of the principal elements have already been mentioned. It requires, among other things, that states recognize the rights of indigenous peoples to the territory that they've traditionally occupied. It requires that they facilitate the participation of indigenous peoples in decisions that concern them. "In general, extractive activities" (and I'm quoting here again from the special rapporteur) "should not take place within the territories of indigenous peoples without their prior informed consent." Finally states have to ensure that indigenous communities affected by environmental development receive a reasonable benefit from such development. Again, these are the rules.

In general, on the basis of this mapping project, I don't really think there's much room for debate any longer over

the fact that states do have obligations with respect to protection of human rights that relate to environmental protection in particular. Those rights and duties apply with particular force with respect to environmental human rights defenders. There's simply no doubt that there's a right to participate in the government of your country. There's no doubt that you have the right to freedom of association and freedom of expression.

These are not debatable things. These rights are set out in the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, and in every regional convention, from the European through the American and the African Charters. The 1998 human rights defenders' declaration sets them out in detail. There's no doubt that those rights and obligations apply in the environmental context as well. If needed you could also look at many international environmental instruments, such as Principle 10 of the Rio Declaration.

The special rapporteur on human rights defenders, as I've said, has been particularly concerned about the situation of environmental defenders and has emphasized that states have an obligation to recognize the important work that they carry out, should not tolerate their stigmatization, and should ensure prompt and impartial investigations into alleged violations of their rights. Similarly, there's a recent case by the Inter-American Court, *Kawas-Fernandez v. Honduras*, that says, "States have the duty to provide the necessary means for human rights defenders to conduct their activities freely, to protect them when they're subject to threats in order to ward off any attempt on their life or safety, to refrain from placing restrictions that would hinder the performance of their work, and to conduct serious and effective investigations of any violations against them, thus preventing impunity." This is not complicated. States have the obligation to protect the work of human rights defenders, and that includes environmental human rights defenders.

I'll say a little bit more about this case. It concerned the 1995 murder of Blanca Jeannette Kawas-Fernandez, who was the president of an organization called PROLANSANTE, which had worked to protect the environment and the rights of people in the Bahia de Tela watershed. The government found at least one agent of the government, a police officer, was involved in the murder, that the state had done little or nothing to actually bring the perpetrators to account, and that "it is undeniable that these circumstances have also had an intimidating effect on other people who are engaged in the defense of the environment in Honduras."

The remarkable thing about the case is the extraordinary range of remedies that the court ordered. It included not only that Honduras has to pay reparation and reinstitute the criminal investigation, but also that Honduras publicly

acknowledge responsibility, that it construct a monument to the memory of Kawas-Fernandez, and that it carry out a national awareness and sensitivity campaign regarding the importance of the work performed by environmentalists in Honduras and their contributions to the defense of human rights.

So again I think the marriage of environment and human rights is actually fairly clear now, and it includes a fairly clear set of obligations. The problem, as it so often is in international human rights law, is implementation. This is a good news/bad news situation. The good news is that now environmentalists can gain all the advantages and benefits of being considered part of the body of people protected by human rights law; the bad news is, that's not so great, really, because human rights law has such weak implementation mechanisms.

We can say more—I know this came up in the last panel, and I'm happy to talk more about it in the questions as well. Let me just give you one example of the problem. Last Friday, at the close of the last session of the Human Rights Council, the Council adopted a resolution by consensus, with over 70 co-sponsors, about my mandate—essentially about the report I had presented. Much of the resolution is quite good.

The resolution contains statements like this: "Human rights law sets out certain obligations on states which are relevant to the enjoyment of a safe, clean, healthy, and sustainable environment. . . . The enjoyment of corresponding human rights can be facilitated by assessing environmental impacts," and so forth. It's a little weaker than it started off, but it's not bad. "A good practice includes adopting, strengthening and implementing laws and other measures to promote and protect human rights in the context of environmental legislation and policies." It's certainly better than what the Human Rights Council had said before about this, which was not very much.

Here's what it started off by saying in the earlier drafts about the role of environmental human rights defenders. There was going to be a paragraph that said the Council "recognizes the important role played by human rights defenders working on environmental issues . . . and urges states to create a safe and enabling environment in which these human rights defenders can operate free from hindrance and insecurity." Again, just to be clear about this, this is a nonbinding resolution. This turned out to be too much for the Human Rights Council to accept. Now I think it would have gone through on a vote—I'm not sure about that—but the sponsors of the resolution, and I don't second-guess them on this, wanted a consensus resolution. So they had to weaken it down to: "The Council recognizes the important role played by . . . human rights defenders in the promotion and protection of human rights as they relate to the enjoyment of a safe, clean, healthy,

and sustainable environment.” That’s pretty weak tea. So I think there’s still a lot more work to be done.

Efforts to raise the profile of this issue I think are vitally important, to continue to put the pressure on international organizations and on states to take this problem seriously and to do more about it. It’s also important, until states do a better job of protecting human rights defenders, to actually identify that environmental defenders and their allies can protect themselves. We can do a better job of protecting them, and they can do a better job of protecting themselves.

The second half of my mandate involves identifying good practices, best practices in the use of a human rights approach to environmental protection. So as part of that I’m having a series of meetings around the world. I had one in Geneva last month, I’m going to Bangkok next month, at which, among other things, we’ll talk about good practices in the protection of environmental defenders in particular. I encourage you to tell me your own ideas about this, experiences from your own lives and work, things that have helped you, that you think could help other people. I will do my best to publicize them in the reports I write.

Let me give some examples that other people have suggested. I’ve already mentioned Phyllis Omidó; one thing she has emphasized to me is that being in touch with Human Rights Watch has made a huge difference for her. Again, Human Rights Watch has resources, but they also made it clear to this little battery smelter on the fringe of Mombasa that people are paying attention. If something happens to Phyllis Omidó, there will be some ramifications. Many other people have said similar things.

There is a man named Dima Litvinov. He was one of the Greenpeace activists who were arrested for protesting against Arctic oil drilling and were charged with piracy by Russia and faced lengthy prison sentences. He basically attributes the fact that they were released to outside pressure. And if that hadn’t happened they would still be there.

Another activist at another meeting described how she had created networks of environmental human rights defenders within her own country, so that people could share information, learn from each other, and support one another. It was pointed out at that same meeting that governments do this, corporations do this—they share information

with each other about how to oppose environmental human rights defenders. We should be doing the same thing. Others have proposed things like education campaigns to teach environmental human rights defenders more about the international mechanisms that do exist—things like the Inter-American human rights system and the UN system. As weak as they are, they’re better than nothing.

And there are some interesting ideas as well. I mentioned Jairo Mora Sandoval, the Costa Rican sea-turtle conservationist who was killed. When I went to Costa Rica, environmentalists there were proposing that the government adopt a truth commission to examine not only his death but also the deaths of other environmentalists in Costa Rica over the past 20 years.

A very typical pattern in this respect is for governments to say: “Well, he was in the wrong place at the wrong time. This isn’t because he was an environmentalist, it’s because that’s a dangerous beach.” One thing a truth commission might do is show how these patterns persist over time, that it’s not simply a random act of violence but is actually part of a pattern of intimidation, oppression designed to silence environmentalists.

I realize these might seem like small steps. I don’t mean to say that such measures will solve all the problems. But I think in this respect, any steps are important steps if they’re in the right direction. So again, I encourage you to provide this information.

I want to close by returning for just a moment to Blanca Jeannette Kawas-Fernandez, the Honduran activist who was the subject of the Inter-American judicial decision. Something was said about how these fights don’t end, their contributions don’t end with their death. In the PowerPoint is a picture of the park that was named after her. The protected area that she was trying to preserve is now a park in Honduras. It’s a beautiful park. Her work and that of other environmental human rights defenders is absolutely not in vain. The environment and the people who depend on it are worth fighting for. But we have to do a better job of defending the people who are trying to defend the environment. Thank you very much.

## QUESTIONS & ANSWERS

### QUESTION 1:

My question is: It seems that there are two philosophies on how to go about defending the right to a healthy environment. On the one hand, countries have obligations under the WTL; they have obligations to their citizens to economically develop, and that brings in these extractive corporations. One philosophy I’ve heard is that conservation is the only way to go, to just completely block these projects. The other philosophy is well, we can work with them as

long as we have enough environmental and human rights safeguards. Then we can allow these companies to come in and these kinds of projects to be done. What are your thoughts on that?

**QUESTION 2:** Thank you for your talk; I enjoyed it very much. I was at an alternative United Nations meeting at the time of the Human Rights Commission meeting, and they brought up some things that were really shocking, such as the fact, I believe, that Saudi Arabia and China have seats on the Human Rights Commission. It would seem to me that in order to have an effective human rights commission there should be some internal rules as to what countries might have membership on such a commission. I'd appreciate your point of view on these things.

**QUESTION 3:** To follow up to the first question, I'm wondering about your thoughts about dealing with all these issues in relation to the trans-Pacific partnership if that actually, sadly, passes, because it seems like that's going to completely lower the rights of all people and communities vis-à-vis the international system. It would put really high up the abilities of the governments and the corporations to trample on the rights even more.

**QUESTION 4:** That was a fantastic talk, and it's great that you have been tasked and given this responsibility, because obviously you have a lot of compassion, and it's really great. This is very simplistic, but I just wonder if there's a way of having, when there are some great human rights defenders who are in a dangerous zone, like, say, Gomercindo or some of the rubber tappers, some of the people who are at this conference from Cambodia—if there's a way of having a 9-1-1 or an emergency call number, something Internet-wide, something Twitter-wide, now that we're in the age of social media—if there's a way of having something like an emergency call, and there's a team of people who can redirect to whoever would help them with that call.

**QUESTION 5:** It's sad to hear this huge list of defender victims. I wonder where's the list of attacker "catches." The only one I've heard all day is Mrs. Kawas, they found out a government policeman was part of it. But where are the government officials, where are the corporate CEOs that are getting their nails screwed to the wall? I'm finding a lot of lacking in teeth, and I'm kind of a peacenik.

**KNOX:** But it makes you rethink that, I understand.

**QUESTION 5 (cont.):** You know, a mother wolf has a right to protect her den with her teeth, and our den is being destroyed. So where's the list of the attackers? I'm asking you because you and others have been compiling a list of the victims, and I want to see a list of the attackers. I'd like to ask what would help. It might help if we put up a list of the attackers who have been caught, if any. Have we caught any?

**QUESTION 6:** Thank you. Just a quick comment. On the table outside is an article on the Kawas case and how it can be applied around the world. I'm curious, John, if you could speak about Professor Ruggie's guiding principles on business and human rights and the potential for a legally binding framework treaty that would intersect with how environmental and land activists are at such extreme risk, because they're not only confronting governments wreaking environmental havoc and forced evictions, etc., but the intersection and the collusion and complicity of those same governments with multinational enterprises mainly in the extractive resources industries, which makes the vulnerability of the environmental activists and defenders even higher. I'm happy to talk with any of you.

We're working on an international initiative to shine a spotlight on environmental and land defenders around the world and find new security and protection and defense mechanisms, including work with Friends of the Earth International and all of the human rights defenders protection organizations, including civil rights defenders on Twitter. Civil rights defenders have got a new bracelet notifying when anyone is at risk and they're being picked up, etc. I have lots

of information on this and a 5,000-document library that I'm happy to share with any of you on this issue.

**QUESTION 7:**

Just a quick question speaking about the case at the Inter-American Court of Human Rights in Ecuador and the Quichua de Sirayaku, in which the Quichua won this major decision and now Ecuador is pulling out of the system. So I was wonder about the balance between having a system with teeth and having buy-in from these governments, and if there's any way to have any kind of punitive measures when they pull out of the system, or what you would recommend, sort of being on the inside.

**KNOX:**

Those are all really good questions. One more?

**QUESTION 8:**

I'm an indigenous person from Brazil. At this presentation I'm hearing my relatives from around the world who are here, but I miss hearing about my Guarani-Kaiowa relatives from Mato Grosso do Sul who are committing suicide and whose leaders are being killed. They're not being mentioned in your analysis, but the greatest violence is taking place in Brazil. The Guarani are fighting for the right to live as citizens.

**KNOX:**

I'm not sure I understand the question. Do you mean, why did I not mention them?

**QUESTION 8 (cont.):**

My question is as follows: I miss hearing them mentioned. I don't want to go beyond the limits of my question, but the people who aren't on your list are the Guarani-Kaiowa leaders who are being killed, who are internationally recognized.

*Translated from Portuguese by Linda Rabben*

**QUESTION 9:**

I'm Philip Fearnside from INPA in Manaus, Brazil. I just wondered if you'd like to comment on the Belo Monte cases brought up by several people. Brazil being a signatory to ILO 169, being raised in consultations to indigenous peoples who are being impacted by projects like hydro-electric dams. The Organization of American States' human rights branch having ruled in favor of the Indians there, and the Brazilian government having taken issue with it and cutting off their financial contributions because of that. Is there anything that this group can do or is considering about the Belo Monte case?

**QUESTION 10:**

Thank you very much for a very excellent presentation. I'm Norman Jiwan from Indonesia. I would like to ask you a very simple question. We in Southeast Asian countries don't have a regional mechanism on human rights like the American regional human rights mechanism. How do we deal with that situation?

**KNOX:**

These are all excellent questions. Whenever someone says it's a simple question, unfortunately, that almost always means it's not a simple answer. Let me go in reverse order for a bit. As far as why I did not include other people, I want to be clear about that. By no means is this all of the people who are affected by this.

By no means am I trying to pick out the ones who are deserving of your attention and the other ones aren't. I just picked some recent cases that I happen to be familiar with, but there are many others I could have chosen from. By no means did I mean to suggest that there aren't many, many others that deserve attention as well.

Some of the questions had to do with how do you overcome the fact that international mechanisms are weak. I can take the questions one at a time. It's certainly true that the Human Rights Council has all kinds of governments on it that are not exemplars of human rights performance.

The problem with complaining about states is that you can't really go higher in the system. We don't have a global polity that has a legislature, a court. When the General Assembly elects countries to a human rights body, it's electing from among the members of the United Nations. Now the Human Rights Council, which replaced the commission in 2006, was changed in some ways to make it supposedly harder to elect really bad actors to the Human Rights Council, but if you're a state as powerful as China or, to be fair, the United States, or the Europeans or Brazil—many states can simply say we want to be on the Human Rights Council this year, and they'll have a lot of support. The amazing thing to me is that the Human Rights Council manages to do as much as it does for human rights, given all the weaknesses.

And the question, which is excellent, about the balance between having a system with teeth and having states pull out because it gets too strong—well, again, this is what international human rights law is all about. When I said the good news is environmentalists can take advantage of human rights systems, the bad news is, they can take advantage of human rights systems. Human rights systems are weak. Having said that, a lot of people are working to try to use them as best as they can and to make them stronger. I'm afraid that's all I can say about that.

Belo Monte is a good example. The Inter-American Commission asked Brazil to do something fairly mild: go back and talk with the indigenous groups and hold off on building the dam until you've done that. Brazil threatened to pull out of the Inter-American Commission, withdrew its ambassador, threatened basically to bring the whole system down. Again, there's no place higher to go to complain about that.

You can't go to the Galactic Councils sitting on Jupiter this month and say, tell Brazil to stop doing that. So you can do things like shed light on that, you can try and mobilize locally, you can do things like that and resort to those kinds of measures, which are not completely without effect. I really don't want to leave you with the impression that the UN is the answer. It can be part of the answer, but it's only part of the answer.

The question, what about perpetrators? One of the things that the Global Witness report suggests was that a remarkably low percentage of these murders resulted in any prosecution at all. This idea of impunity is one of the most gigantic problems in this whole area. So there is no list of perpetrators. I could put up a few names, but the list of perpetrators is much, much shorter.

If, by perpetrators, you mean people who have been convicted of the crime, it's much, much shorter. And very often, as you know, the people who actually pull the trigger—obviously they're criminals, but they didn't get the idea themselves. They're acting on somebody else's behalf, and it's even harder often to get those people. Again, international pressure makes a difference here. Chico Mendes' case is an example of that. If there had been no international attention, even less would have occurred there. But in many cases there is no international attention.

Things like balancing an absolute opposition to any kind of economic development vs. a more nuanced one and things like the trans-Pacific partnership—you know, my attitude about this is that I think there's room for disagreement about how best to protect the environment. I think that what a human rights-based approach can help with is clarifying that the bounds for that debate have to be limited by the imperatives of human rights.

So you can legitimately disagree about what to do about a particular forest? Of course you can. But what we should not be having a debate about at all is whether people who disagree with you should be shot. Or people who disagree with you should be thrown in jail, or people who live in the forest should be evicted without having any consideration of their human rights.

But having said that, does that mean that every international trade agreement is necessarily evil? I don't expect human rights law to give me the answer to that question. I think it has to be a more nuanced question than that, before I can know whether a particular economic policy is evil or not. That's really not what I'm trying to answer. It's really, are human rights being violated in a way that human rights law prohibits? I'm not doing a good job at expressing that, but given the time I'll just keep going.

The question about the Southeast Asia lack of a regional organization highlights a real problem. Of course, as you know, there are people working to try and build on the ASEAN Declaration of November 2012 and to build a system that would be more like the Inter-American system or the European system even, and that's a wonderful thing. So I would say, that kind of work needs to be strengthened. But again there's no short answer to this. Southeast Asia is farther along than some other parts of the globe in this respect, at least as far as something moving in that area. But yes, it's still weak.

That leads me back to the question, is there a kind of 9-1-1? There are ways, for example, you can use the UN special rapporteur on human rights defenders. She has an urgent action mechanism, with a quick turnaround. So if there's an immediate threat, they can fairly quickly turn around. What you'll get is a letter, but it's an appeal to that government to do something about the situation or explain what's going on.

Again, that's better than nothing. There are other organizations. There's one called ELaw that is composed of environmental lawyers around the world that are stitched into the same body, and they have quick-response mechanisms, so that if people desperately need a quick legal representative and you're tied into this system, there's a quick way to have access to that.

And finally, the Ruggie guiding principles—I didn't say that much about corporations, but some of you who do know about the Ruggie principles may be critical of them. I think the guiding principles are a very useful step because they make clear that governments have obligations to protect against corporate abuses of human rights, and corporations have a responsibility to respect human rights.

One thing that Ruggie did, very useful in this context, is that he made absolutely clear throughout that the principles included environmental harm. I know that Ruggie has been criticized for not going far enough in other directions, but as far as the environment goes, there was never any doubt in his mind or in his reports that corporate obligations and state obligations regarding corporations under human rights include environmental protection.

I hope I got everyone's questions, and I'm sorry, Linda, that I went over, but thank you again very much.

RABBEN:

You have absolutely nothing to apologize for.

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## PANEL

# Self-Determination and Conservation Challenges for Grassroots Movements



### MODERATOR

Laura R. Graham is associate professor of anthropology at the University of Iowa.

### PRESENTERS

Cristian Otzin  
Philip Fearnside  
Barbara Zimmerman  
Godfrey Massay  
Hiparidi Top'tiro

# INTRODUCTION

## LAURA R. GRAHAM, MODERATOR:



Good afternoon. I'm going to request that everyone take your seat so we can get going. Our panel is on self-determination and conservation challenges for grassroots movements. I'm going to be very brief with our introductions, so we can make the little bit of time. Our first speaker is Cristian Otzin, who is Kaqchikel Mayan, and he is the executive director of the Association of Mayan Lawyers and Notaries of Guatemala. This organization works to enforce the rights of indigenous peoples and represent indigenous communities whose rights have been violated. We thank the Inter-American Foundation for bringing Cristian here.

Second, we'll hear from Philip Fearnside, who is a research professor in the Department of Ecology at INPA, the National Institute for Research in the Amazon in Manaus, Brazil. Philip is a leader in ecological work in the Amazon rainforest, looking for solutions to deforestation and sustainable development.

Barbara Zimmerman, who is skyping in from Toronto, is the director of the Kayapó program and a tropical ecologist at the International Conservation Fund of Canada. Since

1991 she's been working with the Kayapó communities of Brazil in the Xingu area, to develop conservation-based economic development and also to strengthen their territorial control and continue to protect their areas against invasions of miners and deforestation.

Then we have Godfrey Massay, who is from Tanzania. He is a program officer with the Public Engagement and Advocacy Unit at the Land Rights Research and Resources Institute, an unpronounceable acronym. He holds an LLB from the University of Dar es Salaam and currently works to provide legal aid services and land rights trainings for affected populations. We thank ActionAid and the Heinrich Böll Foundation for bringing Godfrey to us today.

And then finally, Hiparidi Top'tiro, who took a brief rest stop. Hiparidi is a Xavante leader from the central Brazilian state of Mato Grosso, which is the epicenter of the world's largest soy boom now. He is the founder and president of the Mobilization of Indigenous Peoples of the Cerrado (MOPIC), and he is also a founder and past president of the Xavante Warã Association. His work focuses on protecting indigenous peoples and land from agribusiness that is in and around indigenous territories. We thank Cultural Survival for bringing Hiparidi.

Cristian, please go ahead.

# SPEAKERS

## CRISTIAN OTZIN



Good afternoon everyone. It's a pleasure to share this space with colleagues and defenders of human rights and indigenous peoples. We are here to commemorate the life of a person who influences the struggle of many men and women, and of course to follow the example of defense of human rights and the rights of Mother Earth. I especially want to acknowledge our gratitude to the Inter-American Foundation, which makes it possible for the association of Mayan Lawyers and Notaries of Guatemala to come here and share with you all our challenges in defending a right that is protected internationally. This right is self-determination. For governments self-determination for indigenous peoples means rebelling, being a dissident, and exercising the right to vote.

I have been instructed to share with you our obstacles and challenges in the struggle for self-determination as part of a social movement. As you all know, self-determination is a right protected by international public law, organized in different international mechanisms.

One right that sets the framework for indigenous peoples to have our own forms of government is that we can make our own decisions about our economic, social, cultural, political, and legal order. These rights are supported by mechanisms such as the Universal Declaration of Human Rights, the International Protocol on Civil and Political Rights, and, above all, Convention 169 of the International Labor Organization.

The context of the indigenous peoples in Guatemala, at a brutal moment in history, illustrates for us a case in which the indigenous peoples were denied their rights. We are speaking about historical discrimination. Since the invasion indigenous peoples have suffered various forms of

discrimination by various sectors. Currently that discrimination continues, latent, permeating state institutions.

In 2013 the government and the sectors spoke a lot about the Mayans. They spoke a lot about the contribution of Mayan civilization to humanity. For us the government and the other sectors are more interested in the Mayans of the past, the pre-classical Mayans that constructed the pyramids of Tikal, Uaxactun, Zaculeo. Nevertheless the Maya of the present continue to be invisible to the government and to the various sectors.

They give importance only to the Mayans of the past, even though we know that the Mayans of the past, our grandfathers and grandmothers, were also discriminated against and repressed. However, here we are today as Mayan lawyers, demanding that the state respect our collective rights, because the Mayans of the past are also the Mayans of the present. We are alive, we continue the same line of history in relation to Mother Earth and our grandfathers and grandmothers. We are asking that today the state respect this historic relationship with our ancestors and with Mother Earth.

However, the context of discrimination continues. Therefore we are also a guild of Mayan lawyers who have joined together in this struggle. We have united to struggle, so that this discrimination begins to diminish little by little.

Also in Guatemala, government policies are implemented without consulting the indigenous peoples. They are linked with discrimination in public policies. In the matrix of energy policies, mining policies are implemented without consulting the indigenous peoples. We see how today in various sectors, populations where the majority of people are indigenous, they authorize licenses for mining, for hydroelectric power plants, for oil drilling. All of it is without consultation. We believe that this, of course, is a clear violation of a right that is internationally protected.

Also in this context, the resistance of the indigenous peoples has become, after many years and in many distinct regions of our country, disprized by the state. This resistance is being attacked although it is protected internationally by the Universal Declaration of Human Rights and our Constitutional Court.

The Constitution contains articles saying that resistance for the defense of collective rights is legitimate. Nevertheless, this legitimate resistance that we as peoples use to defend our territory and our culture is being criminalized and repressed. This is another element that is part of the context of Guatemala. Also, they delegitimize the exercise of our rights, saying that we oppose development, that we are manipulating communities so that the communities do not accept the order that these industries are bringing to the people.

Well, this is our practice as Mayan lawyers, to be connected to the historic demands of the indigenous peoples. We do it alongside the male and female leaders and

community churches, to legitimize our demands. I believe that we have made advances in the legitimization of our struggles; nevertheless, we are delegitimized judicially, politically, and in the media of Guatemala.

What are our challenges? Our challenge as the Mayan Lawyers Association in the struggle for the self-determination of the social movements continues to be the strengthening of the collective subject of rights, which has been previously made invisible throughout history. In our disputes we have faced different sectors that say that indigenous peoples are not subjects of rights. When indigenous peoples come to demand that a judicial body fulfill a right, they tell us that our representation has no legal foundation. We have confronted this challenge because, according to the official system of Guatemala, the only judicial persons or bodies legally represented are the associations and foundations. The indigenous peoples do not fit within a historical parameter unless they adopt a civic form that the Guatemalan legislation establishes.

They exclude us from a right such as legally representing our community in a civil trial. Therefore our challenge is to strengthen the indigenous communities, so that the state recognizes them as subjects of collective rights. The strengthening of cultural practices is another challenge we face. There has been a series of attacks on indigenous peoples that went so far as to deny that the Mayan peoples ever existed. This has had an effect in many communities, on many people, who are denied their identity and their association with a thousand-year-old civilization, a historic civilization.

So we do this exercise of strengthening our identities as Mayas, strengthen our understanding that as Mayas we have a link, a relationship with Mother Earth. This is a part of our challenge of resisting the policies being implemented without consulting the indigenous peoples in different settings.

As the Association of Mayan Lawyers, we have coordinated our actions with different people, individuals and groups in order to be effective, because as Mayas, as an association, it is sometimes hard to have an impact if we walk alone in an action. It is difficult to get results.

Hence, we recognize the importance of coordinating locally with indigenous communities. We coordinate our battles at a national level with environmental organizations and with other indigenous peoples' organizations, so that we can have an impact on the state, the political system and the legal system. And today we have the opportunity to coordinate with friendly international organizations that also help put us and the situation of the indigenous peoples in Guatemala in the international debate.

We also continue strengthening our capacities. As Mayan lawyers we must have a leading role for the historic demands of the indigenous peoples, and this requires that we be prepared for the legal attacks that the state

makes when they deny our rights. One clear example that many here may have heard of is the position of the Guatemalan government in different settings, such as the Organization of American States and the United Nations. There Guatemala says it cannot implement Convention 169 because the indigenous territories are not demarcated. Because there are not indigenous populations with demarcated territories, the state says that it is impossible to implement Convention 169.

As lawyers we must give a legal response to this position of the state, which demands that we again be prepared to constantly educate ourselves and the indigenous communities and their leaders. It demands that we strengthen them, to require the state to respect their decisions in the territories where they live.

Our purpose is to influence the state to be more inclusive, so that it takes into account the legal and political reality of the indigenous peoples. These places have to have representation of the indigenous peoples when making key decisions. As I mentioned earlier, one of our good practices has been training Mayan lawyers, as well as training men and women leaders who become empowered by knowing their rights. Lately we have seen that there are leaders who then go to the tribunals, and with this empowerment they are able to demand that the state respect their rights.

One simple example: Two months ago we were in the Constitutional Court, the highest legal body in Guatemala. A security guard of the Court comes along and requests an indigenous authority to uncover his head. The indigenous authority was wearing his traditional attire as an indigenous leader, and the man from the court comes along and says, "Please, out of respect for the magistrates, uncover your head!" We got a lot of pleasure from the answer that the indigenous leader gave him. He looked at him and said: "This is part of my attire, and I am not going to take it off. Second, when you all arrive at our territory with a tie and jacket, we don't ask you to take off your tie, we don't ask you to take off your jacket. So then please, let's have the respect be mutual, because I, too, am an authority." This gives us a lot of hope that we have authorities that also reinforce our historical demands. This is just one example, and obviously we hope that every day this empowerment becomes stronger.

We immediately brought these historic demands to court, not only regarding respect for the exercise of cultural practices, but also to seek legal recourse so that they respect the historic position of the land and the indigenous peoples' territory. We have also pushed for the regions that may not have title. There are few regions that have an actual title from Charles V, King of Spain, but the majority do have a historic relationship with the land. So we want them to show respect to these territories and the indigenous peoples. We have succeeded in bringing

these demands to court.

Some lessons learned: In our practice, we have found ourselves facing some difficulties with power, strengthening academic and scientific investigation of the exercise of our rights. We believe that is necessary to keep investigating, to keep scientifically proving the relationship that exists between the indigenous peoples and Mother Earth, to keep debating and investigating the practice of indigenous peoples' self-determination. This has been one of the challenges. Also, as we touched upon yesterday, we have learned that cyber-activism is important, having a presence on the different social networks where we are sharing these lessons. So today we have a website, a Facebook page and a Twitter feed where we continually update our information.

We have also implemented strategies after having learned some lessons, and we have implemented and strengthened our strategies to fight for self-determination, to bring it to court, to ask the government to respect self-determination. Asking a jury to respect self-determination is to confront a very corrupt system that is very rigid, where they are afraid to touch upon the concept of the self-determination of these peoples. However, we have brought to court issues that comply with the requisites of self-determination—for example, the right to prior, free, and informed consultation. Various cases have given the indigenous communities opportunities to demand that the state respect consultation before granting a license to extract resources or for hydroelectric industries.

Also, we have brought to court the demand that they respect the exercise of the individual forms of indigenous organization and that they recognize the indigenous communities as subjects of rights. We have accomplished this through legal action and the last of the actions, of the implemented strategies, has been to ask the judicial system of Guatemala that they respect the indigenous authorities when they resolve cases in their communities. We have a case right now, with indigenous authorities who resolved a case in their community, where there is an absence of the state. But in the official system they say that these resolutions are not viable, are not legal, claiming that the only entity that can resolve these cases is the Supreme Court of Justice. Once again they negate the right of the indigenous peoples to exercise their own judicial system.

Among our obstacles as the Mayan Association of Lawyers in demanding the right to self-determination has been for us, as it has been for many people here today, the criminalization of these demands. The leaders who accompany us in the exercise of these rights are criminalized. We see how the system initiates a series of false investigations against leaders who demand these rights. When we prove that these crimes never happened or that perhaps only one could have happened, such as being a squatter, then they arrest them for blocking free locomotion. And although this

is a small, minor crime, the cost is very high. The bail bond is very high, and for an indigenous leader it is very hard to pay the fine. Therefore they stay imprisoned until the communities in many cases form a cooperative to raise enough to pay the fine and have them released. But often these fines multiply, making it very difficult for the communities to economically support one of their leaders who has been fined for minor crimes.

Another obstacle we face is the recruitment of leaders. The responsibility of the press for violating human rights continues in full force in Guatemala, in complicity with the state. One sees how they capture the loyalty of the community leaders with trips and handouts. For us this is an obstacle that can ultimately mean that the communities' struggles are stopped short. We have also faced aggression aimed at male and female leaders. We hope that in the future this will no longer be an obstacle, so we can exercise our rights freely. Thank you very much.

*Translated from Spanish by Gabriela Berinstein*

## PHILIP FEARNSIDE



I'm Philip Fearnside, from the National Institute for Research in the Amazon in Manaus. Before I start, just let me point out this website [<http://philip.inpa.gov.br>], where you can find much more information about everything I'll talk about today, plus a lot of other controversies—

hydroelectric dams and so forth. So, highly recommended.

As Marina Silva last night and Barbara Bramble said very well, Chico Mendes was unique in the way he was able to reach out to different groups to put together the coalition that he had. And one of those groups was the scientific community. I had the honor of having a certain role in that. It's very important, because part of the argument for creating extractive reserves and defending the people who are defending the forest is exactly the environmental services. The forest provides something very valuable, and that is the extra value that has made that particular movement so successful.

There are many, many groups in the world, there are social struggles and environmental struggles where human rights are being trampled, and so forth. But what's different about seringueiros [rubber tappers] in Brazil is that they are defending the Amazon forest. The Amazon forest has a tremendous value for Brazil and for the world. So that adds an additional interest, and that's why so much effort has gone in from all these various groups, internationally and from different parts of the Brazilian government, to expand extractive reserves and so forth. It's very important to understand some of this part of the story.

I was with Chico Mendes on various occasions. The last time was just nine days before he was killed, and the

danger was really palpable. He had two guards with him at all times, but that wasn't going to stop him from doing what he was doing. I think it's very important to maintain his legacy, because there's a tendency to reinterpret in various ways that have been mentioned here. I would just point out that at the end of last year, at a meeting of the Brazilian branch of the International Society of Environmental Economics, of which I'm one of the founders, there was an economist from the World Bank who was asking me, "Isn't it true that Chico Mendes was just a labor leader who was trying to get more money for his constituents, not really worried about the environment?" Of course, I was able to testify otherwise, but it's very important what has been brought up by Marina and also by Barbara, that he had all of these different aspects. He was indeed defending labor rights, but he also was a genuine environmentalist. I think it's important to make that clear.

Environmental services is an idea that I've been pushing since early 1985, coincidentally just a few months before the National Council of Rubber Tappers was formed and the proposal for extractive reserves. This is the idea that natural ecosystems like the Amazon forest have roles in maintaining climate stability, maintaining biodiversity and so forth. These have a tremendous value; the problem is that no one is paying for them. But they're worth much more than what you get by destroying the forest, selling the timber and planting pasture. There's no mechanism to transform that service that they're providing into a financial flow that can sustain the population and compete with all those other uses of the land. And basically, all the economy in Amazonia is based on destroying the forest: sell the timber, plant cattle, pasture and so forth. What should be happening is to have the system based on its major value in maintaining the environmental services.

From 1992, that turned into a proposal as an alternative basis for the economy. There are some tiny steps that have happened since then, but certainly the other side is way ahead. I'm responsible for the National Institute for Science and Technology of the Environmental Services of Amazonia, which is really just a big project, but the Ministry of the Environment has this name for it. And there's a lot more information on the website here.

First of all, this is a map of tropical forests that were still standing in 1990. Today it's a little bit smaller, but still you get the idea that Amazonia is way ahead of any other part of the world in terms of tropical forest. The Atlantic Forest in Brazil doesn't even show up on the map at this scale, much less what's in Central America and other places. Anyway, this has various roles. You have the tremendous stock of biodiversity in Amazonia. To maintain that is an environmental service. But also this has a role in climate stability that is much greater than in other places, because of its having such a large area, and the forest is still there. It's

very important in water cycling that is essential for rainfall, not only in the Amazon but also in the rest of Brazil and neighboring countries. And it also has a tremendous stock of carbon that is important in avoiding global warming, in two different ways. One, in reducing the emission every year of greenhouse gases. And the other thing is the huge stock that's there that could be released, either from deliberately cutting down the forest or from climate change, killing the forest. So these are important things to avoid.

Now let me just explain the water role of the forest. This is something that's very important for Brazil. This is an experiment that's responsible for various parts of the Amazon. This is in Rondônia. We also studied in Amazonas and Roraima and Pará, a series of plots like this, in a cleaned cattle pasture, a plot that's 10 meters long and 2 meters wide. It has a trough at the bottom of the hill, and the water runs down the hill when it rains, goes into the trough and into a pipe like that. It takes four of those 200-liter barrels just to receive the water from that plot, just so it doesn't overflow, to study soil erosion here. And in the forest usually one barrel is enough to catch the water from that kind of plot. Usually it's just a bucket like that, hanging inside the barrel. It's very obvious that there's much more water, much more than 10 times as much water runs over the surface in the cattle pasture as compared to the forest. So what's happening there?

If it's in the forest it hasn't gone into the barrel and so is sinking into the soil, where it's sucked up by the roots of the trees, and then it's returned to the air through the stomates, the little holes in the back of the leaf. That adds up to a tremendous amount of water. If it falls on the pasture, it goes into the streams and then into the Amazon River and out into the Atlantic Ocean.

Just to give an idea of how much water is involved, this is the meeting of the waters in Manaus that is several kilometers wide. It's about 60 meters deep. The current is enough that you can't swim against the current. There's a tremendous amount of water. That's 3.8 trillion cubic meters per year that passes this point. Just to give you a point of reference, if you look at the water balance for the Amazon Basin, the winds in the Amazon blow from East to West. So they're bringing water that's evaporated from the Atlantic Ocean into the Amazon Basin. And they're estimated bringing 10 trillion cubic meters of water per year. Now what goes out the mouth of the Amazon is 6.6 trillion cubic meters. So it's about twice what you saw in the meeting of the waters there.

What falls as rainfall is 15 million, about half as much as what came in. That means the water's falling more than once as rain. The evapo-transpiration that's come out through the trees is 8.4 trillion cubic meters, and if you turn the Amazon into a giant cattle pasture, that won't be there. Now the difference between 6.6 and 10 is 3.4 trillion cubic

meters that has to be going somewhere else if it's not going out the Amazon River. That's almost as much as you saw in the meeting of the waters there near Manaus. So that amount is going someplace else. Here's a simulation by Wagner Correia that shows that half of the water that comes in from the Atlantic makes a turn to the South. So that's a tremendous amount of water that is making this route to other parts.

There have been advances in the mapping of the winds coming in from the Northeast, the evapo-transpiration from the forest. Then the wind can't get over the Andes, so it turns to the South. Then it hits the coastal mountains in the state of Minas Gerais, for example, in Brazil and falls as rainfall. So that is the backbone of Brazil's energy system. It goes out rivers on both sides, through the São Francisco River to Northeastern Brazil, or through the other side to the Rio Paraná and La Plata and goes out in Buenos Aires, ending in Itaipu in Brazil.

You have a series of hydroelectric dams on those rivers that are the main source of electricity in Brazil and also supply water for the big cities. We are really on the edge of that water supply. As you can see right now, there's a tremendous drought in Brazil, and the reservoirs are all practically empty, including the ones that supply water to São Paulo. And it's the end of the rainy season. So that means that they're not going to fill up unless there's some very unusual rain. If they don't fill up during the rainy season, they aren't going to fill up during the rest of the year, because you're always using more water than is coming in.

This depends very much on the time of year. If it's June, July, and August, only the very southern part of the Amazon has the wind making this turn to the South, and the rest is leaking over the Andes in Colombia, where the mountains are lower. These black areas are more than 700 meters in altitude. If it's December, January, and February—that's rainy season in southern Brazil—all of the wind is making this turn, and about 70 percent of the water is coming from the Amazon. So if you turn the Amazon into a giant cattle pasture, where you don't have that water being transported, it's a tremendous loss that no one's paying for.

Let's talk about global warming. When the forest is burned or when trees rot if they aren't burned, half of the dry weight of those trees is carbon. It will become carbon dioxide or methane or other greenhouse gases. And when it's converted into a cattle pasture, you can see there's much less biomass there. The difference has gone into the atmosphere, in one form or another, as greenhouse gases.

This is deforestation in Mato Grosso. Two tractors here are pulling a chain. That's forest being cleared, not cerrado [savannah]. It's very important because there's a tremendous myth that there's no deforestation for soybeans, that it's only planted in old cattle pastures. Actually you can see this happening, this is in the municipality of Santa Carmen,

which is always on the black list of IBAMA [Brazilian Institute for the Environment and Renewable Natural Resources]. In this municipality this is what happens in the preparation for soybeans. Obviously, biodiversity is practically zero, and the carbon stock is also practically zero.

We've been talking about this for years, about how cattle are being pushed into the Amazon by the soybeans, and finally this group from Imazon in Belém showed statistically—anyway, these red points—the soybeans are pushing the cattle that can be shown statistically to be very significant.

Now in terms of the impact on global warming, this is our current map of biomass—[courtesy of] Helen Ergueiro, who works with my group in INPA—not only the forest but also the savannahs and other kinds of vegetation with new estimates for how much biomass there is. This is directly proportionate to the impact when you clear it. It's a tremendous amount of carbon. The peak of deforestation in 2004 was 472 million tons of carbon—not CO<sub>2</sub> but carbon—here. And the last year, with much less deforestation, it was still almost 100. Those who follow these numbers, these are astronomical numbers. All of Brazil's fossil fuels are approximately 100 million tons of carbon.

Now, understanding what can be done about this—there are various problems we're looking at. This is a famous map by Bertaldo Mendes Filho of the University of Minas Gerais, projecting deforestation out to 2050. If you look at the first of the projects, the red patches, reducing emissions, deforestation and degradation, which is the Juma Reserve in the state of Amazonas, there are some problems. What was used was this: just cutting out of that map from Bertaldo's simulation of how much deforestation would take place in the reserve, you see practically the whole reserve is deforested. Now simulation by our group . . . shows much less deforestation. It's very important to understand why. But if you keep going for another 50 years, you get just about as much deforestation. It's a matter of time, but there's an important difference there.

What's happened—this is from Bertaldo's simulation. He divided up the Amazon, including the other Amazonian countries, into 49 sub-regions. One of them, number 27, is huge. It includes all the state of Amazonas, part of Pará, and part of Mato Grosso. And of course this Juma reserve is in there. So going back to that map, you see there's this huge area of forest, and all the deforestation is down in this corner. So when you calculate how much deforestation is going to take place, it's a percentage of the forest that's there, which is multiplied by this huge area. And then you want to know where that takes place, it takes place near previous deforestation. There are highways, which are all down in this corner, so all of it gets thrown into one corner, on top of these reserves, which is why it's so high. There are more details in this paper you can get from the website.

Here's another example: the Surui carbon forest project

in Rondônia—very little deforestation inside the reserve so far, with a tremendous amount on the outside. Using Bertaldo's simulation, there's little deforestation but it does make a significant difference to have this project. Here's more information on that.

This question of REDD is very controversial, everything from thinking it's a savior to saving the forest to tremendous moral sin. Look at the website for discussion and debate.

Now on the national scene, the federal government wants to reduce deforestation by 72 percent. That's Brazil's national climate plan being launched. The plan exists, deforestation would go down, and you get credit for this decrease. What has happened is this: Deforestation has decreased, and it's been for various reasons. One is the control program mentioned by Marina Silva last night, but there are other things involved. Between 2004 and 2008, you had various things at the same time. You had the price of beef going down, you had the price of soybeans going down, parallel with the deforestation.

Also the exchange rate was changing, so it was becoming less and less favorable for exporting these things. This study shows that you can explain practically all the decrease through 2008 by the decline of the commodity prices, but after that deforestation kept going down and the commodity prices went back up.

Something happened. The main thing was this: the Central Bank resolution that links financing to having a clean slate with IBAMA. This is something that has real teeth that isn't something you can appeal over and over, like the fines they get. Unfortunately, the ruralists, this big lobbying group from the landowners and agribusiness, is working to repeal that. The unfortunate thing is that, as was shown in 2011, by the vote on the Forest Code, they are in control. This is something that went on for decades, this debate, but they have gained control. This has been shown by the vote, which is a vote ratio of 7 to 1 against the environment, 7 votes against the environment for every 1 in favor, even though 85 percent of the Brazilian population lives in cities and has no direct financial stake in being allowed to deforest more. Also, public opinion polls show . . . 85 percent against any reform.

Now the power has shifted to places like Mato Grosso, away from labor unions and industrialists around São Paulo and so forth. This is tremendously important. China is a major influence. This study shows that exports to China, soybeans and cattle and so forth, [are] very statistically significant influence[s] on deforestation in Mato Grosso. You can get this off the website. This affects all sorts of social issues in Brazil, in addition to the environment, but it directly affects indigenous peoples and forest peoples in general. Now the other aspect, in addition to the gain in the ruralists, is the infrastructure—these black areas are the last year's deforestation, and especially this area that's

not deforested would be opened up by the BR319 highway that would link Rondônia to Manaus. So this is the controversy that is at the center of a lot of that.

So just let me end here by reminding you that it's the environmental services of the forest that can be the key factor in changing this scenario. There's a lot more information on the website. Thank you.

### BARBARA ZIMMERMAN



Phil gave you a lot of background, so I would like to point out—I believe I'm correct in saying that most of my colleagues, biologists, tropical biologists, tropical ecologists, conservationists, believe that the future of the Amazon forest lies mostly in the hands of the indigenous peoples and other traditional people, such as the descendants of rubber tappers and extractivists' reserves.

This satellite shot really dramatically illustrates the phenomenon or the fact that indigenous territories in the Brazilian Amazon are serving as large, or very large in many cases, protected areas and barriers against the forces of deforestation. This satellite shot here was taken in July 2004, and the big block of green is an indigenous territory that belongs mostly to the Kayapó indigenous people that I've worked with for many years.

You can see the white plumes of smoke. This was in the dry season of July, of ranchers burning off remnant bits of primary forest. But you'll notice from their shot the intactness of Kayapó land, the intactness of their forest, and the fact that virtually everything outside of their land was just light brown. It's been deforested for ranching and, more to the South, for soybeans. This is a real phenomenon, and fairly well documented now in the Brazilian Amazon is how these indigenous areas and indigenous peoples present this barrier to deforestation, which has become very apparent to the conservation community. We as conservationists had better work toward empowering this process, whatever it might be, because it seems to be where large-scale conservation is going to happen.

The Kayapó are a particularly striking example because of the size of their area, the size of Kayapó land, which is officially demarcated, officially ratified. Indigenous peoples gained their land rights in the Brazilian Constitution of 1988, in which the Kayapó people did play a big part, by the way. But these official lands of the Kayapó, 50 percent of the world's countries are smaller than this Kayapó area, which measures about 11 million hectares or 110,000 square kilometers. So certainly from a conservationist point of view, from a forest conservation point of view, they're a very significant-sized area, large enough to conserve populations of virtually all of the Amazonian endangered

species, populations of tree species which do require very large areas to protect this population. And it's very apparent from the satellite shot, I think, that if the Kayapó had not been there this area would be gone.

The work started in the 1990s. We began to be able to work with all the Kayapó, at their request, around 2000. By "we" I mean environmental NGOs; I work for one but others are involved. What we have done is really forge an alliance with the Kayapó, to help them navigate our outside capitalist culture in the twenty-first century and to help empower them to continue to protect their land in the twenty-first century. In the Amazon frontier the pressure, the threats are intense. I may be talking about the Kayapó as a particularly striking example because of the size and the fact that [their reserve is] embedded right in the middle of the burning zone of the southeastern Amazon.

Although these areas are allotted to the Indians under the law, they're not protected in practice. This area of the southeastern Amazon where the Kayapó are located is lawless. I don't think that there's anything that has changed since Chico Mendes was assassinated. It's the same scene as back then. The ranchers and the loggers and the gold miners run things according to the way they want to run things. Assassination is still commonplace. It's dangerous to stand up to these people, although nobody messes with the Kayapó, because if you mess with the Kayapó there will be retaliation. They do command this respect, but they do need other types of support in the twenty-first century—to help them with surveillance of at least 2,000 kilometers of border; to help them with developing sustainable economic, non-timber alternatives within their communities, so that they can earn their own cash to buy the things that they want and have come to depend on and need from the outside society.

Third, and just as important as the other two, is to help them set up and administer their own associations, their own NGOs that can obtain, administer and implement outside support for this capacity building. I do think that the conservationist community is working with the Kayapó.

I was just going to end by saying that I do think that the alliance with the conservation organizations is quite successful, because these borders are still holding within this lawless frontier. There's immense pressure to access the timber, access the gold on Kayapó land. I do think a big role that the NGOs play with the Kayapó is to help them navigate, understand our culture. That's done mostly through their own NGOs. I say NGOs because their territory is so large that they can't really operate out of just one geographically, so there's one located in the northwest, one located on the east of their territory and one in the southwest. These are the NGOs that receive the outside support for these surveillance and development programs. But they also have become poles of organization that the Kayapó

can organize in and around, poles for understanding the outside culture; they still have very limited understanding of our politics, the dangers that they have to be careful of in our society and so on.

So I would say—I'd be interested to know what Phil thinks, but really the future of the Amazon is in the hands of the local people who live in these forests and depend on these forests. With outside support they can continue to protect their lands, and they do, but the pressures are so immense on the frontier, the pressure to clear the forest is so immense, that the environmental community has to begin investing heavily in these local people. But the rewards are there, the conservation payoff is there. I will conclude with that.

### GODFREY MASSAY



My name is Godfrey Massay, and I work with Land Rights Research and Resources Institute, which is a national NGO based in Tanzania. Its major objective is to make sure that it spearheads the land rights of the small-scale producers who constitute the majority in Tanzania. These are small-

scale farmers, pastoralists and hunters and gatherers. I'll only focus on hunters and gatherers and pastoralists, because these are the most threatened people in Tanzania.

But before I start talking about them, I'm compelled to remind myself of my childhood. When I was very young in my community, I remember that my parents would always look at the movement of birds, the movement of insects. They would look around at the vegetation to know whether this year would be the year of more harvest or not. And they would adapt to that environment. They would decide what kind of crop to farm and what kind of storage facilities to put in. And so they would really use the environment to project the kind of weather that was coming, and that helped them to sustain and to cope with that environment.

I also remember at that time, when, for example, the rain was not coming, the women would gather together and go to visit a spiritual leader and talk to him. I also remember that elders would gather together and make prayers. They would pray for Mother Earth, Mother Planet to produce and sustain life of the people. So those are the things I remember as a child. When it rained I would go outside with my siblings and we would dance as rain poured on our bodies. And we would say, "Mother Rain, keep on irrigating the earth, keep on bringing more water, so that the cattle of our father can have plenty of grass and more water to drink." Those were the kinds of things we would sing, because we knew that the environment could help us live. We also knew that it is with rain and clean environment that the cattle with which we identify our livelihood could

have a sustainable life.

With that, let me tell you about the small-scale producers of Tanzania, and here I'll only focus on hunters and gatherers and pastoralists, as I have said. Hunters and gatherers are a minority people in Tanzania and they are identified as indigenous people. They live in the forest; they hunt and gather. They hunt wild animals; they eat wild animals. But as well they collect fruits and they eat fruits. So for them the forest is everything. The thing is, there is a law in Tanzania which says, whilst land is unused and unoccupied, it shall be taken away by the government for the public interest. And that public interest can be investment for national interest. Therefore, the land has been easily taken away by investors.

Seeing that as a threat to their livelihood, my organization, together with other small organizations in Tanzania, we teamed up. And we started fighting for the collective rights of this community. We managed, three years ago, to get a community certificate of ownership of their land. And so now they have their title, which is collective. They have collective rights over their land so no one will take away their land. But their land has been targeted for tourism. The land is needed for investors who come and invest in hotels. There's also a project called Wildlife Management Areas. They identify areas along with these people where they encourage investors to come in and invest, and that really threatens their livelihood. So we use that customary certificate of ownership as a mechanism to safeguard their land rights.

The other thing is about Maasai people. You probably have heard of them. This is one group of pastoralists. There are many other groups of pastoralists, but I'll only focus on them. Their land has recently and for years been threatened and taken away for various purposes. One thing is for investment in tourism but the other one being investment in conservation projects. So the land has been taken for those purposes. These people depend on land because they keep large herds of cattle, so they need that land for pasture. Because they are indigenous pastoralists, they would move from one place to another over time. That movement for them, they move and the place that is left for this season will be used for another season. They hope that the grass will be enough. So they are trying to adapt to the kind of environment they have.

Back to that law—they look at the land it is unused, unoccupied, they call it idle land, which they take for investment. So again their life is threatened. They want the land. You'll probably remember it was in early 2000 when the land that they were using was taken away by Arab investors. And there was a public outcry. The government was pushing for it. They had no option. The government wanted that investor. And so thousands of Maasai pastoralists were evicted from their land. Their houses were burned, their cattle were killed, they were forced to leave their ancestral land because of the foreign investors who came just to hunt

animals and then pay some fees to the government, at the expense of removing thousands of people with their cattle, putting their lives at risk.

That reminds me of the presentation that was made by Madame Silva yesterday, when she said that there is an ethical crisis, where we fail to really make choices. So our ethics are put into doubt, and we see that our leaders sometimes fail to deal with economic crisis and also with ethical crisis.

The other thing which I also remember, it was not so long ago, in 2007 again, land of these pastoralists was taken away. Recently, last year, their land was again targeted because the government of Tanzania wanted to allocate more land for conservation, but also to allocate more land for tourism sector. This time we said, "Enough." We teamed up with lawyers but we came out together as a civil society organization. We formed a very strong advocacy group where we sent messages to Facebook and signed petitions to stop the government of Tanzania. We sent messages to the embassies. And I think it was everywhere in the world where people really heard about this, and we managed to stop the government. Government decided to halt that project and said, "OK, we will not take away your land, continue to live over that way."

But currently we are also advocating for what we call participatory land-use planning for these pastoralists, to make sure their land is demarcated and they have their map. Everything has to be in a blueprint which can also be used to defend whenever that land is encroached on by other competing interests.

In conclusion, I would say that our struggle, just like that of Chico, we are also struggling to make sure that a philosophy of being and that of becoming and that of belonging as an indigenous community is met and respected. This is a struggle, not of a single person—it's a struggle that requires effort from other actors. Together, in solidarity, we can. Thank you so much.

## HIPARIDI TOP'TIRO:



Today there are 300 indigenous groups in Brazil. We speak 200 distinct languages. These numbers continue to grow because, given that indigenous rights are recognized in the 1988 Constitution, more people are taking pride in their indigenous identity and demanding that their rights as indigenous peoples be recognized. Isolated groups also continue to be contacted.

In Brazil we have six biomes: Amazonia, Atlantic Forest, Cerrado, Caatinga, Pantanal, and Pampas. So far we have spoken only about Amazonia, which is just one of them. Amazonia and the Atlantic Forest are the best known and most valued of Brazil's six biomes. Brazil's environmental

legislation affords them the greatest protection. The Amazon commands the greatest attention. With all due respect, I want to bring attention to the cerrado, the region I am from. Although the cerrado is often overlooked it is an important biome. It is the source of most of Brazil's waters. The majority of Brazil's rivers begin in the cerrado. We supply many rivers, many that go as far as Peru. Those rivers originate in the cerrado. The cerrado also supplies the Guarani Aquifer, the world's largest freshwater aquifer.

In Brazil we indigenous peoples have serious problems with the current Workers' Party government of Dilma Rousseff. This administration is dismantling the gains we achieved during the 1980s, which are recognized in the 1988 Constitution. Indigenous peoples supported the Workers' Party and its presidential candidate in the 1989 elections. These were the first elections under the new Constitution, and the PT candidate was Luis Ignácio da Silva, known as "Lula." This was the first time that the Workers' Party had a presidential candidate. Lula made a commitment to indigenous peoples. He promised to demarcate indigenous lands and defend indigenous rights. The indigenous movement had a plan, which we submitted to the presidential candidate. It outlined a program for our collaboration and work together. Unfortunately Lula did not fulfill his promise to Brazil's indigenous peoples.

Now we are confronting serious problems that threaten to undermine the state's obligation to demarcate indigenous lands. The ruralist coalition of ranchers, large land holders and agribusiness has put forward the Proposed Constitutional Amendment (PEC) 215, which would remove decisions about the demarcation of indigenous lands from the politically impartial federal Bureau of Indigenous Affairs (FUNAI). It would relocate decisions about the demarcation of indigenous lands away from the executive branch. Decisions about the demarcation of indigenous lands would become subject to lobbying and special interests, and votes that could be bought in the Congress and Senate. When demarcation is political, it becomes very complicated. We are the losers because we don't have indigenous representatives. We don't have indigenous senators. Every year indigenous people run for seats in the Chamber of Deputies, but we have not been able to elect an indigenous person to national office since Mario Juruna was a federal deputy in the 1980s.

My people, A'uwẽ-Xavante, have had contact with national society for less than 60 years. Our contact lasted over 20 years. At the time the first A'uwẽ group was contacted in 1945, we numbered approximately 1,000. Now there are 20,000 of us.

When I entered university I asked myself, what field of study will best advance my people's struggle? What will be most helpful to my people? This was a big question. I understood that my people live in eight fragmented areas.

If they were joined together they would amount to about a million [hectares]. The Xingu is much larger, as our colleague [Barbara Zimmerman] who works with the Kayapó, has just said. The state divided our land, the territory of the A'uwẽ-Xavante, into small, disparate pieces. When the Brazilian state made its "March to the West" during the dictatorship of Getúlio Vargas, the government sponsored the occupation of our lands. It said no one lived there and our territory was empty, that it needed to be settled. This is why the capital of Brazil is in the cerrado.

We live in the cerrado, which is not well known. It is often misunderstood and characterized as an "impoverished" biome. But the cerrado is, in fact, the second richest biome in Brazil.

My people are suffering tremendous impacts as a result of agribusiness in the cerrado. I recognize after listening to the presentations of other relatives here about corporations and multinational companies, that the problems we are all facing are exactly the same. Each of us [indigenous peoples] has problems with governments that disrespect us and fail to uphold our rights. How are we going to organize ourselves? How are we going to defend our lands, our water, our lives, our rivers, our cultures, our ways of living? Of the options we have, I place my bet on activism. Many peoples confronting these problems end up opting for short-term gains. This is a serious problem. Activism is one way to confront our problems. Make a lot of noise! Get the word out!

We have been organizing and promoting a campaign on behalf of the cerrado and its inhabitants. We call ourselves the Mobilization of Indigenous Peoples of the Cerrado [MOPIC]. Working together with traditional communities, including the quilombola descendants of African slaves, we presented a proposal to Marina Silva, who was then minister of the environment. We expected a lot of her and demanded that she establish protections for the cerrado similar to those that are in place for Amazonia.

Marina Silva asked us why the cerrado should be protected. We responded by stating that our traditional knowledge is disappearing. Each time a cerrado tree is cut down, some of our knowledge is lost. For example, among the Xerente, who live in Goiás state, each time a tree is cut down, some memory, some part of the language, is lost. For example, if there is no more fruit from a tree, you forget its label, the word in your language. You forget the word and the knowledge that goes with it. If you don't speak your language, if you learn to speak Portuguese, even after 10 years you forget your own language.

Now legislation is in place that stipulates that 22 percent of the cerrado must remain intact. The law pertaining to the cerrado is less strict than for Amazonia, where 32 percent of the land remains intact.

Our generation is beginning to recognize what is happening. We founded MOPIC and started a campaign to

protect the cerrado. Our inspiration was a little red bird that we call pi'ã or pikã or tsitópré. This bird warns us of danger. The pi'a appeared to one of our healers in a dream. It said, "For goodness' sake! Everyone is fighting to save the environment, the Amazon. But no one is thinking about us, the birds, that alert you to danger. I have to fly further and further each time a tree is cut down. I have to fly too much. My heart can't take it." So the birds who warn us of danger are disappearing. We have to protect the cerrado for them, the birds we call pi'a. This dream revealed to us the dangers that all of the animals and everything that lives are facing.

Inspired by this dream we began to organize. We asked ourselves how we could build the campaign. We began looking for allies among other people who live in the cerrado. We began by seeking out other indigenous peoples. Our first allies were our relatives the Timbira. We started getting together and inviting others. In 2006 we founded MOPIC.

We started a campaign on behalf of this bird, because if it dies, it signals that all of the cerrado indigenous peoples, including the majority of Gê peoples who live in the cerrado, are also threatened. We all need the cerrado. It provides our spiritual nourishment. It is the source of our dreams, our names, and our music. During the 1980s and '90s, when many of us gave our children Portuguese names, we started to lose our memories. The destruction of the cerrado disturbed our spiritual resources. It was easier for people to pick a [Portuguese] name, like "José," out of a book. The adoption of Portuguese names signaled the beginning of a spiritual disturbance.

I wear this earplug for a reason. It's not just decoration. It protects me. It provides spiritual protection and spiritual continuity across generations. This is how we continue dreaming our music, for example. We must dream. We also dream our names. Our relationship to the cerrado is very complex. We need it for our spiritual lives.

We kept joining together and organizing. We said: "We indigenous groups need the cerrado. We need this spiritual power to keep on dreaming. We need this source of our spirituality." We also stated, "If our lands are fragmented, we will disappear within 20 years. We will become just like you [non-indigenous people], because our dreaming will cease, our music will come to an end. Our spiritual power is going to vanish because our lands are broken up and there's no continuity."

We started to realize that we need to form alliances with other types of people, with environmentalists. Before, I didn't like the idea of working with conservationists. I've changed my mind. We need this dialogue today.

We need to have control over our lands; we need our territories to be united. In fact, Brazilian law doesn't allow us to control our lands. Our lands belong to the state, to the union. We just have usufruct rights. We don't control the subsoil.

Many times our leaders exclaim, “We are dying defending our land.” In reality we can’t even say, “This is our land.” “Demarcation” of indigenous lands is a ruse. In fact we’re taking care of it for the nation. We fight and fight but don’t get title to the land. There are no written documents that give indigenous people real control over their lands. Some of our relatives have purchased land, but they are in crisis. “Indigenous land” belongs to the nation. Everything has to be run through FUNAI, the Bureau of Indian Affairs. Purchasing land is very complicated for indigenous peoples.

My focus is the cerrado. We are living through a very complicated situation. We are organizing. Last year we tried to put together a coalition like the Alliance of the Peoples of the Forest of 1988. Discussions were difficult. We haven’t been able to unite and prevent a lot of legislation, like PEC 215 and others. More powerful groups continue to trick us.

They denied a visa to one of our relatives, a member of the Wauja people who wanted to come to the United States to study for a doctorate. They didn’t grant the visa. The government is worried about Indians traveling abroad. It doesn’t want educated Indians who can speak about the situation of indigenous peoples in Brazil. My trip here was very complicated. They asked, “What are you going to do? Where is your invitation?” and a lot of other questions. It was very complicated. “What is the purpose of your trip?” You get mixed up in all of these politics and subject to all of the government’s efforts to control indigenous peoples.

I am speaking from my heart, not with a lot of hard facts and data. I believe we need to form alliances. I didn’t know the story of Chico Mendes, and the alliances he formed

when he was alive, because I was just a child at the time. I learned about him when I became active in the indigenous movement, especially when I met people from the Amazon region. They spoke about the importance of having relationships with the river dwellers, the quilombolas, and other traditional communities, as in the Forest Peoples’ Alliance in 1988. I wanted to understand why. I learned the story of Chico Mendes. It is a beautiful story. Each one contributes something unique. This is an important lesson for us today.

The discussions by my indigenous relatives on the panel are important. They are talking about organizing, about occupying the state, and starting with indigenous people. The big question is, how are we going to resist these big multinational corporations that are entering our lands?

In my homeland, in Mato Grosso state, which is the second largest soy producer in Brazil, babies are being born without brains. Airplanes fly over us when we perform our ceremonies. They drop toxic chemicals on us. Pollution is poisoning our water. It is damaging our children. We complain to the state of Mato Grosso, “How can we carry out our ceremonies when they invade our land?” This is very hard on our children.

I am directing your attention to the cerrado. It is one of Brazil’s six biomes. Because the cerrado is disappearing, every second, every minute we are forsaking our languages. The Federal University of Goiás did a study of the Xerente. There is no more cerrado where they live. Much of their knowledge and traditional practices have fallen by the wayside. Thank you.

*Translated from Portuguese by Laura R. Graham*

## QUESTIONS AND ANSWERS

**QUESTION 1:** I’m Dr. Pamela Duhamel Yellow Horn from Canada. Semoxin, which means caution and advice. This is for the gentleman on the end, so please translate this for him. I have a question, and I want to know if he thinks if indigenous people start to get into positions of power—and I mean that by being educated in the ways of our knowledge, and to take positions in government because you explained to us that there weren’t many in the lower realms of government or in other government structures—if you believe that this will help you and safeguard you, or if you believe that they may be sellouts and then occupy themselves with the corporations and gaining, so that their worldviews change to the downward paradigm that we are experiencing in Canada and the USA.

We’ve had 500 years of it, and it continues here, we have peoples that are dying on the reservations, the babies that are born with uranium pollution from the water with multiple disabilities. In Canada, a place called Kitchisakick, where I drive through to teach at James Bay Creek, they’re living in boxes and they have no running water or electricity. This continues all across Canada and the United States. We have the same problems here that many people don’t know about, because of the wrong paradigm of the corporations who are just running with things instead of doing environmentally sympathetic businesses. So that’s my question. I want to know if you trust your people, if they’re educated enough to hang in there with their knowledge translations when they seek to get into power. Or if you believe that they might, like what we experience here in North America, sell out. Thank you.

**QUESTION 2:** My name is Hank Cole, and my question concerns the protests around the soccer, the world football. Is it possible to get some of the players on the Brazilian team to speak on behalf of what you're doing. My concern is that it will be isolated. What we need to do is to have a huge echo chamber all over the world for this particular protest, so that it's not isolated but speaks for all of us. I think we could do an Internet outreach to make this really, really big, because there'll be a lot of cameras out there.

**QUESTION 3:** Good afternoon. I'm José Toasa, with the Inter-American Foundation. My question is for Cristian Otzin of Guatemala. In Guatemala in recent decades, there's been considerable foreign aid, not just by governments but also from international NGOs, academics and policymakers. Could you please comment on the mistakes in international cooperation in Guatemala? The society hasn't advanced as much as it could have. Since you're working with the grass roots on the ground, perhaps you can make suggestions to policymakers here in the United States and Europe, so they can be more effective in directing aid there.

*Translated from Spanish by Paola Bichara and Linda Rabben*

**GRAHAM:** Any of our indigenous representatives could speak to that first question.

**TOP'TIRO:** First, my people have had 60 years of contact. Our organization, despite our classification by anthropologists as Gê or Macro-Gê, my people are considered state-like. Our form of organization, our hierarchy, is somewhat complex. Later I can speak more about this as an anthropologist. I personally don't believe that the state will help us. It's always better for us to support our friends inside the group and create our own coalitions. This doesn't always happen. The structure of the state, as far as I've seen in those places in Brazil, is also very complex. Our experiences over the past six to seven years that I've witnessed in Brazil have been disappointing to me. I supported my relatives' work on social issues. Today, no. Speaking of my people, I criticize indigenous movements on the national level. I don't need to be part of the state to make a difference.

If I'm in the government, I want to be the leader, not an adviser to be supervised. Our culture is very complicated. This Cartesian global society—I'm generalizing—isn't ready to receive our orders. The demands are different. To be a leader is something else. To live is to be part of this process. I've closely followed this process. It's very complex. Studying at a university for our reality in Brazil also isn't for everybody. While people are going to university, who is going to maintain our culture?

This was my own experience: I went to university. There I was the only indigenous person, I spoke only Portuguese, not my native language. I started having problems speaking. I stopped dreaming and began to be more confused. It's complicated. This is the reality that we live with. In other countries I'm sure the same thing happens to indigenous people.

At this point, I can't reveal all of our strategy for the World Cup. Otherwise it'll be on the Internet; it's complicated. I'd be betraying the political and strategic strategy of the indigenous movement. But players want money. We have an indigenous soccer player in Brazil, the only one. He played for Corinthians. I started following him. It's seductive: money, women. . . . It ends up complicating things. He returned to his reserve and bought the land for his people. He invested money in the education of the children. He's the only one. Now the National Indigenous Foundation doesn't recognize the land as indigenous territory because he bought it with his own money. So it's complicated.

**FEARNSIDE:** Let me answer the question that Barbara Zimmerman asked. She pointed out that if the Kayapó weren't there, that indigenous area would be deforested by now. She wanted to know my opinion. That's very true; the presence of indigenous people willing to defend their land is essential, but at the same time it's not the whole story. You could also say that if it weren't legally protected as an indigenous area, it also wouldn't be there, because no matter how respected and fierce and so forth they may be, if it isn't protected people can move in, and there are more guns and money on the other side. That's of course been going on for 500 years in most of Brazil and in a lot of other countries. It's an essential thing.

As Marina Silva pointed out, the Congress is taking on powers to reduce areas so they can make hydroelectric dams and so forth. The shift of Congress to be controlled by the ruralists has tremendous implications. It means not only not creating any more indigenous areas, but also puts what already exists in danger. People assume that if they invade an indigenous area they're not going to be successful in getting a land title. They can deforest and so forth, but it won't give them what they want. So they will go someplace else. And that is really the main thing that keeps all of that chaos that's on the frontier from invading those indigenous areas. As soon as you start weakening that assumption, that you're not going to get away with it, that is a tremendous loss.

There are already a few cases that are starting to weaken that. For example, the Baú reserve, near the BR163 highway, had a slice of it removed after it had been invaded. So instead of expelling invaders with no compensation under the law, they were simply legalized and got away with it. It's very dangerous, because once you lose that assumption that isn't what's going to happen, you lost that protection.

So it's very important to hold the line on all these different issues, like what's going on in Mato Grosso do Sul now, with indigenous people there. They had a big conflict about lands that had already been invaded and converted to agriculture. Are you going to let them get away with it or not? You had the case of Raposo Serra do Sol, where the rice farmers were expelled, but the ruralists are already working to get that reversed. If those things start to happen, and you lose that big protection that you have from the assumption that you're not going to get away with that, so it's very important to keep an eye on that. The danger is very great because of the situation with the ruralists.

GRAHAM: Cristian had a question.

OTZIN: Of course, international cooperation has played an important role in Guatemala, and through international cooperation we have achieved some progress. But I think it might have had more impact if we could have built processes with the people, from grassroots organizations.

I want to give a concrete example. Our organization, the Organization of Mayan Lawyers, got an offer of financial support from an international agency. They asked us to tell them a little bit about our organization, our processes, basically to tell them what we already discussed here about our methods, obstacles and challenges. What was our goal for the year? (It was last year, 2013.)

"Look," I said, "we'd like to challenge the law on protected areas in Guatemala." They seemed frightened and said, "Why? If protected areas ensure [the survival of] the environment?"

I said, "Here in Guatemala they are synonymous with oil reserves." I gave her several examples of how the indigenous communities are evicted from the protected areas, denied the right to be there, but at the same time licenses are granted for oil exploration, as in the cases of Tiger Lagoon and Salacuim, plus more than eight oil licenses granted last year.

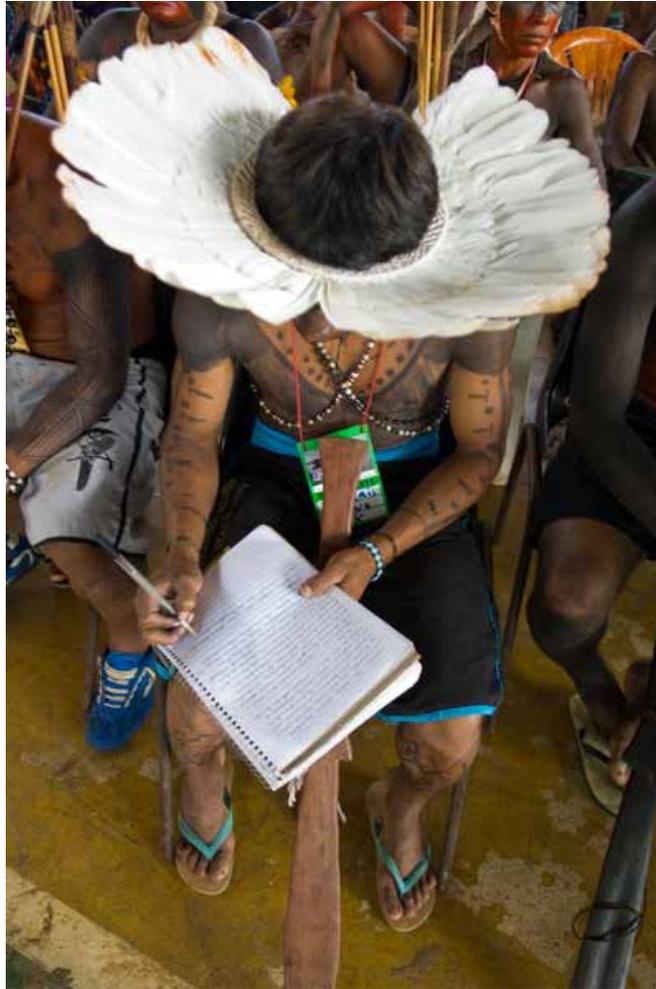
Then the international agency got scared and never contacted us again. This is an example of how international organizations, instead of developing ideas in cooperation with the rank and file in communities, set their own priorities, which often are not those of the communities. Perhaps this is one of the weaknesses that we can point to in international cooperation efforts. Sometimes they do not coordinate with projects or interests related to community priorities. However, I think that today some agencies do sit and talk with communities, accompany members of the communities, in order to build democratic processes that benefit the interests of indigenous people as citizens.

*Translated from Spanish by Paola Bichara*

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## PANEL

# Sustainable Solutions for Forests and Communities



## MODERATOR



Janet Chernela is professor of anthropology and Latin American studies at the University of Maryland.

## PRESENTERS

Ernesto Tzi  
Norman Jiwan  
Suzanne Pelletier  
Aunty Joan Hendriks  
Chief Liz Logan

# INTRODUCTION

## JANET CHERNELA, MODERATOR:

We're going to continue with another extremely impressive panel. We're going to change the order of this session. Ernesto Tzi will go first. Everything else will continue as planned.

Ernesto Tzi will begin. He's an indigenous Mayan Q'eqchi' person from Chisec, Guatemala. Since the late 1990s he has worked to enhance the cultural heritage of the Q'eqchi' people and support their traditional farming and land management practices. He's sponsored by the Inter-American Foundation.

Our second speaker is Norman Jiwan. He's the executive director of Transformation for Justice Indonesia, TUK Indonesia, where he specializes in social, human rights and environmental risk mitigation and biodiversity conservation. He was a member of the executive board of the Roundtable on Sustainable Palm Oil, representing Sawit Watch. He is sponsored by the Forest Peoples Programme, and we thank them for their participation.

Our third speaker will be Suzanne Pelletier. She is

the executive director of Rainforest Foundation US and has been so for four years. Before that, she headed the Audubon Society's foundation and corporate development for 12 years.

Our fourth speaker is Aunty Joan Hendriks. She's an adult educator who has worked since the 1980s in the field of aboriginal education. She has presented workshops at the local and national level and at the 2004 UN Indigenous Peoples Forum. She is a respected elder and descendant of Nduki people of Moreton Bay, Queensland, Australia. Her presence here is sponsored by the Australian Embassy.

And finally, our fifth speaker will be Chief Liz Logan, who has served four terms as chief of Fort Nelson First Nation, followed by nine years as tribal chief of the Treaty 8 Tribal Association. She is fighting to keep oil and gas expansion—in other words, fracking—mining, hydroelectric dams and forestry activities from turning the Treaty 8 territory of British Columbia, Canada, into an industrial landscape. Her presence here is sponsored by Rainforest Action Network. Thank you.

We begin our panel with Ernesto Tzi.

## SPEAKERS

### ERNESTO TZI



Good afternoon to you all. I am Ernesto Tzi from the Q'eqchi' community, one of the most widespread Mayan groups in Guatemala. I represent the association SANK, which stands for Sahaq Aach'ool Nimla K'aleb'aal (Harmony in Our Community). As my predecessor

explained, we are descendants of the Mayans, who were supposedly taken away by a flying saucer. We are located in the heart of Mesoamerica, where the Mayan culture developed.

On this map we can see that the Q'eqchi' people occupy an expansive area in the north central part of Guatemala. As I said, we are descendants of the Mayans, one of the largest ethnic groups with a language that we speak and write today. As Q'eqchi' people we have a historical context through which we have a stake in the pursuit of sustainable development.

To attain the goal of finding a future to fight for, we

must first uncover our own history. As a people we've suffered three blows. The first was the theft of our identity more than 500 years ago with the Spanish conquest. They took all of our thinking, our beliefs, our conception of life, and it was a hard blow. The second was the theft of our lands. 1821 and 1840 marked the founding of the State of Guatemala, and at that time we were legally robbed of all our lands. We were subjected to slavery under German coffee farmers, and we lived under slavery for over 150 years. In the wake of that slavery the same government pushed us to migrate to the Petén, the densely forested jungle, now designated a biosphere reserve area. There we went to find a new life as a people. While there we continued adapting to the new ecosystem, making it our own. For as indigenous people, we cannot identify Mother Nature as something separate, but instead ourselves as an integral part of it. While living there we suffered the third blow, which was an attempt to make us disappear. The civil war that convulsed our country from 1960 to 1996 was a battle of two economic models, the capitalist model and the communist/socialist model. As indigenous people, we did

not have an interest in participating in either side. Yet we were recruited by both sides and experienced the death of 300,000 indigenous people in that war.

Today, after a transition toward a democratic era, we face the existing problems in Guatemala, especially in a physical area that is strategic to many. One of the problems we Q'eqchi' people face is that despite experiencing the three blows, we feel they are cyclical. Once again we are faced with the problem of land tenure, driven by mining and agribusiness, specifically palm oil, or what we call African palm. The land is being concentrated dramatically, displacing indigenous communities, polluting water sources, and facilitating the establishment of narco-activity in the area.

Many of the high-yield crops in our area are products that rely on international markets—for example, the monoculture of cardamom seed. The sole consumers of this product are Arabs, yet we produce it in high volume. Guatemala has become a very important exporter of this commodity to the Arab world. Nonetheless, those who gain the profits are two to three families that directly export from Covan, the area where I live. All this production leads toward the vulnerability and impoverishment of our population, generating very strong consequences that affect our people and other countries like the United States. This situation has led to widespread immigration to the United States, particularly by our youth, and entire communities seek a way out of this problematic issue. This also leads to an environmental crisis, because Q'eqchi' families need land. If we are displaced from our lands, then we will be forced to seek resources in reserve biospheres. Consequently we are all being affected by the same system.

I live in the center of this area, Chisec, which as I mentioned has become a strategic location for land grabbing by mining and oil palm agribusiness. The images speak for themselves, about all the problems I have just explained. Airplanes land and come down on desolate roads, because today oil palms are there; communities are long gone, creating an extremely serious problem.

As a result of these three blows and of monoculture activities in the area, in our nation much is said about the Indian, the colonized Indian. Today, people put into practice what they are taught daily, what they have been pushed to learn. The colonized Indian uses gramoxon (pesticides) to burn the land, to try to be like people they are not, because they no longer have an identity. So where is all this leading us to? After analyzing the situation we saw it is leading us to hell, toward living in a desert. So we asked ourselves: If we want this future, then do nothing and continue to follow the policies and continue the same political model. But if we do something, than what can we do? What would be our dream? This was the starting point of the undertakings of the Q'eqchi' people; we began to reflect and look for

principles that we seek to achieve:

- We are determined to defend Mother Nature;
- The recovery of our identity as Q'eqchi' people;
- Our values; [and]
- Our philosophical perspective.

The message from the West says, "The white man is the center of the universe." But our grandparents say, "Much like Mother Earth, we are subjects." There are three subjects: humans, earth (encompassing all within), and the cosmos. The everlasting respect that exists between these three subjects is what creates balance.

If there is lack of respect between the three subjects, then there will be an imbalance. In the current era there is no respect; as we learned today about the Amazon, it is why the planet has become unbalanced. At the onset of climate change there will be poverty and the spread of social violence in the form of social conflicts.

Subsequently, as a community we challenged ourselves to rescue the values in our philosophical perspective, to try to find strategies and resist what is happening locally. In this context we are trying to adopt a productive activity. In terms of our production, at first people identified as important the acknowledgement of being Aj Kalom. What is it to be Aj Kalom? It is a peasant term used to describe a killer. As environmentalists say, "He/she is an environmental destroyer." Our people recognized that maybe we have become this person as a result of the colonization model that makes us do that. So yes, we have become that.

But we want to stop being destroyers and instead become Aj Awinel. What is it to be Aj Awinel? It is to be the producers of our land. We need to go back and decolonize ourselves, from what we were taught in the colonial era and from monoculture. To overcome poverty we decided that we have to produce in a diversified manner for the sustenance, safety, security, and food sovereignty of our people. Then we can skip ahead once and for all toward unifying ourselves with our vision and everything involved in the spiritual way of being Ral Ch'och'. In my village this means to be the "son of the earth." If I know I am the son of the earth, then I recognize that I have a mother and she is the earth. If my mother is the earth, then I have to care for her and not damage her. I have no reason to sell or exploit her. This became the starting point for all of the things that our community seeks to recover.

Currently, we are working on very specific actions. In our part of the world we are promoting the millennial agricultural methods of the Q'eqchi' people. This agriculture seeks to diversify production among the plots of small family farmers. We began with schools and the exchange of cultivation practices. We launched a technical support network of farmers in the area, as a means to cultivate and strengthen the market of products from indigenous farmers. Since there is a surplus of production in rural areas,

we must offer our products to urban areas. Holistically we are re-launching and encouraging the activity of planting and growing crops. Nobody wants to cultivate anymore; everyone wants to be an engineer, a graduate, or a lawyer. We all want office work; but if we all seek that work, who will produce our food? So that's when the people realized that we have to diversify and offer our food to those that do not produce. Thus we launched a program that we call *Concursos Anuales sobre la Agricultura*—Annual Agricultural Competitions. This entails encouraging families to begin to grow food and feel the relationship they can have with Mother Earth. Building on that we also adopted a present-day cultural practice in which community fairs are organized to honor saints, San Pedro, Apostles, etc.—but no one organized to honor our food. So we said we must organize fairs in honor of our food and commemorate agriculture.

These are some of the programs and activities that we launched to sustain our food and production as indigenous people. Here you can see some pictures of one of our markets. In my town markets take place every Saturday, and in a nearby town every Wednesday. There are several adjacent communities that want to adopt this model. What we are doing lately through these activities is the only way we can defend Mother Earth. We have already shed many tears,—we want to drive these actions, push forward our programs and activities, and react by offering examples.

Among our actions and programs, land administration is of high importance. The government itself drives today's land tenure model. It is a model taken from the West. I imagine perhaps it comes from France, the way they distributed land. But we as indigenous people also have a way of managing the land. It entails a system based on self-organization of the indigenous people. Earlier our colleague explained how we are in fact making it legal, and it is embedded in Guatemala's Constitution. Article 66 guarantees the recognition of our people by the state and encourages the promotion of the organization and management of resources by indigenous peoples. Consequently we are adopting and putting these laws into practice. We also seek to strengthen an area of convergence of Q'eqchi' authorities. In the same way we are assisting and strengthening the different communities that are driving the record keeping of their own land.

We also seek to provide assistance to local and state authorities, because it is very clear that in Guatemala more than 99 percent of the population is illiterate, and we lack access to education. For this reason we attempt to learn how to read and learn a language that is not ours, so that the system can understand us. Likewise we seek to be involved in the documenting and processing of community land surveys by local authorities, to show that we as indigenous people do not need a college degree to use

present-day technologies. Today everything can be accessed; thus we are participating in the country's cadastral register, showing that although we are only able to understand half the language, we are capable of using and operating the registry system. This is one of the products and tools that we are trying to show and build. The purpose is to show that indigenous peoples are capable of carrying out these types of activities. This is how we will support and gain control of our lands and territories and not depend on outside or external technicians.

We are also developing elevated environmental consciousness, because it is necessary to know about all of these issues and how to integrate them. It is important to understand that it's not enough to defend the tree and biodiversity, but also to value that we as a people and communities are part of the environment. A friend once joked about the literal translation of environment in Spanish as being *medio ambiente*, half of the environs. Then she asked, "Where is the other half?"

As Q'eqchi' people we are in the midst of all these projects and programs, seeking to attain the Q'eqchi' dream, as exemplified by this drawing [Sueno Verde]. It is this dream, and we want to live there. Thank you very much.

*Translated from Spanish by Claudia Barragan*

## NORMAN JIWAN



I hope you don't mind my standing up here, because I'm fighting jet lag and the 12-hour difference from Indonesia. It's really sleeping time now in Indonesia. Basically this presentation is going to be about 32 slides. So I will try to make the presentation in 10 minutes.

This is Indonesia. You see the big island where I'm from, Borneo. I consider myself an indigenous person, from West Kalimantan, people of Borneo. Indonesia is a big country, around 200 million hectares in land mass. With the sea it can be larger than that—around 17,000 small islands and five big ones. Now Indonesia has, I think, the fourth largest population in the world. Indonesia is also a tropical country with great biodiversity, and of course that's very important for climate change mitigation and adaptation, now and in the future.

So what are sustainable solutions for forests and peoples? This is the same question I have to answer. After that I would like to show you other threats. That's from my own experience for about 12 years, let's say over the past 10 years, my own work in defending forests and indigenous peoples in Indonesia. Those are the things that I think from personal experience are the key, how we can ensure

sustainable solutions for forests and peoples.

First we have to expand sustainable rights and livelihood of indigenous peoples and forest peoples. The second aspect, I agree with my friend from Tanzania when he said the important process of land-use planning. In my country we, especially NGOs, manage to work closely with indigenous peoples to map around 3.5 million hectares in indigenous territories through community participatory mapping. This is very important, a good example of how we work with indigenous peoples and native people in terms of governing forests and land tenure and their territories.

And of course the third aspect is to promote indigenous peoples and communities' conserved territories and areas, environmental services, and non-timber forest products. Of course you have to talk about the functions and the values inside the forest; not only mapping the areas, but how you're going to use the values and services inside the forests and territories is also very important. And of course, in areas where there have been huge concessions and serious threats over indigenous peoples' territories and forest areas, where there are already conflicts in claims and conflicts in uses of the land and forest resources, there must be access to remedies. There must be a conflict-resolution process. Otherwise there is nothing to do to improve or to provide a sustainable solution for forests and peoples.

And of course promote sustainable development models. As our moderator today introduced me, I used to be a member of the executive board of Roundtable on Sustainable Palm Oil (RSPO). This organization introduced eight principles, 43 criteria and more than 130 indicators for what they call sustainable palm oil development. That includes zero-deforestation commitment, no exploitation, free, prior, and informed consent in the development and conflict resolution process, and ethical conduct in operations and investment. Of course human rights respect principle is also part of the standards.

What's happened on our forests and lands, those are threats where government and private business operations are ongoing and in place, first as extractive mining concession, coal, gold and other minerals, oil and gas mining, and then food and energy estates. In Indonesia food security means large-scale rice industry plantations. It's from 400,000 hectares up to 1.2 million hectares, like rice, oil palm plantation, and the last new models of exclusive forest conservation and ecosystem restoration models. The way they implement this project is excluding peoples from the process.

There are around 28 million hectares for industrial or timber plantation concessions in the country. Now it's already around 12 million hectares planted, especially oil palm plantations. This picture is a natural sago forest, a staple food for Papuan people. Now this natural sago is being cleared by the oil palm plantation company in Papua. So

that's an example of how biodiesel from palm oil production is destroying foods and livelihoods of the indigenous peoples in Papua.

And then the second threat: If you look at the blue color in this map of Indonesia, those are the concessions of oil palm plantations. The previous slide is of timber plantation concessions, and this is oil palm plantations, around 12 million hectares already being planted. But the Indonesian government targeted to produce 40 million tons crude palm oil by 2020. How they will make it, of course they will issue new permits for around 30 million hectares for the new expansion of oil palm plantations. That's for biodiesel. Not only palm oil for edible oil for cooking or foods, but now it's for cars, for feeding machines, not for people. It's a very beautiful monoculture landscape of oil palm plantation. If you come to Indonesia, I will be very happy to accompany you to go visit these areas.

The next threat is the oil and gas mining concessions. In almost all the coastal areas concessions have already been issued for oil and gas mining. Maybe you have ever heard about one of the most disastrous gas drilling incidents in the world. This gas drilling flooded settlements of around 10,000 homes and houses in Sidoarjo district, East Java, in Indonesia. So can you imagine the livelihoods of the people, you cannot do anything about it. This was happening in 2006, and until now there is no effective solution. This is an example of the oil and gas impacts in Indonesia.

Next is mineral, oil, and gas, especially coal mining. (Sorry there are no figures there, I forgot to include the figures.) But look what happened: coal mining is taking place in protected forests—that's only happening in Indonesia.

This is commercial logging concessions. Logging is only the first step. When the commercial trees are already gone, this is secondary forest. When I went there in 2005, it was still good forest. But that was the time when all plantation concessions were already issued for oil palm expansion. And what happened? Very slow, timber already logged over. When the timber is gone, now they take our land. That's what we call land grabbing, for oil palm plantations.

This is mining concessions. Around 40 million hectares have already been issued and active. So you can see these two small boys. They are watching coal mining near the backyards of their houses. So you can imagine how hazardous and risky the life of the people is in Indonesia. This is picture taken of coal mining in East Kalimantan. In other places, three boys were dead because of the landslide of the coal mining operation. I don't want to put tragic photos here.

So what are the impacts? According to the National Human Rights Commission, in 2012 there were 1,213 cases related to land conflicts and disputes because of land tenure conflicts and violence in the land acquisition process. Land acquisition is takeover of land from the people.

You acquire land from the people for oil palm plantation development. That's the data from the National Human Rights Commission. They use different words. What they mean is technically land acquisition. A different word is land grabbing if you would do it legally. So basically, what's happened for oil palm plantations, for mining, is land grabbing, not land acquisition, which is a legal term for the process.

The victims from indigenous peoples and local communities in 2012 and human rights violations by oil palm plantation companies in 2012 were 105 cases. These are human rights violations by forestry companies. In 2012 they decreased a little bit because of a moratorium policy imposed by the government, from 22 cases to only 14. And human rights violations by coal and mining operations were increasing, not really significantly, but from 49 cases up to 85 cases in 2012.

I'll just give you an example of human rights violations and murder cases in oil palm plantations. Here we are talking about Chico Mendes, now already 25 years after Chico Mendes. But what's happening in oil palm plantations? The last incident in 2011: seven people killed because of violent conflicts in oil palm plantations in South Sumatra, the area where most expanding biofuel and biodiesel feed stocks, including oil palm, cassava and sugarcane plantations, are taking place massively. That's happened not only in 2011 but in 2005, 2006, 2010. We even calculated that around 108 people or leaders, local community leaders, were arrested during a 30-day period in 2010 for defending their rights. These are examples of indigenous leaders arrested because of rejecting oil palm plantations on their land.

That's physical threat to our forests and land. What's happened, the remaining primary and secondary forests in Indonesia, we are now facing new threats—what we call green grabbing of land and forests where we live, now and in the future. Why is this green grabbing? Because my people and I have never had any information about whether there are projects in our areas that are claiming to be part of REDD or part of ecosystem restoration projects, but they claim that already they have these projects in our areas. Take, for example, where we have our wild honey. Now, can you imagine around 30 million hectares have been issued for REDD projects, ecosystem restoration projects. Can we accept this without our free, fair and informed consent? No—we don't want this to be happening to our people, our lives, and our future. If we are living without rights and without opportunity to use and utilize our forests and our resources.

But there is some good news. I have to mention some good news. We filed a complaint to the UN Racial Discrimination Committee in 2007 about the world's largest oil palm plantation, between the border of Indonesia and Malaysia, around 1.2 million hectares mega-project. We filed a report to the UN's CERD [Committee on the

Elimination of Racial Discrimination], and they wrote a very strong recommendation to the Indonesian government. I'm very happy about that. The Indonesian government had to consult indigenous and local communities to get their consent before the project can proceed. That's very strong.

The second success story is using the case in the palm oil industry: We managed to stop the World Bank Group, International Finance Corporation, from funding the palm oil industry in Indonesia. Because of that case, the World Bank also stopped funding the oil palm industry all over the world. [Applause]

And this is not only for palm oil, because the World Bank doesn't have a similar policy—the World Bank also stopped funding chocolate, sugarcane and soybeans, four other commodities because of our cases. So this is the good news.

Another victory: Our indigenous people's movement, in strong coordination by the Indigenous Peoples Alliance of the Archipelago (AMAN), just won a landmark judicial review. According to Indonesian forestry law, customary forest is state forest. But when our indigenous peoples backed a judicial review of that forestry law, the Constitutional Court decided that customary forests belong to indigenous people, no longer state forests. Can we imagine 30 to 60 million indigenous people in local communities won very huge areas around forests—40 million hectares. [Applause]. So that's the good news.

And of course, the good news is also that our government issued a moratorium policy for two years—no more new concessions for primary forests and peat land areas. So that's good news. But the moratorium on the issuing of new permits for primary forests and peat land excludes geothermal, mineral, oil and gas mining concessions and sugarcane plantations. So it has done nothing to stop the exploitation, to stop future abuses of human rights and conflicts. Even when the indigenous peoples won the Constitutional Court judicial review against plantation forestry law, that customary forest belongs to indigenous peoples, a majority of the customary forest areas had been issued for mineral, oil and gas mining concessions, timber, food, industry, biofuel, biodiesel, agrofuel plantations. The ruling itself is not retroactive. So you cannot do anything about it, even if the permit is issued without free, prior and informed consent.

So that's why even though I already propose options for sustainable solutions for forests and peoples, I think I would like to again repeat what Joji [Carino] already read this morning, about the Palangkaraya Declaration, because that is very, very important for our global struggle, our global solidarity. Therefore, we urge the government, international agencies and the international community to halt the production, trade and consumption of commodities derived from deforestation, land grabs and other violations of rights of forest peoples.

Why? Because this is beyond our national struggle. What I mentioned about the solution is an international struggle. The first bullet point is about the efforts to halt and control production, trade and consumption of commodities derived from deforestation, land grabs, and other dangerous threats to the forests and people. If you cannot stop the money, all the operations will continue destroying the livelihood rights of the people. So that's why trade and production, as well as consumption—if we can control them together—[are] . . . very important aspect[s] of the strategies we'll talk about tomorrow.

The second is stop invasions of forest peoples' lands and forests by agribusiness, extractive industries, infrastructure, energy and green economic projects that deny our fundamental rights—green economic projects that exclude peoples and their rights. Then take immediate and concrete action to uphold forest peoples' rights at all levels, including right to land, territories and resources, and the right to self-determine development and to continue to own, control, and manage our lands according to our knowledge and livelihoods. Thank you very much.

### SUZANNE PELLETIER



First of all, I want to thank Linda. I know many people have thanked you today, but you worked so hard and did such an incredible job. Thank you.

I'm going to be brief because thankfully there's a lot of convergence in a lot of what speakers have said today. So I'm going to gloss over a lot of things that have already been covered today, for time's sake.

I want to talk today about sustainable solutions for forests and communities, and particularly the Rainforest Foundation US experience. For us a sustainable solution at the local level means taking a rights-based approach to conservation. For us as an organization, our mission is to support indigenous peoples and rainforests through a rights-based approach in that context.

We were founded 25 years ago, and we didn't know a lot back then. The rights-based approach was very new and there wasn't a lot of data to go by; and so we were founded basically on common sense in thinking that if you want to protect the rainforest, the best way to do it is support the people that have been living there hundreds or thousands of years and protecting that forest. So that's the approach that we've taken as an organization, supporting the people that truly have the most to gain and the most to lose from forest protection.

Over the past 25 years Rainforest US and a lot of the allies in this room have come to learn a lot. What we understand is that this approach is working, because indigenous

peoples may be small in number—maybe 5 percent of the world's population—but they have an incredibly valuable role in conservation. Indigenous peoples control about 25 percent of the land on this earth and about 80 percent of the biodiversity. We also have come to learn a lot more about rainforests. Although again they are a small percentage of the lands, about 6 percent of the Earth's land, they play an incredible role in the environment and the health and climate of the globe. We've heard a lot about that today, so I'm not going to go into that.

In the past we've taken an anecdotal approach to why the approach works, but in the last few years there's been a lot of incredible research that's proven that it's not only common sense or maybe the right thing to do; but in places where indigenous peoples have legal control, as Philip Fearnside said today, the land is protected. The forest is protected. Research is showing more and more that lands are best protected where indigenous peoples have control. Also, it's efficient.

There's a lot of different ways that conservation groups and governments have pushed for conservation over the years, but also research is showing that the actual cost per hectare of using a rights-based approach is actually cheaper than parks and protected areas. It's an area that we're still looking for more research, so if there are any economists in the room that are working on that, I'd love to talk with you. It's an area that I hope more research goes into in the next few years.

There's a real opportunity right now—there's been incredible progress at all levels in the past 25 years. Joji [Carino] mentioned this morning about the UN Declaration on the Rights of Indigenous Peoples, which has been a critical document that indigenous peoples have used throughout the world to push for their rights. There have been more and more national laws that are incorporating a rights-based approach. International companies are now developing policies. Right now there's a lot of rhetoric, and I think we have a long way to go before that is realized at the local level. But it's a step in the right direction.

Something else that I wanted to mention is that even though there's more and more of an understanding and acceptance of the fact that the rights-based approach is effective, there's not much money going into the approach. I think someone else mentioned that today. Less than 1 percent of all international philanthropy goes to support indigenous peoples. So there's a real opportunity to move more support and funding into a strategy that's proved to be effective.

Giving an example, this seems to be the slide of the day. In Brazil here's the Xingu Indigenous Park from 1994. The red areas are deforestation. In 2005 you can see all the deforestation around this particular area.

I wanted to talk about different elements of a

sustainable strategy. Many of the panelists and many of the people in the room will understand these four particular aspects of a sustainable strategy. They may seem intuitive now and taken for granted, but I think we have to remember that 20 years ago this was not the norm for development projects or NGO partnerships with indigenous peoples. The first one that I want to mention that's fundamental is project ownership by the indigenous groups. These projects have got to be owned by the indigenous groups if they're going to succeed. There's absolutely no way that a project is going to be sustainable unless it is actually owned by indigenous peoples and the community. That's just something that seems it should be part of every project, but something that was not the case years ago.

The idea of multi-year-long partnerships with groups—the projects that we support at the Rainforest Foundation and a lot of rights-based conservation projects—they don't happen in one year. They don't happen in the normal funding cycles. They are a long-term, step-by-step approach for a community. The next point about being adaptable and flexible is critically important. These projects are part of a life plan for a community. They're part of a much larger community development plan, and so you have to be flexible. Things happen. Even things happen with the national government that affect the local communities. Traditional governance and decision making happen at a timing that maybe doesn't fit in the typical project cycle. So you have to be flexible with that.

And then the key here that we found to sustainability is focus on capacity building. Barbara Zimmerman mentioned a bit of this in her presentation about her work with the Kayapó now. Training, governance, [and] training on communication are critical, because whatever issue a community is facing today there's going to be another threat tomorrow or maybe there already are multiple threats. So building the capacity for both leaders and local federations and community-based NGOs, having the proper training and capacity to handle whatever threat comes, is critical for the sustainability of the project.

I want to end on a positive note. I really do feel there's a moment of opportunity right now. We've talked a lot about climate change today, some of the other presenters. But there are other global issues right now that are really bringing indigenous peoples and land rights into the spotlight. The issue of global food security is one that we haven't talked a lot about today, but indigenous peoples are playing a critical role because of their role in managing and decision making on such a large percentage of the world's arable land.

Marina Silva last night talked about the different crises that are happening around the world, and talked about biodiversity and a cultural crisis. We're losing a language almost every two weeks. The thought of all the wisdom

and solutions lost with that is a terrible tragedy. With land rights, indigenous peoples have a lot more opportunity to maintain their cultures and provide really important global solutions to some of these crises.

The indigenous movement now is stronger and larger than ever. You think about the panelists that we've heard for the past two days and the really incredible leaders and stories of change at the local level. The discussion that we've had about technology and networks that are being built among indigenous leaders. It's just more and more of a possibility to come together, to create solutions to some of these issues. And I really think that there is a global consciousness of the rights of indigenous peoples and their critical role in solving problems. What we're seeing at the international level, national level, and with corporations and individuals, I think it's really a time when we can capitalize on this growing consciousness.

But as I said before, there is a lot of rhetoric right now, whether it's at the international UN level or at the corporate level. But there is an opportunity, I think, that change is going to be made at the local level. I think through a rights-based approach it is one strong option for creating local-level solutions that collectively can make a global change. Thank you.

## JOAN HENDRIKS



Good evening, everyone. I know you've had a long day here, so I'll try to keep this as close to the time as I can, but it may go a little bit over time. My introduction is related to who I am.

The story is important, and I would like to begin by focusing on the fact that one of the main priorities that I have back home in our homelands is the importance of educating our youth to continue making a difference in the world around us today. Many of our Aboriginal youth are travelling through the fog of life of the aftermath of the cultures of colonization that came to Australia 226 years ago. As I share this presentation you will understand why I say this. The youth of today are our future custodians of Quandamooka country (Moreton Bay). Our island home Minjerriba (North Stradbroke Island) is part of the Moreton Bay region.

Minjerriba, our island home, is situated off Southeast Queensland at the entrance to the Brisbane River and is steeped in the historical factors of early European settlement of Brisbane, the capital city of Queensland. Because of a sand bar at the entrance to the Brisbane River the tall ships could not sail up this river. In 1823 this resulted in Minjerriba, our island home, being

- the first anchoring place for the tall ships;
- the establishment of convicts and settlers;

- the early quarantine station;
- the first Catholic mission for Aborigines in Australia;
- a Benevolent Asylum for the Aged and Afflicted; [and]
- the first vessel that transported the Pacific Islanders to Queensland to work in the sugarcane fields (under forced jurisdiction) arrived on our homelands.

It was not until 4 July [2013] that the native title rights of the Quandamooka people were formally recognized. After a 17-year struggle in the ongoing research and courtroom deliberations, the High Court of Australia finally determined that the Quandamooka people are the traditional owners of the sand and seas of their homelands on Quandamooka country. Despite the impact of European occupation since the early nineteenth century, the Quandamooka people maintained their relationship of belonging to the country, to the best of their ability at the time.

Our three-clan group, the Nunnuccal, Ngugi and Gorempul, form the nation of Quandamooka traditional owners. My bloodline to country stems from my great-great-grandmother Junobin, one of the 12 Apical Ancestral beings of the current 12 families identified as the traditional owners of Quandamooka country. I am a proud Ngugi elder of today who walks the land in the footsteps of our apical ancestors, those who have followed over thousands of years before European contact on Minjerriba.

The Aborigines of Australia are still today recorded as having the oldest living culture in the world. Quandamooka people have cared for their homelands for 21,000 years. In the state of Western Australia, there is recorded proof that the clan groups of the Kimberley region in Western Australia have lived on the land for 69,000 years. If we don't educate the young ones, there is the possibility that the "living" factual proof still today will one day become a historical factor without the living roots of our cultural identity still being nurtured. For this very reason the elders of today are passionate about our youth returning to country and learning the traditional values associated with the environment of their homelands.

There has been a steady increase in the numbers of Quandamooka descendants of our apical ancestral group returning to country since the 2011 High Court decision that the Quandamooka people are the original inhabitants of their homelands in the Moreton Bay region. Our homelands skirt the entrance to the Brisbane River, where the greater Brisbane area is now identified as the capital city of Queensland. There are three townships on the island, Goompie (Dunwich), Pulan Pulan (Amity Point) and Mooloomba (Point Lookout).

Our island home, Minjerriba, is recognized in the tourist industry as the jewel in the crown of tourism in Queensland and now attracts an influx of tourists to our island home on a daily basis. This movement needs to be controlled to ensure protection of the island's prestigious environment.

The attitude of those who come for the fun of partying and doing what comes naturally in the world of western culture is very different from that of a respectful attitude to caring for the environment.

Whilst there are many non-Aboriginal residents who are conscious of the cry of the land for respectful care, there are also others who do not appreciate the essence of the earth beneath their feet and the rich environmental places of significance to the original inhabitants. For example, the four-wheel vehicles up and down the beaches, jet skiers in the bay waters, who because of ignorance of the spirit of whole creation are doing irreparable damage to the sea life and natural habitat of flora and fauna.

Generally the tourists head for Mooloomba, where this part of the island comes to life as the place for the holiday makers and tourist trade. Accommodation is sparse in the more laid-back township of Goompie and Pulan Pulan, with the mainstream accommodations being at Mooloomba. The availability of a choice of accommodation at the up-market hotel, motel, holiday units and camping facilities along the foreshores is hard to resist. An additional factor is the outdoor activities of scenic walks; four-wheel driving through the National Parklands and the unique flora of the national parklands and the natural lifestyle of the kangaroos and koalas are [additional attractions].



A visual illustration highlights our island home. The red area is North Stradbroke Island.

Historical records indicate that Mulgumpin (Moreton Island), at the top end of Minjerriba, was easily accessible at low tide. Thus the three clan groups known as the Quandamooka people, the Ngugi, Nunuccal and Gorempul, are still today recognized as the people of the sand and seas of Quandamooka country: one body, one spirit, one creation.

We have four sites of significance, two of them sacred sites. Bummeira (Brown Lake) is so named because of the tea trees that embrace the lake at the water's edges. This place was a traditional women's gathering place for women's business: educating all children about the fundamental values of learning through listening to story, and respecting the importance of respect for family and place of belonging to country. Thus life continued until the signs of adulthood approaching, when it was time for the male youth to go with the men and begin the journey of being prepared for initiation into adulthood, being a hunter and keeper of the lore of the land as a future custodian when that time arrived. The female youth stayed with the women and continued on their journey of being prepared for the specific

role of women's business.

This way of life became an obstacle in European settlement in 1823 on Minjerriba. There were no schools, fences, churches, jails, hospitals, shops, etc. The language barrier marred the possibility of effective communication to identify sacred sites and places of significance to the holistic well-being of body, mind, and spirit in that particular area of the country. The result was that a clash of cultures took place. Thus the original inhabitants of Australia were counted with the flora and fauna and not recognized as citizens in our own country until the referendum of 1967. There were two totally different societies: a hierarchical, monarchical society and clan, family-based societies. The latter authority being that of the deep-rooted value system of apical ancestry of elders carrying out the decision-making process of the law of the land and community-oriented decisions at the clan-group-based yarning circles.

These factors give us our cultural identities in accordance with the nature of the law of the land and associated law and language. In Australia we had 250 languages, over 500 dialects. Now there are somewhere in the vicinity of 15 languages intact and others currently being resurrected where possible. The Quandamooka people do not speak their language fluently, but the elders have recently produced a dictionary that is a beginning to the possible resurrection of our language, as best as this can be done.

Koobara (Blue Lake) is a very mystical lake reputed to have been a place of significance for our men in the days before European contact on our island home. . . . Capembah (Myora Springs) is now closed because of the irreparable damage that has taken place over many years, with the influx of school students who have come to the island on field trips to study the unique environment, in particular this place of significance to the Quandamooka people. The once-huge midden heap is now severely diminished because of the physical depredation in more recent years.

[Here is] evidence that this special gathering place for our people has almost disappeared over the years of European contact. Traditionally Capenbah freshwater creek was the main source of fresh water for the Quandamooka people who gathered at Moongalba ("Sitting Down Place"). It later became the Myora Government Mission, which was instituted in the 1890s and is a special place of significance for the traditional owners.



Myora Springs is also an area where Quandamooka people used to gather for thousands of years because of the abundance of important foods, such as shellfish. Consequently shell middens are often encountered here.



The pictures here lead us into the discussion of current issues and concerns that now take me into some of the politics there.

The spectacular sand and waters of the main Beach of Mooloomba. The sand that is slightly visible in the bush background is one of the bigger mines still operating on the island. The flatland at the edge of the sandy beach is a result of the removal of sand through mining back in the 1970-80s. Some 80 middens, places of significance and evidence of Aboriginal feasting and gathering, have been discarded in the process and no longer exist. Top right is untouched virgin land. The dwelling is from the era of the aftermath of the 1990-1920 government mission days, when the families relocated as fringe dwellers on the outskirts of the township of Goompie.

Sand mining can be seen as one of the main perpetrators of the desecration of the land in the deliberation of carving the heart out of Mother Earth and the raping of the environment, the dwelling place of Creator Spirit. We as human beings are a mere small part of creation, and yet the societal values of today are dominating the well-being of the holistic approach to the social, emotional, physical, and spiritual aspects of the individual human being.



Stradbroke Island is a sand island and a source of freshwater springs, lakes and billabongs. Currently water is being tapped from our Minjerriba under the seabed to the mainland as the water supply for the local residents and businesses in the region of Redland Bay. The virgin land that is at risk of being mined if the mining continues is beautiful to behold and must be preserved and respected as the essence of our being. The original inhabitants were placed here on this land to care for the country of belonging.

Another concern is the fact that Pulan Pulan waterfront has been eroded by the nature of the shorelines over many years, and there has been an endeavor to prevent erosion

with rocks and other supports for the shoreline there. Moreton Bay is referred to as the shifting sands of the Bay region of waters. In the current situation of climate change and associated environmental changes across the world, discussion has already begun as to the possible changes that could occur on the shore of Minjerriba, in particular in the township of Goompie.

Within the boundaries of the Indigenous Land Usage Agreement (ILUA), the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC), in collaboration with the authorities, has worked tirelessly to maintain the Myora Springs as much as possible in their diminished natural state.



In the late 1940s negotiations began between the state government and a corporate mining organization. Today you can see the effects of the mining industry on the natural environment some 60 years later down the track to our island home. Here is one of the areas currently being mined on Minjerriba. The white sand is what remains of the sand that was mined and is intended for backfill of the hole. In 2010 the government of the time declared that 80 per cent of Minjerriba would eventually be a national park and proclaimed that 50 percent would be the first stage of national parks on Minjerriba.

The government of the time also announced that the long-term mining on the island would cease by 2019. There was a change of state government shortly after these announcements, and to date the agreement has not been put in place.



2012 witnessed a change in government, and to date the closure of the mines has not been honored by the new state government. The current focus by this government is extending the mining to be ongoing over and beyond 2019.

Today we have the most heart and respiratory problems, the lowest standard of education, the poorest housing, and on and on you can go. The biggest problem we deal with, and I'm quite open about this, is institutional racism. It is embedded in the system, and until we get rid of that we will continue to be governed by policies set by government, from 1897 here in Queensland, followed by the Assimilation Police; the 1967 Referendum for the Right to Vote for Aborigines in their own country; the 1993 Council for Reconciliation; and the 1997 Intervention Policy in the

Northern Territory of Australia.

I'm being more open than I've ever been, because I think this is a place where I've learned a lot. I didn't know much about what we've talked about here, the celebration you've got here today, and the 25th anniversary [of Chico Mendes' death]. I do believe everyone in this room has become one in spirit, listening to each others' stories and incarnating that very diversity that we're all striving for. So I am opening my heart up here more than I've ever done. I have to be careful. I've got to go back and live in that country and in my community.

Although we were basically stripped of our language, of our way of life, we never lost our intimate relationship with the land, our connectedness. We talk about the land, our Mother Earth, the dwelling place of creator spirit. It is a sand island, the second biggest island in the world. We have freshwater springs coming out of the island. We refer to the water of the island being the living springs, the veins that connect us to our Mother Earth.

Having said that, what we've dealt with for the past 20 years [is that] the government had decided to tap the freshwater off our island, so it travels under the sea to the mainland, feeds the areas over there. And in doing that, then meters were put on all our water supply on the island. So as part of the rates on their land, everybody pays water rates as well. So when I talk about institutional racism, that's what I'm talking about.



I'm sorry if I took up too much time, but it was time for me to share. I've come all the way from Australia and I hope I have done that.

Can I just read

you our new appeal against what's happening? The new government that's in there straightaway got back to the mining company, had eight meetings in the first 12 months. Six Quandamooka traditional owners, including myself, went to the court hearing related to the continuation of the mining industry on the island and appealed in the courts against it. We've been told in straight language that the amended act will go through in the new bill that has been put up, which has been signed off by the legal representative in the current government.

We declared, "The Quandamooka people have always been and always will be the owners of Quandamooka Country Minjerriba (North Stradbroke Island). We are the people of the sand and seas, and we have never ceded

sovereignty over the country. When mining has long passed, the Quandamooka people will continue to protect and care for their country, Our Mother Earth.

"Quandamooka Yoolooburrabee Corporation (QYAC), our corporate body, refers to your call for submissions on the 18th of October on the North Stradbroke Island protection on sustainability and amendment bill. . . . QYAC submits that the bill should be rejected by the Parliament for the following reasons: It breaches the contractual rights of the Quandamooka people under their ILUA; it affects the Quandamooka peoples' native title rights and interests; it impacts upon the human rights of the Quandamooka people, recognized by the United Nations Declaration of the Rights of Indigenous Peoples; it is racially discriminatory; it unreasonably favors a foreign, private-owned company and is biased against the rights of traditional owners; it impacts upon sensitive environments and areas proposed to become national parks; it significantly reduces environmental control and increases the environmental impact of the Enterprise Mine on the Moreton Bay Area. . . . The justification for the legislation has no basis in respect to the economic, employment, educational or sovereign rights arguments put forth by the government. . . ." It goes on and on.

You'll see on the timeline . . . the different dates when things happened. We had the first settlement there, as I said, every aspect of Brisbane, the first mission. In the 1860s the aged, the convicts, those who came out as settlers, the Chinese that came there for the gold rush, they were all aging. So Stradbroke Island was where they put in the first age care. They called it the Benevolent Asylum in 1864, and that was there until 1947. That became the place where a lot of people worked; my mum worked there. She was the cook for the local doctor at the institute.

But after the Second World War was when the idea of mining came into the limelight. So they just evicted all those old people. We have nearly 9,000 graves there on the island in the second oldest cemetery. They were from the convicts, the settlers, over those years when they were there. That's a sacred place. Our people are buried there, too, but we care for those people because—I could show you a photo that sits in our records that had a couple of these old people, and across the top of it was, "Misfits of Society." These are elderly people, nicely dressed, who came out, whatever way they came out, and they were also called misfits of society.

So they had to be moved off the island to the mainland. Many of them fretted because they left this beautiful island and all of a sudden were taken off to the mainland in Brisbane. That began the terrible thing about mining. They started mining.

The negotiations came on in the late '40s and were in full swing in the '50s and early '60s. Now along that way, I don't know if you know about the policies that were in

place. Then there's the policy that they moved people. It was to move them to missions, as some of the people from the island were moved off the land. It was terrible, because they wanted to break down the kinship, the family structure. So that was the way they did it. We had people from the island moved to a mission that took them two or three days to go to. The missionaries that came in were responsible for our cultural genocide, but they were also responsible for saving our lives. There's documentation of what they called "the killing times" that happened in Queensland, and there were things like going out and seeing how many so-called niggers they could shoot. All this happened. On their own, people are still now only today getting this history.

Having all that happen, we also had activists out there, trying to stop all this. They set up the reserves, the government moved people into them. The term was "the smoothing of the dying pillow." It was thought that we'd all die, and we had a place to put our heads now. But what happened in the first 10 years of that was the graft and corruption of our women being used and abused. So hundreds and hundreds of mixed-blood children were born. In 1907 there was a law passed by the government, and it's the only law to my knowledge that made a child born a ward of the state. And so they talked about assimilation policy, and all these children they made wards of the state, because they could remove the children at birth from their mothers. And that practice went on until 1972, when the last child was taken in Queensland. My mum's sister had the children's department move into her house in 1945 and remove her children, seven children between two and seven. Children that were "mixed blood," as they called it, were fairer skinned, were easy to assimilate into western societies. I won't go deep into that; I'd urge you if you're interested, just google it.

We had a group called the Foundation Committee for Advancement, formed in the 1950s. They started lobbying the government. In 1967 we had a referendum that finally recognized our people as citizens in their own country. We were never counted. We were counted with the flora and fauna—that's documented.

So the referendum moved things forward. We went into self-determination, self-management; and in the meantime one of our groups in the Torres Strait Islands started to go for native title. That case was the first time that anything happened in terms of native title. Now Stradbroke Island was going for land rights, and we knew we'd have difficulty getting land rights because of the intense assimilation that was seen, because we were living, and we now have not one person on the island who you can say has full heritage as aboriginal because of the forced marriages and other things that happened. So they switched from going for land rights to native title. It took 17 years in court, and two years ago we had the first group in southeast Queensland

to be declared the traditional owners with native title.

Now having said this, I'll move back to the PowerPoint. There you'll see a photo on the right, and we had our current premier of Queensland there. The other three people are Uncle Bob Anderson—he's the oldest elder we have left on the island—and the others are members of what was the Labour government in power. That was the day they came over to the island. In the middle is Anna Bligh, the premier, who announced that they were going to close the mines down, and it would happen in 2019. They would have six years, the mining company, to close the mine down completely.

All hell broke loose. It was coming up into an election and the big lobby came on. The mining company on the island is Belgian. I might add, last year it's been floated in the local papers that they made 80 million dollars' profit in Australia that went over to their homeland in Belgium, and 40 million of that is from our island home. These are the things that we're battling with now. They went in full force before the last election two years ago. Within months there was an election called, and the mining company backed the government that's in now.

As an example, the premier that's in now, there's supposed to be no more than 50,000 dollars given to any candidate. The mining company put 93,000 dollars into his election campaign. I could go on and on about that. It's been challenged but nothing's been done about that. And before the election, in the process of this happening there, where you see the handover—it wasn't only native title; 80 percent of the island was going to go back to national parks. Look, it was just such a jubilant time for us.

But let me tell you, we are fighting what could be a losing battle. Thank you very much for listening to me. I'd just like to leave you with quotes from three of our late distinguished and respected elders from Queensland:

*It's not about getting an education. It's about being educated.*

—the late Uncle Neville Bonner, Aboriginal politician.

*Do we one day want to be Honorable Elders?*

—the late Aunty Maureen Watson, storyteller, poet and activist.

*To our Fathers' Fathers the pain the sorrow/ To our Children's Children the glad tomorrow.*

—the late Aunty Kath Walker, Oodgeroo Noonuccal

## CHIEF LIZ LOGAN



Good afternoon, everybody. I have a lot of slides, and I'm going to go through them as quickly as possible. So don't blink—you may miss some. And I hope I'm going to be given the same courtesy as the other panel members, who gave 25 minutes to half an hour. Let's get started.

I am a Dené woman from northern British Columbia in northern Canada. I am a woman who has treaty rights under Section 35 of the Constitution of Canada. I do not consider myself an Indian under Section 9124 Indian Act that governs indigenous people on a little piece of land called a reserve. I am concerned about my rights out in my territory that my family, my great grandfather who signed a treaty, cared about. I also bring greetings from the five treaty chiefs that I represent, and I will tell you who they are shortly.

As is our custom in my area, we have to recognize and acknowledge the indigenous peoples' lands that we are on, and through my research I hope it is right that it is the Piscataway tribe. If there's anybody here from the Piscataway tribe I'd like to shake your hand.

I'd like to thank Linda for inviting me to present to you, and I'd also like to thank the Rainforest Action Network for sponsoring my attendance here. I'm honored to be here in the presence of so many learned people who care about our planet.

Basically I'm going to be talking about who my people are and a little bit about our treaty that we signed off with the Queen of England in 1899. And I'm going to be talking about challenges to sustainability and the impacts on the land and the changes to the forest; problems, justification and mitigation; RSEA; and moving forward. I need to talk about a lot of these things even though we're here to talk about forests and communities, because I can't talk about forests in isolation because of everything else that's going around that's affecting the forests.

In the global scheme of things we are in North America and we're in Canada, as I mentioned earlier. In Canada there are 11 numbered treaties across the country, and we are number 8, which covers a little bit of British Columbia and northern Alberta and Saskatchewan and a little bit of the Northwest Territories. This is in northeast British Columbia and it takes up about a third of the province. There are seven original signatories to treaty number 8. I speak on behalf of the chiefs of Prophet River First Nation, Halfway River First Nation, Dog River First Nation, Sauteau First Nations and West Moberly First Nations.

We are a people; we call ourselves the people in our language, people of the land. As you can see, we still exercise our way of life, and as I said, we have people who are

out on the 24/7, 365, and we don't see them unless there's an emergency. We have artifacts and a cave that has been radio-carbon dated to prove that we have been in this area for over 10,000 years; yet government, whenever we talk about our rights, they tell us to prove our rights, prove that you've been here. Well this proves that we've been here.

The treaty that we signed off with the Crown was signed in 1899 in Alberta, and it was finalized with British Columbia First Nations in the early 1900s. It was a very, very comprehensive treaty. You saw how many territories and provinces it covered. It was signed with the understanding of peace, sharing, and coexistence. This is through oral history coming down from our elders. It was not a cede-and-surrender document as the Crown says that it is. Sometimes our elders say that it was our first partnership agreement. Again, Treaty Number 8 is a very large treaty, and you can see all the nations that belong to this treaty in the three provinces and the Northwest Territories.

Understanding the treaty: One of the promises that was made was that we could continue our way of life, we could fish, hunt, and trap and be people of the land for as long as the sun shone, the grass grew, and the rivers flowed. Well, those are all being impeded. The rivers are being dammed, the grass is being polluted by pesticide, and the air emission from the oil and gas is just terrible for our health.

Again, I already mentioned that we do have established rights that are protected under the Constitution. That's a whole other discussion, and I'm not a lawyer. I'm just a grassroots person who cares about the land, and I've learned along the way.

My people, again, are bush people. They have seasonal rounds; they move around with the seasons, with the animals. They don't exploit one area, they move around. We say it's our grocery store, it's our pharmacy, our church, and our school. We really care about the smells and the sounds. They mean something to us. There are stories, legends, and myths that are attached to the land. So we are right now trying to revitalize our culture in a lot of ways because, like they did in Australia, they took a lot of our children away for five generations, and I'm a survivor of the Indian residential school myself. So trying to reenergize that spirituality in our younger folks is a priority, along with learning our language.

This is just something I wanted you guys to see, how our members really care about what's happening on the land and it is important to them. We have to slow down industrial development so that there's going to be something there for our generations seven generations from now.

Some challenges to our way of life: industrial activities and effects from development. You can see what they are right there, and I'm going quickly to go into them. The five major industrial developments are agriculture, mining, power generation, oil and gas, and forestry. I will quickly go into those. Agriculture: over 8,000 square kilometers of

private land in Treaty 8 territory is for agriculture. You can see all of this area here is for agriculture, and it's mostly down in the southern part of our territory. The eastern flank of the Rocky Mountains contains large, large amounts of coal reserves, and this is Treaty 8 territory right here.

Mining: currently we have four very large coal mines in operation and 14 on deck, waiting for approval. We're very concerned and some of our nations have challenged and put a stop to one of the big coal mines. But it's only on hold, it's not completely stopped. They're trying to mitigate.

Power generation: About 1,795 square kilometers of land was flooded by two dams on the Peace River, and a third proposed dam is now before the joint panel review through the environmental assessment process for the government of Canada and British Columbia. These are the two dams: the W.A.C. Bennett Dam, which was actually named after the premier of the day. It created one of the largest bodies of water in the world. It's an artificial lake, the third largest in North America. The dam is one of the world's highest earth-filled dams, 610 feet high. The reservoir behind this dam is one of the largest man-made lakes, and it's called the Willesden Lake, but we call it the Willesden Reservoir. It was named after the premier's best buddy in cabinet. This Willesden dam, there was 350,000 acres of forest that they didn't cut, they just flooded. That's what created the methyl mercury that is in the fish that we now cannot eat.

Then the Peace Canyon Dam came later, in 1980. Soon after they finished the Peace Canyon, they started talking about flooding the rest of the river. They called it the Site C dam. This is the beautiful valley that they want to destroy. Just to give you an idea of where this is, this is the Willesden Reservoir with the W.A.C. Bennett right here, and then here's the Peace Canyon Dam, and then the Site C dam is up here, about 7 kilometers from the municipality of Fort St. John. There's the Alberta/BC border. We're not going to be left with much river in our territory. As you can see, this is one of the major rivers in our territory. Many, many impacts are going to be seen if this project goes ahead. This project was rejected twice, in 1982 and 1989, by the BC Utilities Commission, but the government of British Columbia chose to remove that oversight from the BCUC. They've just got this attitude that the fix is in, they're changing all their environmental regulations just to get it going and let it happen.

As you can see, we do have a lot of sacred sites, spiritual sites, burial sites; our ancestral remains are going to be flooded. A lot of stories and legends are attached to this land. How do we tell our children down the line about the stories, when there's no place to take them to show them about our stories?

Again, just to prove to our government again that we have been there and these are our artifacts. This is not conclusive because there are still studies going on. These islands in the river are refuge areas for spring calving and

for them to come down in the winter off the mountains to forage. Important wildlife habitat is going to be completely destroyed. This is a unique microclimate in this area. We have prickly pear that is only seen down in the warm Okanoggin. That doesn't mean anything to the government of British Columbia. The first non-native settlement is on the Peace River. It was where Frasier and MacKenzie and all of those came. It's the first heritage for the province; the government doesn't care about it.

We've been doing everything we can to stop this dam once and for all. The third time, we're hoping it's going to be three strikes and they're going to be out. We have had rallies up north, but we've been going down to the lower mainland and to the Parliament buildings, because we're so sparsely populated up North that our voice is not heard. It's going to be the population of British Columbia who are going to be paying for this major dam. BC Hydro has never built a dam in many years; we don't have any confidence that they can build one. We have no confidence that they're going to stay within their budget, because over the past three years that they've been talking about this dam, it grew from 2 billion to 8 billion dollars. So we're creating that awareness with other British Columbians because the taxpayer and the ratepayer need to be concerned. Some of our nations are prepared to go to court if they need to. As I said yesterday, our elders are now saying it's time to take direct action. So we've got our marching orders.

Now I'm quickly going to move on to oil and gas. The last reasoning for the dam is that it's going to electrify the liquified natural gas [LNG] plants on the west coast, and that's going then to Asia. They have 1, 2, 3, 4, 5, 6, 7 LNG plants proposed on the west coast. The west coast First Nations are vehemently fighting those pipelines that are coming through, and the pipelines are all coming from our area. So we're fighting it upstream, saying there's no pipelines, there's no LNG if you don't get the gas. With our elders behind us we're fighting this tooth and nail. These are all the proposed pipelines to the west coast.

Again, just real quick to show you treaty territory; this is where the gas towns are; this is where the LNG plants are. We're the breadbasket for this province, with oil and gas, with mining, and with hydroelectric dams, although there are some dams down on the Columbia, because the province has a two rivers policy that says they'll only flood two rivers in the province. One is the Columbia and the other is the Peace River. There are already three dams on the Columbia and there are two on the Peace. They're going to go for three on the Peace now, but it's going to be over our dead bodies, is what our elders are saying.

Gas from northeast British Columbia again is going to be used for the LNG plants on the west coast. I just wanted to give you an idea where the big shale gas plays are, because they have depleted the conventional gas. They are

now going into fracking, into the shale rock to get this gas out. I'll explain a little bit more; if you don't understand what fracking is I'll tell you about it. This slide here, I just wanted to show you how the gas well has progressed over the years. This is Treaty 8 territory right here. This is the Peace bloc. (They at one time had thought they were going to be part of Alberta and that's why they have the townships designated the same way Alberta is.) The red dots are the current years' wells, the green are the previous years. So you'll see the first well was drilled in 1940. I live right up here. My lands director that's with me lives down here. I only have this until 2002, and I got this from the government of British Columbia because I had a "mole" on the inside who told me that they had done this study. They refused to do anything about it, they didn't make it public, and I kept bugging them. It took me a year to get this study from them. I think what happened is that, pardon my language, but it scared the hell out of them. They didn't know what to do with it.

This is what some of our territory looks like. This is up in my territory here, in Fort Nelson. You can see all of the seismic lines and the agricultural lands in their area. Everything that you can think that's associated with the well—there are seismic pipelines, all of that. I didn't have time, because I usually have my own little show, my presentation on that. They thought they put us on a bad piece of land, which is muskeg [sphagnum bog], but it was rich in resources. We're right over the western sedimentary basin that is rich in oil and gas and coal. But it also is muskeg. They used to only come in the winter, when it froze up. Now they have created these wooden mats, and they create a boardwalk for roads and for their lease pads. So they can now get out there and drill the year round.

I don't know how many of you are familiar with what fracking is, but the typical operation takes tens of thousands of diesel fuel, in some cases thousands of truckloads of water as fracking fluids are needed to complete one job. Multiple fracks are sometimes needed in some cases to stimulate the formation. Special sand is shipped from the United States because we don't have it up in Canada. Some of the lease pads can have up to 22 wells. This is just to give you an idea of what a part of one lease pad looks like. These are all of the trucks; we think we counted 22 trucks there. There's water trucks, compressor trucks, and storage tanks. For those of you who don't know what fracking is, it's basically now going down into the shale rock, and they basically inject fluids and sand that fracture the shale and the rock. The sand goes into the fracture and holds it open so that they can suck out the gas. Each frack job—that's each well—each drill requires 3 to 5 million gallons of water. That's equal to five to eight Olympic-size pools of water per frack job per well. And some of these sites have 20-plus wells and need multiple fracks per well. So tens of

millions of gallons of water can be used in one lease site. This is another whole presentation, and we're very, very concerned about this and fighting government. They don't have a water strategy, and we're just now trying to work with them, trying to develop one. They tried to do it without us, but we put a stop to that.

In terms of fracking impacts, again, ground and surface water contamination is a very major concern. Fracking fluids are toxic, and waste fluids are disposed of a lot of times by re-injecting them back into old wells in the ground—forever, they think. But we don't know the long-term effects of that yet. There has been increased activity over the last five years; we've had 30 earthquakes. I've been told we have to vacate, so I'm going to rush through this. This is what it looks like underground. I should just stop, and if anybody wants to see this I can just show it to them, because I have a lot more. But they just passed a law April 1st. We thought it was a joke. Now they've changed their Parks Act so that they can get in there to drill for oil and gas.

So what's the cumulative impact of all this development? We have diseased animals that my people still eat, so what's the long-term effects? We're forced to do studies ourselves that show that 75 percent of the sump pits and the flare pits are contaminated; they far exceed the provincial and national standards. What's the long-term effects, not just on the animals but people who eat these animals?

Let's get to forests now. I know you guys are trying to cut me off, but I want to just quickly go through this. Huge boreal forests in Canada. Most of it is where our people live in Canada. More trees are cut out in the oil patch and in the agricultural fields, and they're not taken into consideration for the annual cut. They take over 8 million cubic meters of timber out of our territory every year, and this is boreal forest, slow-growing forest. Changes to the forest, changes to our practices. It's just common sense. They're destroying places where we go and be the people that we are. Unhealthy water, loss of traditional food and medicines, loss of traditional sites that we used to go to, to collect our medicines. Now our forests are being destroyed by the mountain pine beetle. This is what it looks like. This is Treaty 8 territory right here. What do they do with it? They pile it up and burn it. This is all mountain pine beetle, it's all red. Within two years they destroy forests.

The problem is there's a need for reconciliation, and how you do that with a government that puts on the brakes every time you talk to them. All they want to do is get in there as quickly as they can, destroy it and not talk to us about it. We're holding their feet to the fire and saying, "Nope, you have to consult with us. You may even have to get our consent." They're basically putting economics and jobs over everything else. Where is the consideration for values?

Justifying projects through mitigation doesn't form a model for sustainability in our view. It promotes industrial

expansion and impacts on the land. Conservation, protection, and sustainability does not fit into any discussion with the government of British Columbia.

It is always our desire, as our elders have always told us, you have to have a relationship, so let's sit down and see what we can do with the Crown. Let's talk reconciliation. But this government is not willing to sit down and consider all of our values or look at a sustainable vision. So we are insisting that they do a regional environmental assessment, a strategic assessment within our territory that will have a look at the big picture, look at the cumulative effects. Hopefully it will be a place to define policy moving forward, and it will streamline all of these site-specific environmental assessments that they do. We want them to look at the big picture as indigenous people do. We look at the big picture. We don't look at one little pipeline, one little project. We have to look at the big picture. So we have requested this government to do this project over and over, and we are now finally bringing them to the table. We're going to start talking about a regional environmental assessment.

Moving forward, we have annual gatherings where we've decided, the heck with this government, we're not going to wait for you. We have asserted ourselves. We have taken pieces of our land and designated our own tribal parks. We have designated our own caribou plans that now the government has looked at and said, "Oh! That's even better than ours. Maybe let's talk."

We've designated our own community forests, we have stepped away from the Muscowechequa Management Board, which has three-quarters of industry sitting on it with government, and we have decided we're forming our own management board for that protected area.

Looking at community-based, cumulative-effects management planning, we've got some agreements with the province. Some of them are not as good as we want, but we feel that they are a stepping-stone, and we've got our foot in the door. We're going to sit down on these management boards where we have equal representation, and we're going to push the envelope.

I just wanted to remind you that some of our elders have said in the past—we met with 70 of them in 2003—and they basically told us that this is our land. It's not for sale. They're playing real estate with our land. One of our prophets, who's a seer, says: "The Creator made the land for bearing animals for the Indians and money for the white people. My forefathers made a living in the country without the white people's money, and I and my people can do the same." This is one of our elders, who's just passed on, Max Desjarlais. He says:

"My heart is crying for my great-grandchildren. . . . We can't drink the water anymore. They've spoilt our trees and water. . . . We should unite and work together and be strong."

We have to take bottled water when we go out to our traditional camps now. We can't drink the water now in our territory because of the hydrocarbons and contaminants from the oil patch. Sylvia Brown: "Is there going to be anything left for our grandchildren?" Is this what we're going to be left with if they put the economy and everything else above the environment? Some of our nations are getting to this point, where they have no place to go in the territory, other than the little piece of land that was given to them under Section 9124 of the Constitution.

That's it in a nutshell. I have so much more to say, but they've told me I've got to go. . . . We just had a First Nations LNG Summit, where we had about 20-25 treaty elders meet again, and they have this statement. It's pretty powerful, and I wouldn't mind getting it printed, and you guys can put it on your website and people can see it. It's a pretty powerful statement. Thank you.

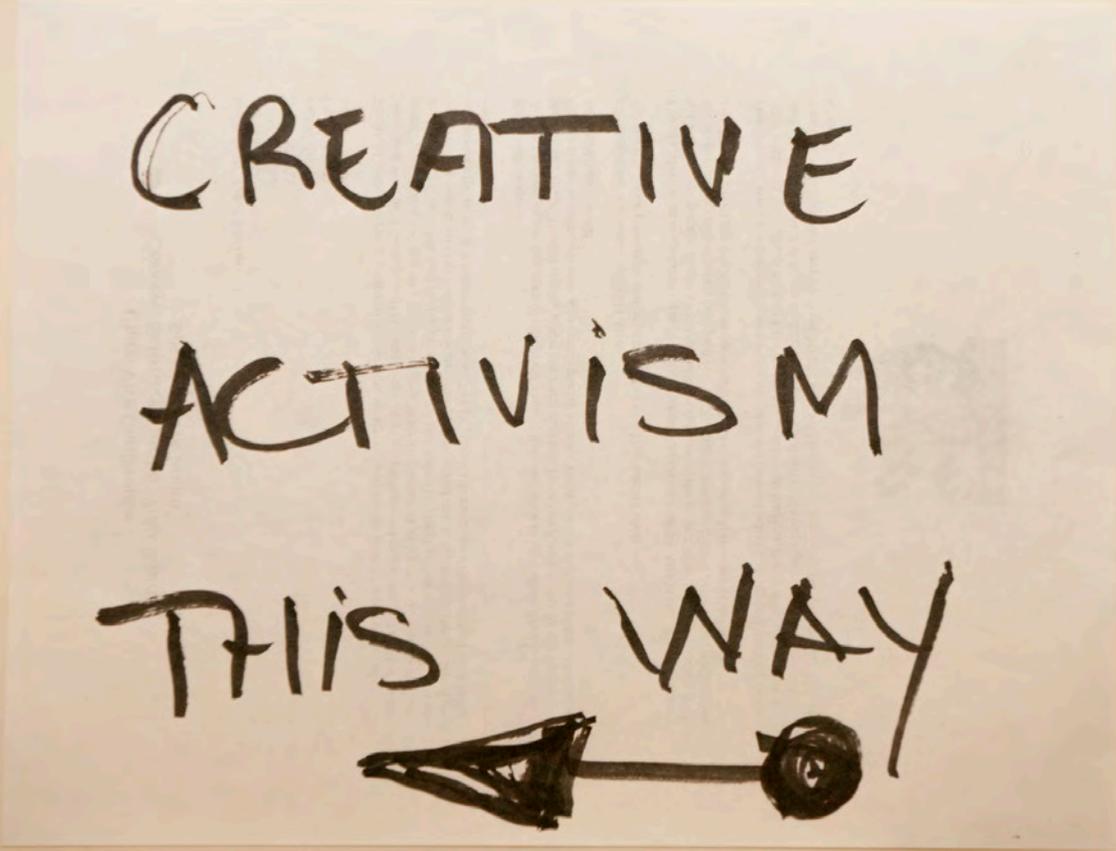
### CHERNELA:

I'm very sorry to have to do this, but we do have to clear the room. So I apologize. Please feel free to come and speak to any of the speakers. I think I'll leave you all with this thought that I had during the presentations. That is that when Chico Mendes was killed, I was with the Kayapó, who were then planning Altamira [anti-dam meeting, 1989]. It seems to me that it's no coincidence that the Rainforest Foundation's and the Kayapó's very prominent activities all take place within the two years after Chico Mendes' death. Chico was a driving force in the present-day environmental movement. Thank you.

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## WORKSHOP

# Creative Activism



CREATIVE  
ACTIVISM  
THIS WAY

### FACILITATOR

Nadine Bloch is a facilitator, artist and educator at Creative Works and W.A.G. in Washington, D.C.

### PRESENTERS

Dan Baron Cohen  
Taily Terena  
Georgina Shanley

## WORKSHOP: CREATIVE ACTIVISM

This three-hour workshop featured a variety of activities coordinated by a professional facilitator, Nadine Bloch. The following presentations are based on contributions by two invited speakers, Dan Baron Cohen and Taily Terena. A third presentation from this workshop, by Georgina Shanley, is in Chapter 17, Powerpoints.

## RIVERS OF CREATIVITY: FROM INTIMATE PERFORMANCE TO SUSTAINABLE COMMUNITY, MARABÁ, BRASIL

### DAN BARON COHEN:



Through the creation of confident performance of proud identity, collective values and a shared vision, silenced and excluded children and youth in extreme risk can turn intimate affirmation into the courage to transform experience of exclusion into new knowledge and social values. Using their own backyards and streets as spaces of play and creative experiment, they can become artists, cultural organizers, and producers of their own micro-projects and ethical community. They can use this platform to motivate isolated families and disillusioned teachers to reinvent schools as cultural projects that imagine, nurture, research and produce community performances of empathy, solidarity and sustainable cooperation. We've done this in one of the most violent cities in Brazil!

Rivers of Creativity addresses two aspects of a social challenge facing a globalized, consumerist world: the lack of any social project and self-belief among most urban youth (the combined effects of severed roots, addictive use of mobile phones and 24-hour TV, and fast food) and the powerless institutional perception of youth (and children) as alienated, self-interested and increasingly obese consumers.

Together these problems generate an everyday youth culture of pessimistic passivity, even toward grave ecological warnings, and an institutional culture of pragmatic intervention—or, in moments of angry protest, of authoritarian resolution. As the present indifference to the industrialization and commercialization of the Amazon by mining companies and consumer-driven governments demonstrates, this problem has catastrophic implications for the eco-social equilibrium and sustainability of the world.

To empower children and youth community artists to advocate through performance in parliament and in

schools, to create the political choice by leaders in professions directly facing this problem—formal education, policing, health, and local government. To experience for themselves in appropriate workshop spaces the developmental importance of community dance, music, theatre, multimedia arts and sport, so that they ensure that all teachers and parents place these languages at the heart of children's family, community, educational, and social lives.

Political will and popular understanding need to be joined in a new understanding of a very different role for excluded youth in this project. By placing play, multi-sensorial, creative experiment, and collective creation at the heart of education for all, and all professional training, government and family will cultivate the self-aware, self-confident human performance of community, care, empathetic cooperation, reflexive solidarity, and participatory citizenship as eco-social sustainability.

Appropriate performing, arts-based pedagogies exist for this larger project, matured by members of the World Alliance for Arts Education and advocated by UNESCO [United Nations Educational, Scientific and Cultural Organization] over decades. They need to be integrated into all teacher education and professional education, not as an exclusive right of private education, but as a collaboration linked to the acute needs and potentials of excluded communities' development.

Youth artist-coordinators (12-18 years old) decide at the beginning of the year to organize five bike rides as artistic-cultural caravans to build [and] deepen collaborations with other excluded communities, and a winter and summer arts festival. Working in pairs, youth coordinators use the twice- or thrice-weekly workshops for children and/or young people in community dance, music, theatre, literacy, video, cinema, journalism, and alternative energy of her/his micro-project to create a monthly or bi-monthly community action or community-making action in schools, and then transports these creative energies and

performances by bike to other communities.

These workshops are affirmed spaces of creative play, human rights (in particular, the right to invent!), [and] decolonized imagination, supported by the project's arts educators-in-residence. The youth artist-coordinators have already experienced two to five years of such workshops as children and adolescent participants. The themed bike rides embody play, health, social and ecological care, community, shared responsibility and freedom to experiment—all the values of sustainable eco-social preservation and transformation.

They are all free of adult rhetoric. These “performances” are planned and evaluated every Sunday in the youth coordinators’ circle. They are publicized and celebrated in a monthly street billboard in the central square of the

community and in broadsheets delivered house-to-house, and integrated into an artistic-cultural report-calendar for all 380 families, 190 schools, local politicians, and ministries at the end of the year. All difficulties are resolved in the Sunday circle of reflection and decision-making.

This youth coordination is supported by an adult coordination (of their mothers), and both are supported by the arts educator-in-residence and coordinators of the project. The interpersonal, community and socio-educational effects of this layered, youth-driven pedagogy are presented to local government, to participants in teacher-education courses, and in community centers. Their impacts are visible in the short advocacy videos made by the young people, and the fact that the project now enters its seventh year with its core of children [and] youth coordinators intact.

## THE USE OF ART IN THE INDIGENOUS MOVEMENT

### TAILY TERENA, UNIVERSITY OF BRASILIA:



The indigenous movement originated in the beginning of the 1970s, not only among indigenous leaders but also indigenists and anthropologists. Only a few indigenous people were in the movement, due to lack of access and openness in civil society. At the time they

were fighting for rights and space on public platforms in Brazil. The movement consolidated in the 1980s and '90s. In 1988 indigenous peoples won space, not only in the government but also in the new Brazilian Constitution. Since then, even though small compared to other minority movements, the indigenous movement has been active and continues to grow.

In the 2000s the movement, as a national group, started to pressure for some changes. As the world became more connected, communities initiated a process to get closer as well. Technology was introduced in villages, and indigenous peoples began to use it in their own way. Using the technology on our own behalf for registering, filming, documenting, and generally disseminating our culture and history, we began to get closer and more united, noticing that our problems and interests were the same. This process not only brought us closer together, but also helped us get to know each other better.

As a person of indigenous origin and a student of anthropology, I decided to talk about how indigenous people of Brazil in recent movements are using art to spread our message, problems, and culture. I chose this focus because indigenous demonstrations themselves are artistic.

When we have a march or demonstration we dress in our traditional clothes, we sing in our language, we paint [our bodies] with our traditional designs, and we dance as the elders taught us to do. So considering our demonstrations as art, I decided in this workshop to speak about the link between these two forms of behavior, and how the indigenous peoples of Brazil act them out.

As I said previously, the indigenous demonstration always employs traditional dance and clothing. Many elders of different groups used to say that these demonstrations are like the old wars—that we should paint our bodies, sing and dance the same way the elders used to do when they were preparing for a fight with another group. As they say, it is a different type of fight, but it continues to be a fight. It is our modern fight. “We now don’t fight against the other indigenous people, we now are getting together to fight against the ‘white man’” (Raoni Metuktire, Kayapó chief).



Here is a traditional dance of the Terena people. Called *Dança da Ema*, it portrays the leader being carried by the other men of the village as a way to show respect.

In the indigenous demonstration non-indigenous people are always present. In recent protests non-indigenous people were helping us, not only with meetings with the government, but also in the artistic parts, with performances, dances, and interventions.



Here is an intervention in the Indigenous National Mobilization of 2013 in Brasilia.

The principal demand was for the demarcation of indigenous land. The government did not want to receive the group for dialogue and did not take any measures to demarcate the lands. So [the group] carried out this intervention symbolizing the murder of indigenous people.



A group of students talking with an indigenous chief during Rio+20 decided to do an intervention on the beach of Rio de Janeiro, using volunteers. This demonstration was to symbolize the wisdom and life

of indigenous people that are threatened by the construction of hydroelectric dams, especially Belo Monte.



*Video nas Aldeias* is a project that was created in 1986 to teach indigenous peoples about audiovisual production. The creation of films about indigenous peoples by indigenous peoples through this project has been growing during all these years and has won many awards. This project continues to grow, and now indigenous people film on their own.

Indigenous people film their own history. They are trained to record what they want about their culture and traditional rituals.

Here are Gavião people in the state of Pará, filming a ritual in their village. An initiative of *Video Nas Aldeias*, this not only helps the people that are being filmed, but also creates the possibility of exchange with other peoples, to learn their rituals, film their festivals and acquire new technologies and knowledge.



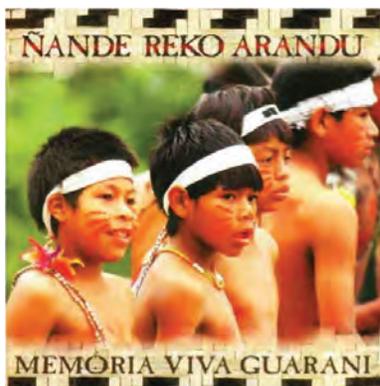
Contact with non-Indigenous in Brazil dates from the earliest times of colonization. During these years the indigenous people interacted with objects, symbols and ideas of the "white man," giving

them new significance from their own cosmology. One example is music. The Guarani-Kaiowá indigenous group in Mato Grosso do Sul, who have experienced contact for more than 100 years and are experiencing various social problems today, such as poverty, suicide, prejudice, and lack of land demarcation, found in music a way to express and preserve their culture. Singing songs in the traditional language has spread to several other indigenous groups in Brazil.



This is the group Bro MC from the Guarani-Kaiowá people. This group sings rap music in their traditional language. The lyrics talk about the difficulties associated with not having

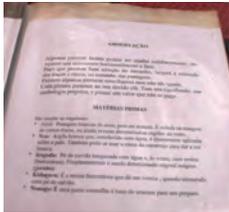
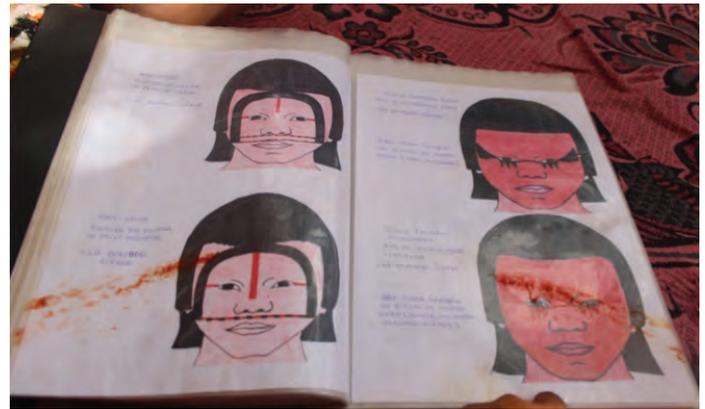
their lands demarcated, poverty, the suicide rate, and show that even in a difficult time they have a strong culture and will resist.



This group, Nande Reko Arandu, also Guarani, consists of kids singing traditional songs in their own language.

As a result of the problems of contact (prejudice, difficulty to adapt, poverty, etc.), many indigenous people started not to identify themselves as indigenous in the city, in order to avoid discrimination. This has occurred since the early years of contact, and even today is occurring in several indigenous communities. Some people, especially youth, stopped speaking their language and left their culture behind to turn "white." In recent years there have been some projects throughout Brazil to restore the interest in traditional culture among young people and children. Through the Internet, young people participate in events to create their own museums. Thus they are encouraged to maintain their traditional culture.

This is a portfolio created by the Bororo in the state of Mato Grosso. This is their way to preserve their traditional paintings. In a partnership with a local museum, they started to collect information that only the elders know, and now the young people from the villages are starting to be interested, cataloging and advancing their own culture.



In the portfolio there are also instructions for doing the painting: what plant to use to create a certain color, how to make a pencil, the significance of each painting, etc.

The website *Índio Educa*, created by a group of indigenous students, is a way to spread indigenous culture and news about villages all over Brazil, share pictures, history, etc.



As I show all of these examples, I wish that two anthropologists, Darcy Ribeiro and Claude Levi-Strauss, were still alive. They predicted that thousands of indigenous people would die of murder and disease after the contact with the non-indigenous, and that this would eventually lead to our end. They used to say that if things kept going as they were, we would be totally annihilated or totally absorbed by civil society—that we would lose our culture. But we have confounded their prediction: Our roots are stronger than ever.

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## WORKSHOP

# New Technologies



### FACILITATOR

Carolina Comandulli, Extreme Citizen Science Research Group (ExCiteS)

### PRESENTERS

Carolina Comandulli  
Arielle Kilroy

This three-hour workshop included presentations by Arielle Kilroy and Carolina Comandulli, who provided a summary of her illustrated talk.

## RIVERS OF CREATIVITY: FROM INTIMATE PERFORMANCE TO SUSTAINABLE EXTREME CITIZEN SCIENCE: A BOTTOM-UP PRACTICE TO TACKLE LOCAL ISSUES

### CAROLINA COMANDULLI:



The Extreme Citizen Science Research Group (ExCiteS) [was] formed in 2012 to develop and contribute to the guiding theories, tools and methodologies that will enable any community to start a Citizen Science project to deal with issues that concern them. According to its website, the group intends to “provide any user, regardless of their background or literacy level, with a set of tools that can be used to collect, analyze, and act on information according to agreed-upon scientific methods,” using an interdisciplinary research approach. It also tries to overcome obstacles to participatory projects and make them truly inclusive.

ExCiteS extends conventional Citizen Science practices that promote interactions with local communities to answer researchers’ scientific questions about initiatives such as biodiversity inventories. One of the main tools under development to facilitate this process is Sapelli software, a data collection and sharing platform designed for illiterate users with little or no previous experience with information and communication technologies. The technology is intended to be adaptable to specific contexts and usable both in “extreme” environments, such as rainforests and polar regions, and in urban areas.

The group is composed of researchers from different backgrounds, such as anthropology, geography, computer science, human computer interaction, geographic information systems, and engineering. They are engaged in promoting research to enable communities to participate in all stages of investigation, including problem definition, data collection and data analysis (Haklay 2013). According to one of the research group directors, “The tools we develop

will help communities to understand their environment, to analyze it as it changes, and potentially to participate in international schemes as monitors, or increase their food production, or better cope with environmental change, by using scientific modeling, predictive software and improved management methods” (Lewis 2012: 39).

The origins of this work at ExCiteS are in Jerome Lewis’ research on the Congo basin, in his effort to secure access to lands and resources of hunter-gatherer Pygmies’ communities that were suffering the consequences of the creation of protected areas, logging in forest concessions and other governmental initiatives affecting their traditional territory.

One of the first cases was developed with the Mbendjele Pygmies in the Republic of Congo. Iconic software was developed to operate with a rugged, hand-held computer attached to a GPS unit, to ensure that Pygmies had their land and forests documented and respected during the logging operations of the Congolaise Industrielle des Bois, a private company. The company wanted to meet Forest Stewardship Council (FSC) certification standards. Soon after, Yaka hunters asked for design of an application to monitor illegal poaching (Lewis 2009, 2012; Vitos et al. 2013).

ExCiteS Sapelli software tries to overcome accessibility issues, such as numeracy, ability to read maps, digital technology literacy, lack of network connectivity, and lack of electricity, which nonliterate and illiterate<sup>1</sup> users living in remote areas face with digital technology tools. The software already has a number of advantages—its iconic interface, automatic data transfer settings, and enclosed GPS—to make it accessible to nonliterate and forest communities. It can be used in low-cost devices with an Android system.

Another unique characteristic of the group’s work is its methodology. Several steps ensure a collaborative approach, including free, prior, and informed consent (FPIC)

<sup>1</sup> An illiterate person can neither read nor write written texts in his native language, while a nonliterate person’s language has no alphabet or written text.

and the construction of community protocols. These strategies ensure communities' consensus and understanding of project risks and benefits by all parties involved. They also facilitate clear agreements about parties' roles and responsibilities in the course of a project, assuring respect for the community's organization.

The type of collaborative research proposed by ExCiteS allows the consolidation of a network of partners working together, mediated by digital information and communication technology. Grassroots and community organizations, research institutes, nongovernmental organizations, and governmental bodies may engage in this collaborative effort.

An example of data collection screenshots may be seen in Figure 1. These images show a series of options that lead the users from one screen to the other and make it possible to take GPS points automatically (dark screen). They are followed by a confirmation screen.

There is also the possibility of recording image and sound, as shown in Figure 2.

The data categories that appear in the screenshots are constructed in the form of a "decision tree," which develops from a central idea or problem as the "trunk" and then leads to "branches" and "ramifications," referring to relevant information related to the main issue. It is possible to see the structure of a decision tree in Figure 3. Some questions arise when researchers build a decision tree in a collaborative and reflexive effort with a specific community: What type of data is relevant to them? How can the data categories be translated into a simple tree? Are the suggested categories significant to community members? Are the images easy to understand? Is it easy to navigate?

Also, pictorial categories can be graphically represented in their literal sense (such as a cocoa tree representing a cocoa tree); in their categorical sense (an image of a wild fruit may refer to any wild fruit found in the forest); or in a metaphorical sense (a syringe might stand for medicinal plants found in the forest).

Sapelli is intended to be free software, so that people will have the autonomy to develop their projects and tackle their problems, benefiting locally from this tool. The software will be released by the end of 2014. Some of the current challenges are the improvement of data visualization after collection as a way of facilitating data analysis by people on the ground. At present, a number of pilot projects are being developed, especially in the Congo and Amazon basins, and in Alaska.

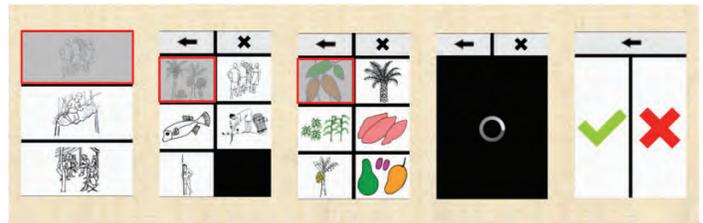


Figure 1: Data collection screenshots (OI-FLEG project, Congo)

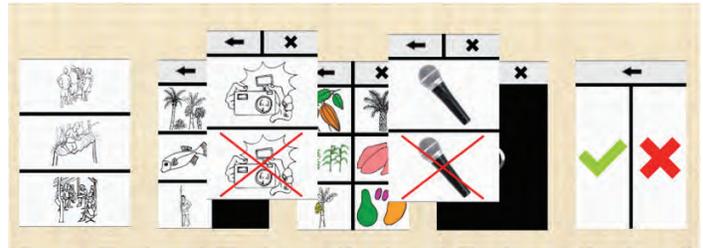


Figure 2: Picture and sound recording screenshots (OI-FLEG project, Congo)



Figure 3: Decision-tree structure (OI-FLEG project, Congo)

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For more information on ExCiteS Research Group and Sapelli software:

Website: <http://www.ucl.ac.uk/excites>

Blog: <http://uclexcites.wordpress.com>

Try out Sapelli: <http://sapelli.org>

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# Protection



### MODERATORS

Michael Beer is executive director of Nonviolence International.

Moira Birss is the Colombia Project Representative in North America for Peace Brigades International.

Francisco Quintana is program director for the Andean, North America and Caribbean Region of the Center for Justice and International Law.

### PARTICIPANTS

Patrick Cunningham is a writer and trustee of the Indigenous Peoples Cultural Support Trust in London, England.

Sue Cunningham is a photographer of the Amazon and a trustee of the Indigenous Peoples Cultural Support Trust in London, England.

Claudia Barragan is a student in the Executive Master of International Service program at American University.

Gomercindo Rodrigues, author of *Walking the Forest with Chico Mendes*, is a human rights lawyer in Rio Branco, Acre, Brazil.

Joan Hendriks is an elder of the Quandamooka people of North Stradbroke Island, Australia.

Marcia Machado has made films in Australia and Brazil; she lives in New York City.

Raimundo Mendes de Barros, a cousin of Chico Mendes, is a rubber tapper in the Chico Mendes extractive reserve in Acre, Brazil.

Godfrey Massay, an attorney in Tanzania, is studying for a master's degree in law at the Washington College of Law of American University.

## WORKSHOP: PROTECTION

This three-hour workshop was moderated by three human rights advocates who have experience with protecting themselves and others in dangerous environments. Most of the participants were human rights and environmental defenders.

**MICHAEL:** My name is Michael Beer. Welcome to the Protection Workshop. I work with Nonviolence International, and we've been doing secure protection and supporting nonviolent movements around the world for many decades....

**MOIRA:** My name is Moira Birss. I work with Peace Brigades International, which is a human rights protection organization.

**FRANCISCO:** My name is Francisco Quintana. I work for the Center for Justice and International Law. It's a regional human rights organization. We mostly work with strategic litigation, but also with human rights defenders' protection before the Inter-American Human Rights Commission and the Inter-American Court of Human Rights.

**MOIRA:** We want to start out by thinking about risk because of the work we and the people we work with do. If folks want to volunteer to talk about a situation where they've faced risk because of their activism.

**PATRICK:** My name's Patrick Cunningham, with my wife over there [Sue Cunningham]with the camera. We are trustees of a small charity that works with indigenous people in the Xingu, Brazil. In 2007 we did an expedition which followed the length of the river, from the source to the mouth on the Amazon. We visited 48 tribal villages, where we never felt threatened at all—well, once.

In the middle of the expedition, in order to upload photos to the Internet, we left the river and went to São Felix do Xingu, which is a small town in the south of the state of Pará. Two weeks before we got there, the national paper of Brazil, *O Globo*, had run a feature, talking about how this was the most violent and dangerous city in Brazil. We were there primarily just to take advantage of Internet access, but of course we had to eat. So we went out to get something to eat. It's very much a one-horse town. The restaurant we were in, two men came in and entered into conversation, not got into conversation, with us. They were very interested in who we were and what we were doing, why we were there. It turned out that these guys were the guys that go out to clear people off the land for large landowners. It was a threatening situation. We left. We didn't run away; we used our wiles to put them off the scent, if you like. We didn't explain exactly what we were doing. But it was definitely a threatening situation. One of the guys made it quite clear that he was armed. So we went back to the hotel.

**SUE:** Saying things like, if we find out that you're here for this or that reason, you do realize that you'll be shot. That kind of attitude.

**PATRICK:** It was only two weeks before that somebody had been assassinated in the middle of the town with a chainsaw. So we were entitled to feel threatened.

**CLAUDIA:** It's not so much that I'm an activist, but even in social media, when you post something about your point of view about a specific issue, you do get backlash pretty quickly. It becomes really personal sometimes, even though you don't know those people and they could be somewhere really far away. So even in the social media aspect, there is still that backlash. Whenever you have an opinion you could still get people coming at you.

**GOMERCINDO:** Not so much today, but 1988, the year Chico was assassinated, was a year during which we received word of a list of those marked to die. I never actually saw this list, but we were told that they kept changing the order of those designated to die. Sometimes the person at the head of the list was the bishop of Rio Branco, Moacyr Grechi, sometimes it was Raimundo [de Barros], sometimes Chico, sometimes me. That is, it depended on the whim of those who'd drawn up the list to change the order of who would be the next to be killed.

Chico was murdered in December, but before that, in August, Zé Ribeiro, who was not a leader but was a rural worker, was killed by a gunman of Darli [Alves], from the same family that killed Chico. They created a methodology, a climate of terror in the region. People were to be fearful all the time. Thus from May to December, as I said yesterday, every day two gunmen were in front of my house. They spent the whole day there, doing nothing. You could tell they were armed because the way their clothes were arranged, you could see the weapons. They made sure to display them. There were always two in front of the union hall all day long. They went out to lunch and then came back. They'd arrive at 7 a.m. and leave at 6 p.m. They didn't do anything. They were just sitting there, as if to say, We're here. This went on all year long.

In June, Ivair Higino, a young man of 26, was killed. He had a baby boy, 38 days old, when he was murdered. He wasn't a prominent leader in the rural workers' union, but he was an active member. He was more closely associated with the Catholic Church, a leader in the ecclesial base communities, at the grass roots of the Catholic Church.

And he had started campaigning to be a city councilor in Xapuri in the election at the beginning of July. Then on June 18 he was killed with two shots from a rifle and six shots from a revolver. The idea of those guys was that a neighbor of his was going to be a candidate of another party. The idea was to create real terror. Ivair didn't seem to have enemies, he didn't participate in the *empates* [stand-offs]. He wasn't a rubber tapper, he was a farmer. But he did go to union meetings and more often to church meetings.

In my book I talk about two situations in which I really thought I wouldn't survive that day. These were situations of threats—of seeing an armed man on the same bus I was on. It was at night, and he kept watching me. My reaction was to manipulate his fear. I was unarmed, but I always carried a bag like this one, and he didn't know I was unarmed. So I sat in this way [legs outstretched], with my hand on top of the bag, as if to say, "If you mess with me, you're dead." I wasn't armed, but he didn't know that. It was a ride from Rio Branco to Xapuri, about three and a-half hours at night on the bus, watching the whole time.

We still have in Amazonia today, as I've seen close up, these threats that Patrick talked about. They're still very common in other parts of the Amazon. In Acre they've decreased a lot, maybe because the local government confronts the issue head on. Anyway, they've diminished since Chico's murder. But the threats come in different forms, a telephone call, somebody who comes up to you and stares at you.

This issue of protection: today we have more mechanisms than we used to. We'll discuss this today. But at that time we didn't even have telephones. Now we have the Internet, and it's easier.

*Translated from Portuguese by Linda Rabben*

**MOIRA:** You mentioned a couple of protection mechanisms. You talked about having the pouch on the bus and telephones and things like that. Can you say just really briefly some of the things that you and your organizations have done to have more protection? What sorts of things have you done to confront those threats?

**JOAN:** When I think of threat, I came here almost oblivious to how bad things are, and especially when I think of the story we've heard today with both of you really remembering with deep feeling. I'll go back with that story to my community. I didn't just come here as Joan Hendriks, first I had to talk with my

community as an elder there, an active elder. And if they'd said, No, we're not going to support this, I wouldn't have come. Because when I go back there, who am I? I'm part of that community.

When I think of assassination, I see it as two things, the assassination of individuals—but how do you define assassination of groups? I could sit here and tell you some of the most dreadful stories of what happened, if you want to talk about assassination, to whole tribal groups in Australia. There's a book published called *Blood on the Wattle*, and it features 22 terrible, terrible massacres that are only [now] coming to light. These were things where a tribal group got slaughtered for stealing cattle or something for food because their own traditional lands had been destroyed.

From our own experience the greatest assassination we're suffering is the conditioning of the mind. We have appealed to the Human Rights Commission. I was there in 2004, fighting for the understanding of our assassination as a whole group in Australia. It's recorded that something like possibly a hundred thousand people got slaughtered in the first 70 years there. So to me it's not just about my story here, it's about how I'm connecting up to others here, and the terrible things I'm hearing. I'll go back with that, and my effort will be to let others know just what's happening here. I think that's what human rights are about, and I think that's what we're all about here. I think it's important. My passion is about how do we find the new call to creativity, how do we have reconciliation? How do we take the good things from the western world and our cultural diversity that we have there? That will only happen, we'll find that common ground, if we share our stories. The more we share our stories, the more we can understand.

I just feel that in Australia, they've said it's going to take 30 years for reconciliation. We've moved with it but not far enough. It's just over more recent times, they're looking at holistic health there. Where it used to be about the body and the mind, the physical side, now the National Health authorities have added body, mind and spirit. Until we get that spiritual connection back to our people.

I wanted to finish up by asking Gomercindo, how do you feel now as a result of that terrible massacre you had there? Do you think that people have learned from that? I'm talking about the authorities. We can blame the hit men, but they are cowards, I agree with you. They're the people that accept money to do these things. Do you think that the fear of that ever happening by the authorities that were responsible for that, that the strength that was shown after that by the people might make them think again?

**GOMERCINDO:** Unfortunately, this continues to happen in Amazonia. There's been a regression, because the local government took a more confrontational position vis-à-vis the extractive communities and traditional populations. Every week we have news of killings. In Pará, for example, a few cases had repercussions—for example, Sister Dorothy Stang. The authors of that crime were brought to trial. The verdict was overturned several times. Sometimes they were convicted, sometimes acquitted. In Amazonia we have more than 2,000 killings, almost 3,000, just of leaders and supporters, such as advisers or those who help rural workers. These crimes, I don't know if even 10 authors have been convicted, mainly the gunmen. The state should prevent killing, not just punish it afterward. When it's not prevented, the state also doesn't punish [those responsible] afterward. This impunity encourages crime, because at most one or two gunmen are imprisoned for the crimes. The ranchers keep beating people and, what's more, keep being financed with official funding by state banks with credits, subsidies, as if nothing had happened. Unfortunately that's the way it is. We have to pay attention.

[We could] create an external protection network through which it's possible to inform any part of the world and mobilize people—saying, look, we're on the lookout for Zé and Maria, who are being threatened there in Pará. This would reach the Brazilian and local authorities. To give a concrete example, the night when Chico was killed he had two state policemen in his kitchen. When he looked outside from the doorway, he said, "It's dark out there." This was a signal for the police to secure the area. They were assigned to provide protection for him. The police were eating, and they kept eating. He went into another room, got a flashlight, opened the [kitchen] door. When he opened the door about a hand's width, the gunman fired.

I attended the reconstruction of the crime by the police with the gunman, in which he recounted how he had done it. When the police chief asked him, "How did you shoot at him?" he answered, "I shot the way I'd shoot at a jaguar"—that is, reflexively. "But how did you know he'd stand in the light?" "I just shot." So you have two policemen right there who should have verified what the situation was beforehand. They didn't, and he was killed, even though theoretically he had state protection. The state is extremely inefficient at providing protection, at preventing crime.

Chico had managed a few days before to talk to Celia Santos, a Brazilian actress who had been in Acre. She went with Chico to the governor of Acre. A nationally known actress, she demanded that the governor protect Chico's life. That was when he ordered that two policemen protect Chico. But that wasn't enough. Why? Exactly because they weren't trained to provide protection. Police who were on the street, and all of a sudden they were ordered to provide protection with no training.

I think something we can do is to demand that police be trained to provide protection in these cases—something Brazil doesn't have. In the states of Pará, Tocantins, in northern Mato Grosso, a region at war, in permanent conflict, every month workers die there—people who have been threatened. In answer to your question, the state is normally inefficient. And those of us who are concerned haven't managed to articulate, despite all the tools we have that Chico didn't have, how people under threat can take action to create an external protection network. Without this network, when we make contact we don't succeed in taking swift action.

In relation to the massacres [Joan] mentioned in Australia, they targeted indigenous people in Mato Grosso do Sul or in parts of Peru. Indigenous people are being massacred by illegal loggers. Nobody hears about them, and this news isn't even being disseminated. There are massacres of indigenous populations in various parts of the planet, and we don't even know about them. Without a protective network, we didn't know, or we only knew afterward. They would be covered as if a confrontation had happened and not a massacre. I believe that this network needs first that people have confidence in using an external protection network. The threatened person needs to know about it—people living in southern Pará, the region that today is the most violent in Brazil, or in other places, especially indigenous areas in Mato Grosso do Sul. Several Indians have been murdered by ranchers who hire private security firms, armed to the teeth, who kill Indians, not in confrontations, although the killers claim they died in gunfights. There was a fight with fire coming from all directions, they say. In this kind of situation we don't have a rapid-response protection mechanism. The people there don't have any information. And when they do, they don't know how to access it. They live deep in the forest, like the people in São Félix do Xingu, and can't get word out via the Internet.

Where Raimundo lives, 25 kilometers from Xapuri, he has a cell phone, but he has to go out looking for a place where there's a signal so he can make a call. In Pará, for example, to find a phone signal sometimes you have to go 300 kilometers. So there's no way to gain access, and sometimes the slowness of the connection means that by the time you get through there's no time to activate a protective network. Unfortunately, that's what we have today.

*Translated from Portuguese by Linda Rabben*

MARCIA:

I'd like to speak to Gomercindo. You were talking about Chico's story. I think that the problem in Brazil is that often the police themselves are involved in all these things that happen. Because they're not paid well, and because of the additional money, the corruption in this area is enormous. Being from Rio de Janeiro, we've got the same thing: We're stopped in traffic, drugs are thrown into the car, they say we have drugs, and that's that. I don't know if it was the same with Chico and the police were involved; it's a different case.

The other story that we heard before about Patrick's experience. To give continuity, in 1990 I went to make a film about [Antônio] Macedo in the Juruá region, Rio Branco and Cruzeiro do Sul. In a certain

sense, Macedo continued Chico's work in the Juruá region. At that time, as I was preparing to shoot my film, he suffered five attempts on his life. A week before I went there to film, the final attempt took place. He was beaten severely.

We were going up the Juruá to an extractive reserve. We stopped at a hamlet on the way to buy water. There were a dozen men in the bar. The Kashinawá, a local indigenous group, stayed in the boat, explaining that one of the gunmen who had beaten Macedo the previous week was in the area. Macedo was frightened and hid while we went up the bank. They asked us what we were doing there. I had to make something up, but it was a similar sort of encounter, very threatening, because Macedo was hiding. We waited an hour for the men to leave, waiting to go upriver to the extractive reserve. This is another example. We didn't work in the area, we spent an hour there, but there's always a sense of threat.

*Translated from Portuguese by Linda Rabben*

**PATRICK:** I think the problem with Brazil in particular, which Gomercindo touched on, is the problem of impunity. If you have a situation where the people paying for the gunmen to go out and kill people are pretty much certain that they will never go to jail as a result, then you have no incentive to stop them. Rarely even do the gunmen themselves go to jail. The gunmen themselves are also in a way victims because they're very poor people that are merely trying to get a little bit of money. In the kind of situation we're talking about, it's just another way of getting money. They'll brag about how much they were paid to see off this guy or that guy. But the real core of the problem is that the Brazilian justice system allows the people paying for these acts to go unpunished. No matter how extensively we try and create means to avoid, on the spot, people being murdered, if that impunity exists, ultimately it's going to be ineffective.

**RAIMUNDO:** Good morning. I'd like to make several comments about things Gomercindo and the other speaker just referred to: the issue of defense and the role of the police. Those who provided protection to Chico are rich men today. Without a doubt this wealth didn't come from the salary they made nor their small bar and dance hall. We know these people and we know that when they saw Chico shot, they'd had the duty beforehand to go down and check the place [where the gunmen were hiding].

If they'd been trained, as police providing security they had the obligation; when Chico said he was going to take a shower, they should have gone down there to see what was going on near the shower stall. They didn't do this. Chico goes to the back door, sees that it's dark, says, "I want a flashlight." He had a small flashlight, a present that he'd been given. Because it was very dark down there, there could be somebody there. Chico said this. Even so the police kept sitting there [in the kitchen]. This gives an idea, a demonstration that they weren't doing what they were supposed to do.

When Chico was shot, they didn't ask what was going on—they ran! They ran and jumped out the [front] window onto the street. The police station was close by. They went there, grabbed their weapons and went down the street shooting in the air, as if to say, We're already here. Got it? This is the reality, and today there's a crime. This proves that corruption is pervasive.

The best way for leaders to work is through contacts and the media. But also we leaders have to be savvy. We have to have ways to defend ourselves. As long as Chico had his comrades with him, he didn't suffer any kind of attack. It was only when his comrades left because they didn't have any way to subsist if they accompanied him—they had to work on the rubber estates and in their fields—that the state provided security, and what happened, happened. Gomercindo felt how he should behave in the face of the gunman's threat, fighting the guy with psychology. He made him believe he meant business and was armed.

I started acting in a different way. There on my homestead, with my wife and three children, I used to go out every week to have meetings with other rubber tappers on the other rubber estates, in town, and

I traveled with Chico and Gomercindo to other states in Brazil to participate in conferences and meetings. When I'd leave I'd say to my wife, if somebody comes here looking for me, say you don't know where I went, whether I went to gather latex at dawn or to a meeting. Say I left at dawn and you don't know where I went. What time I'll be back, you also don't know.

To go to town or come home from town, I'd take different routes, through the forest or along the road. I had to do this not during the day, because I knew that during the day it was easy for them to get me. But I went out at night. If I had a meeting in town I'd leave at midnight, follow the path, go to the meeting in town. On the way back I'd take a different route, which might take longer, but I'd take another path. I lived two or three years that way. Two or three rubber tappers lived in houses near mine; they're still there today, and they can back up what I'm saying here. This is a way we have of defending ourselves.

*Translated from Portuguese by Linda Rabben*

**GOMERCINDO:** I wanted to make a proposal for discussing these issues. First, I think we have different kinds of threats and risks. I came here to learn, and since we're a small group, I don't think we'll improve the conversation by splitting up into smaller groups. At the same time, I'd like it if we could find methods of protection based on the experiences we've already shared.

For example, Raimundo has recounted what he did as a threatened person. He literally took different paths to try to flee. It was a continuous flight. He'd leave at dawn, travel at night, go by one route and return by another, to try to make it harder [for assailants]. What we'd try to do was to make it harder for the gunmen. If they were waiting in one place, we'd go back by another, if by chance they were waiting at the place we passed by. Raimundo is lucky to be here today to tell the story. It really was a difficult time.

I think we could do a systematic assessment of the information we already have here, to find out what kind of risk groups and individuals face. For a group it's more complicated because you have to protect 50, 100, 200 instead of one, from a mining company, a corporation that might have a lot of money and can finance a politician's campaign and gain something in return.

In cases where one acts on behalf of a group under threat, I think we could try to systematize: What are the ideas? Is the threat in a remote area? Is the threat to a group or an individual? Does it come from a multinational company? How could we pressure this multinational in its home country or in countries where it has affiliates? Could we stop the threats by taking action against the affiliate? Mechanisms exist that we could systematize in terms of the information we already have, so people could return home, to Australia or Amazonia, and pass it along to their comrades. We need to develop a mechanism here that we can take home. I think this was the concern of our comrade from Australia. We can do this so we don't just have stories. Stories are important, but I think we can compile information in a more systematic way.

*Translated from Portuguese by Linda Rabben*

**JOAN:** While I've been sitting here what comes to mind whenever I get involved in something like this: we will not change what's happening unless we change attitudes of the powers that be. We all, I think, generally speaking, work to dance to the tune of the hierarchical structure of government. The United Nations Human Rights Commission is supposed to be the spokes-group of everybody, with the exception we know of those countries that don't come under them. We have appealed there.

They actually sent a rapporteur out to Australia four years ago that did an intensive report of the plight of the people in Australia. This is what I think that happens: What happens in our countries stays basically in those countries. There doesn't seem to be a network that reaches out right across the world to the people who belong. I might be making an overstatement here, but I know from our own experience

in Australia. OK, you're strong, with your roots at the base where we all start from, but we get stopped at the gates.

I'll use as an example: There's a case study on our island. The local Redland City Council, they support us. We have, since native title nearly three years ago, an indigenous land usage agreement which has all the stakeholders who have a vested interest in the island sitting around, including the state government. There's input from the federal government and the big mining industry now. Whichever way we look at it, there are different attitudes to what's right and what's wrong. Wherever we've had colonization, that structure that comes into the country is about power—power and money. And as long as we don't change attitudes there, I don't know what hope we've got. We know we'll never give up at our grassroots, but it's a sad state of affairs.

**GODFREY:** Good morning. When we talk of the events, how are we defending human rights or environmental defenders, I see this as a very big struggle. It's a struggle within the struggle. It is a struggle with different interests. The interests of the indigenous people are quite different from the interest of the government or state machinery or investors. And sometimes I even wonder if our government has that capacity to fight these divergent interests. Sometimes our biggest enemy is not even our government, not even the state machinery, which is ruthless or is lynching down these people who are trying to fight for their rights. It's quite bigger.

Normally when I train our land rights defenders, I tell them that it is a struggle in which you do not even see your enemy. You don't touch him, you don't see him. But he is just mighty; he is there. And he is coming and haunting you. So to be able to fight this is to have a strong coalition at the grassroots level. Our human rights defenders, our environmental defenders, our land rights defenders must be able to build that strong support at the grassroots level. When you have a joint support, if you have support from the community, no matter how big our enemy is, we will be able to fight that enemy.

And when I approach our government officials, I normally tell them that they might be there for the interests of these big multilateral investors or companies that are coming to invest for whatever purpose that they have. And they are targeting the land that is being dwelt on by indigenous people. They must never forget that these are people. These are human beings that have lived there for generations and that they need that land to sustain their livelihood. So they must not forget to balance that equation between the ecology and the economy. So it is a big struggle, as I'm telling you, it is so big, so mighty. To be able to fight this we need that joint support. We need to tell our human rights defenders, the indigenous people, as they push for their demands, to never forget to also protect themselves. The people that they are living with, our bigger enemy has tentacles even to the people near our places. Chico was killed by a person who was just there, around. So it is the people sometimes who live with us who are becoming our enemy, who are used by our bigger enemy to lynch us down. So it something that is so big, it is invisible—but nevertheless we just have to keep on fighting.

**MOIRA:** It sounds like there's some desire to talk about tools and strategies, and I think what you were saying is that sometimes what we're up against can feel so massive and so big and so scary that it can be disheartening. But one of the things that we've learned in our work is the importance of really sitting down and analyzing who it is exactly or what it is exactly that our communities and our organizations face, and then looking for the tools that we have at our disposal to deal with those situations. I think what we can do right now is do a bit of brainstorming and talking amongst ourselves about what some of those actors are that we're facing and then what are some of the tools that we have to deal with them. This can be an exercise that we can take back to our communities and our organizations to deal with our own specific situations.

Maybe right now, since we've heard a lot about the Brazilian example, we can think about that as a specific case study that we can talk about. . . . Let's start out by listing some of the actors in the Brazil situation, or if we want to bring in some other examples as well of actors who create risk for us. That

might be the police, illegal armed groups. Let's hear a little bit about what your experiences have been, and then we can list some of the actors who may be allies for us. And then we can think about how we can leverage those different things to decrease our vulnerabilities and increase our capabilities. . . .

**MICHAEL:** Could we hear from all of you, who are some of the major actors who are causing the threats in Brazil?

**GOMERCINDO:** Ranchers, loggers. There are two types of loggers: the big companies and the individual entrepreneurs who sell to the big companies and also do the deforesting. The big companies include Southeast Asian firms that are operating in Amazonia. The mining companies. I think it's a situation not only in Brazil but in Australia, too. Linked to them are the politicians who represent these interests, whether in Parliament or in state, local, and federal governments . . . the representatives of the judiciary, the judges, either because they act or don't act to protect these big interests.

Parts of the judicial system, for example the federal Public Prosecutor's Office, accounting agencies, prosecutors of the authors of crimes, because they act ineffectively, generating the impunity we've already mentioned. The police and security agencies, either because they act in favor of criminals or are themselves hired gunmen, or because they don't act. This is a good list to begin with. I think we have many more enemies, but this is a sufficient selection of major enemies.

The first help would have to come from internal organizations, the workers themselves. As Raimundo emphasized, as long as Chico Mendes had two comrades as protectors he wasn't assassinated. The organization itself has to provide backup and take action. Environmental protection and human rights organizations can also help us.

**MOIRA:** Do you mean other Brazilian organizations or international organizations, or do you mean both?

**GOMERCINDO:** Both. Human rights and environmental protection organizations, local, national and international. These are parts of a network that should be created. We also need to look in the judicial system, the Public Prosecutor's Office and upholders of the law; they can be our allies. Also, not every police officer is corrupt, not every judge is ineffective, and not every public prosecutor fails to do his job. They can help look for protection. Especially in the case of the Public Prosecutor's Office, I think we have to work with them on the federal level, because they can act in federal criminal cases. In crimes against the environment and human rights, federal prosecutors can pressure the states to act. We have to establish a network to link all these. If we manage to do this, we can increase the level of protection. We're not going to resolve all this through the government, but we can make connections.

*Translated from Portuguese by Linda Rabben*

**JOAN:** I sort of agree with all of that, but my personal belief—and I know it's from our community that I come here with this—overarching all the threads is the government. The government has the power in Australia. I'll give you an example. We just had a change of government two years ago, we're coming up next year for state government. Now, under the previous government the announcement was made three months before that election that the mines would close in 2019, that 80 percent of the island would be turned back into national parks. Now we had a reelection.

All anchors were pulled out over the next three months, money was poured into that election, change of government. There's a bill being put through now that the mining will continue. The national parks now have gone into a different. . . instead of being in the Department of Environment and Resource Management, it's now the Department of Mining and Energy.

There's raising in tourism. Different areas are in all one department now. The talk what's going to happen in the national parks. It's all in a sense been railroaded by the current governments. If the government had the power or wanted to work with the indigenous people, then all the other supposed

threats, they'd come under the government. So it really lies in the hands of the government.

**MICHAEL:** Now we have a variety of experiences around the world, and in some cases we have strong governments, a strong state. And if you have a strong state, that is a dominant player in the security situation. But we also have a variety of situations in which we don't have a strong state. Sometimes this is rural areas; sometimes it's even urban areas that are not really under state control in very poor areas. In the case of Australia, and in many cases, you have a strong state, but you still have these strong corporate interests who, as you indicated, pour a lot of money into elections and manipulate the state.

And so there's a real power struggle between the corporate elites and the mining elites and the people and whoever actors the government in the next state election or national election grabs power. And that has a really big impact on the situation. So yes, the state is very often the dominant player, but there are situations in which many operate where the state is not so strong. And then you have a variety of other major players who come in.

**JOAN:** Do you mind if I add just one comment about that? That's good, I've learned something about the different states. But in Australia, what happened after that our federal government changed and they're both from Conservative Party. So whichever way you look at it, I agree and I understand the power. This has to be stopped. I'd like to know more about this government here, the difference between that and Australia. I'm not sure if I understand that the government hasn't got the power, that these people have.

**PATRICK:** Michael, I would just like to come back on what you've just been saying. There's kind of a presumption in what you said that a strong state is a good thing. In a case where a state is not benign, that's not necessarily the case. Also, even a relatively benign state can behave in a perverse way when there are vested interests influencing it.

**JOAN:** Could I just add something to who could help or hurt—I would add the media.

**MICHAEL:** Religious communities in Brazil? Where would they come up here? How are they playing a role?

**GOMERCINDO:** They're a third category. Sometimes they act very firmly on behalf of the local communities. But at other times religious communities, aside from trying to undermine the traditional culture of indigenous peoples, act to the benefit of potential economic interests in these areas of traditional communities. Sometimes a priest or pastor is actually trying to find out if there's niobium or gold in the community. Instead of supporting the communities they are serving very powerful economic interests. That's why I say they're in a third category.

About the presence or absence of the state—I've never been in the region between Cuiabá, Mato Grosso, and Santarém, Pará, from the central part of Mato Grosso to the southwestern part of Pará. There's a road that links these two regions. According to information I've received, not even the Brazilian army enters this region.

It's completely dominated by the big loggers and ranchers. Not even the army wants to go in there; they'd have to enter prepared for war. It's an area in which the control—as in certain favelas in Rio de Janeiro, where control is in the hands of drug traffickers. In this region the state is completely nonexistent. These things happen. I think the subject of the state isn't whether it's strong or weak—it simply doesn't exist. In some places the state serves the purposes of the big mining companies. This is a very complex business involving a lot of money. So we're in that situation. I think we have to establish that in some places if the state even existed it'd be a good thing. There are regions in which it doesn't exist.

*Translated from Portuguese by Claudia Tavares and Linda Rabben*

**MOIRA:** We've got a basic list of the actors involved, and we've talked a little bit more detail about who they are and how they operate. One of the next steps in doing this kind of analysis is looking really closely at all of the actors and analyzing what their interests are, what tools they have at their disposal, a little bit about what Gomercindo was talking about in detail.

Obviously, right now we aren't able to go through all of that with every single one of these actors that we've listed. The next step after doing a really thorough analysis of all the actors and their interests, the next step is then thinking, of course, about strategies. If we know that there are many members of the judiciary who are not doing a very good job at prosecuting cases of threats or other issues, let's think about what strategies do we have at our disposal, what tools, what allies do we have to compel them to do a better job?

Let's go round and think about what those strategies are. Just to have some focus on it we can think about the issue of the judiciary of public prosecutors, because of course the issue of impunity was brought up earlier and it is a very important one, in terms of preventing attacks and threats and other issues. . . .

An example might be, as Michael suggested, to talk to the public prosecutor's office at the national level and try to pressure them to expose some of the abuses or the lack of compliance or the lack of thorough work that is happening at the local level—so try to pressure from the top down. That might mean people from our local communities going to talk to the prosecutor's office in the capital. Or it might mean asking allies from other organizations to have those conversations or those meetings, or maybe going jointly. That would be one strategy. Does anyone have any other ideas?

**MARCIA:** During elections you can work at that time, persuade people not to vote for a certain politician because he's corrupt. During elections, that's a time when things can come up—you can bring up a lot of issues because people vote. They are the people who represent you in the government.

**JOAN:** I was just thinking, what would be the possibility of setting up an Internet network where you have some of these organizations. Change.org is one of them. There are different ones that I have come in with human rights interests. That's something that comes out of this gathering you have here, to have people commit, young people. Actually we really have neglected to talk about young people because they're the ones who are our future custodians of all those things we're doing now. The more we have young people attend these gatherings, the more chance we've got of keeping alive what these people are talking about here today, the things that have been so painful. The journey has to continue, and we need to have you young [people]. So thank you for being here. It would be great if we could possibly think about a network, specifically from this gathering.

**FRANCISCO:** I was listening very carefully to what you all were saying, and now I would like to share some of the things in our organization, because we work in very similar ways. I will try to identify the different tools that we have used in different countries. My organization works in 21 countries in Latin America, and we accompany human rights defenders in doing their work but also giving some assistance—legal tools for their protection. Our focus is mainly to address the human rights violations or threats or campaigns against human rights defenders through a legal perspective.

So it is really important, as Moira mentioned at the very beginning, that the government has some obligations. We try to remind human rights defenders that they also have human rights, and governments have obligations toward them. It is as with refugees. If refugees don't know what their rights are they will never be able to claim those rights. Human rights defenders tend to defend the rights of other people but they don't know their rights as they assist us. Something that I would also like to raise that Joan mentioned is telling the truth. One of the deterrents that has been more effective is when we speak out, when we tell the stories and when we let people know that they cannot get their way without any consequences.

For example, we have worked with human rights and environmental defenders in Honduras. We have brought their cases to the international community. We have worked with people in Colombia, Mexico, etc., in Latin America, and one example that maybe we can talk a little bit about is the indigenous group of Sarayaku in Ecuador. My organization, along with the counterpart organization, defended the Sarayaku community, whose territorial land was being threatened by oil companies. To go over the specific tools that we have used, it's mostly international protection through the Inter-American Commission on Human Rights.

I would like to hear if you have had any experience with international organs like the UN, maybe, or in Africa or other regional levels. Where there is a threat for human rights defenders or organizations or communities—maybe Moira, you can talk about San José de Apartadó in Colombia or Ecuador—and the threats have not diminished at the national level, we tend to look for the international organs, the international commissions of human rights, through different mechanisms, presenting the cases or different mechanisms through thematic hearings, or requesting a specific protective measure. The protective measures at the international level will not necessarily solve the situation but it would raise the problem to another level. Once we get international protection from the [Inter-American Human Rights Commission], here is where we implement the tools that I would like to expand a little more with you.

For example, if the threats are coming from the police or the army, human rights defenders sometimes do not accept bodyguards from those specific organs. An analysis has been made with Chico's example. If we identify that those organs are not effective, we should ask governments to take other alternatives. In some cases, as in Colombia, governments had to hire private protection or find a different protection from the police or the army.

There are also other tools that have been used—for example, in the case of Mexico, where human rights defenders didn't trust police; they looked for other alternatives. There are alternatives that help them be more protected, such as to be provided with cell phones. There were 15 people in that organization.

The government had to provide cell phones so that they were connected. This poses another threat: telephone interventions. So if you are trying to establish a secure network for communicating among themselves where you are at a specific moment, sometimes it will make it easier for governments just to tap your phone and get your GPS. In some communities satellite dish was mentioned. If you have the telephone but you don't have the signal and you have to travel 300 kilometers, it is not effective. Also, satellite communication has been provided to some communities.

I was talking about international organs, because sometimes we can pressure governments to comply with their obligations and protect human rights defenders. There is a big disproportion between the victims or human rights defenders and the government. But when the government has to talk to the international [organization], it makes the procedure a little bit easier. I can go on with more examples. Maybe through the conversations we can give our examples.

But my question is: How effective have you been with your demands when talking to these actors? Impunity, also through the cases that I just mentioned—what we have been trying to teach governments is that one of the best deterrents or a guarantee that these things are not going to be repeated, is through an investigation of previous threats or assassinations. If there is a clear message by the governments that the non-state actors or even the armed forces are going to be punished, our hope is that these situations are not going to be repeated, at least less often, because there is a clear message that if this happens there will be consequences.

I don't know if you have had any experiences with the international community as well. What requests have you made that have been effective or have not been complied with? Those were my thoughts.

JOAN:

I think I've already mentioned how the United Nations sent a rapporteur out to Australia five years ago. That report can probably be picked up on the Internet. He was full on about what was happening in Australia in the health area. Health and education are the two areas that go hand in hand. Where we said who can help, we haven't got education up there, and that's what we're concentrating big on, the areas that are an asset to us. The previous federal government before this Conservative government came in put in a policy that as from 2014—at the beginning of this year—all schools in Australia, from pre-school through to Year 12, our final year in secondary school, had to have what they called the embedding of Aboriginal and Torres Straits on the perspectives program, they call it, and right across Australia.

They couldn't turn that back, the government that came in. So that's one great asset that's happening in the schools. But then it will rely on those schools that are going to pick it up. The whole attitudinal change is the big issue, individuals changing their attitudes, that institutional racism that is alive and well.

GOMERCINDO:

I've seen several judgments in the Inter-American Court of Human Rights against the Brazilian government, such as the Carandiru massacre, and they had absolutely no effect. There was no change in the position of the Brazilian government as a result of verdicts in the Inter-American Court. Recently a trial in the Brazilian Supreme Court on corruption in the Workers' Party, the so-called "Mensalão," resulted in disagreement in the Court as to whether the Inter-American Court had jurisdiction. The position of the Supreme Court was, All right, you can go to the Inter-American Court, but it's worthless. Our decision is what counts.

The Brazilian Supreme Court has no connection with the Inter-American Court of Human Rights. And Brazil hasn't complied with the Inter-American Court's decision. This is the position of our Constitutional Court—that although Brazil is a signatory of the Treaty of San José, Costa Rica, nevertheless Brazil doesn't have to comply with a decision of the InterAmerican Court if the Brazilian Supreme Court believes that the decision does not apply.

Unfortunately, this tool of the Inter-American Court, which is very interesting because it can have repercussions in a given case, has not been efficacious in decisions against Brazil. Decisions have come out against Brazil in very old cases, but there have been no repercussions on the national level in Brazil. The media doesn't cover them; the judiciary and the executive branch don't show concern. It's as if it's worth nothing.

Also, we don't have many lawyers prepared to appear before the Inter-American Court. It's a little-used tool. One of the members of the Court is a Brazilian lawyer, Roberto Caldas. He's been a judge on the Inter-American Court since last year. I have a number of colleagues at the law firm in Brasília where he used to work. I don't know him personally, but I do know several lawyers who used to work with him. Lawyers are lacking. There are a few—very few— international organizations that manage cases in the Inter-American Court.

One of the tools would be to create a group of lawyers from regions where the threats are the greatest, to analyze if a certain case should go to the Inter-American Court. But first the case has to go to a Brazilian court and every recourse has to be exhausted—it could take 20 years until you'd exhaust every possibility in the Brazilian court system in just one case. There are very few people, especially in the regions where they're needed most. They're mostly in Rio de Janeiro, São Paulo and Brasília.

These aren't the places where most of the problems are happening. There's a big problem in south central Brazil, but the region where the biggest threats to human and environmental rights are in the north central region of Brazil, the central west, the cerrado and Amazonia, as Hiparidi mentioned yesterday. You won't find lawyers in those parts. I'm a lawyer in the Amazon, I have an office there; but there's no lawyer in Amazonia to whom I could say, "I have to do something in the environmental area." There's always a community or an individual that's being threatened or is at risk. I don't know anybody I could go to for advice.

I had a case of young people being tortured, but it couldn't go forward because two years had passed and no marks of torture remained on their bodies. I wanted to move ahead with it but I couldn't, because I didn't know whom to consult. I didn't have the tools or training that would allow me to pursue such a case, even though I was interested.

I think we have to work in each country in any way we can. But I believe we have to improve. For example, to take a case to the federal prosecutor, that office only works on federal crimes. Homicide, for example, is a state crime. The federal prosecutor can't act because it's a state matter to be resolved there. We still have to include in our legislation that when it's a crime against human rights or a community or the environment, it's under federal jurisdiction. Right now the procedure is different. Federal judges and prosecutors should undergo much more rigorous training.

We need to create laws that make it possible to transfer certain kinds of cases to the federal level. Today we don't have that; even if a crime involves a river that goes from one state to another, there's no way to have federal jurisdiction. If we did, the system would be much more effective and less susceptible to local pressures. The problem is this: Often the judge or prosecutor is somebody's friend or relative, and as a result their performance is very ineffective. We have to improve our laws to create situations in which protection is more effective in protecting human rights, the environment and traditional communities. We don't have this yet. We need to find people who will work on developing the legislation. What's happened is a regression, especially with reference to human rights and environmental legislation. Recently the president of the Human Rights and Minorities Commission of the federal Chamber of Deputies used to be an evangelical pastor who talked all the time about "curing gays" and passing a law to require gays to be medically treated, as if they had a disease. We have to look at how other places act, and create networks to pressure various levels of the government, the executive branch, the politicians, municipal councils, Congress, and the President of the Republic.

*Translated from Portuguese by Leila Tavares and Linda Rabben*

#### MOIRA:

I wanted to add a couple of ideas and tools that have been mentioned but haven't made it onto the list yet. There are a couple of tools that we use in Peace Brigades. One of the things that was talked about a bit before was the idea of what we could call raising people's profile: garnering more media attention for the organizations or the particular activists who are at risk, so that the political cost of targeting or harming them is higher and the folks who want to do them harm are less likely to actually follow through. That might mean more media attention. That might mean having them regularly speak at events. There's all number of ways, but we can talk about it in general as raising someone's profile, or an organization's profile.

I also wanted to name a couple of tools that are useful, less in the changing-the-system way that we've most recently talked about are, but more in the day-to-day security kinds of tools.

When we know that we're going into the kind of situation that can be risky, and how we might think about how we might prepare for that. One of the ways, of course, is taking time beforehand to think about who the actors are, looking at the actors and how we might be at risk in a situation.

For example, if I'm going to a rural region where I know that maybe there are some illegal armed groups that operate, or I'll be passing through a lot of military checkpoints, what I might do is let some allies know that I'm going to be traveling there. So if something does happen, someone knows where I'm going to be and when I expect to be traveling through those checkpoints, around what time, where I'll be spending the night, what my activities will be, so that there's somebody who's paying attention to where I'm at.

And then regularly checking in with them. Sometimes that means doing things like deciding not to travel at night or changing—as [Raimundo] mentioned—changing routes periodically, sort of mapping

out what a situation might look like and preparing for and making sure others are aware of what my plans are, so that can help prepare me for how to deal with a difficult situation. And then, also, others to respond in the case of something problematic happening. And of course having good communication tools in order to do that.

**FRANCISCO:** I wanted to touch upon some of the things that Gomercindo mentioned—precisely something that you talk about in the southern or in the deeper Amazon areas, there are not people trained to defend their rights at a more international level or maybe the federal level. That’s precisely what I was talking about when I made the reference, for example, to refugee people. Some of these refugee people, they have to leave their countries and they have no idea about their rights. I’m also a lawyer, so I don’t want to make this discussion very legal. But you touched upon some very important points.

Brazil, along with Mexico, were two of the countries that decided to postpone the international protection of human rights until 1998. Some other countries accepted the jurisdiction of the [Inter-American] Court and were more active with the [Inter-American] Commission in the 1970s or the ’80s. That’s part of the reason why many people in Brazil and also in Mexico, my country, they don’t know exactly how the mechanism works. That’s particularly true in rural areas. But let me just give you some examples.

I am working with Venezuela. As you may already know, Venezuela denounced the Inter-American Convention on Human Rights last year. So Venezuela is not a full member of all the protection mechanisms at the Inter-American Commission or Court of Human Rights, as Mexico, Colombia or Brazil are. But my colleagues from Venezuela still see the importance of bringing some cases to the InterAmerican Commission on Human Rights.

Here is where I want to give a very practical example. Moira just mentioned that a very effective protection tool is to raise the profile of the person concerned. You told us very fairly the story of Chico, where he was getting attention of journalists. But we are talking about bringing the attention to a higher level, so that it will be more difficult for governments to act. It is different if the information is only in a newspaper than if the information is at the UN level, the Commission level or at some other international body such as the European Union. So maybe the action before the Inter-American Commission on Human Rights will help us to do the advocacy with other actors. For the cases of Honduras and Venezuela, what we have done is we have brought the situations before the Inter-American Commission on Human Rights. We have a decision—as you just mentioned, the Supreme Court of Brazil will say, “Well, I will not comply with this decision”—but that is going to be different with the European Parliament. That is going to be different with the United Nations and some other important actors that could have an influence, not only on the government but also on private actors.

There is an example in Honduras, where there was a problem with some banana companies, and all the human rights instruments were going to do nothing. They were not going to be effective. But it was through the documents that the Inter-American Commission on Human Rights published that human rights organizations in Honduras were able to do advocacy before the European Parliament, and they were able to stop some funding for the government to export bananas to Europe. So through that effort they were able to level the situation in some way. As we just identified, there are some private actors, loggers and farmers. If we can find a way to put some pressure on them, maybe we can get the situation to change. That’s where the international organs can also be helpful, to get pressure on the non-state actors.

**MICHAEL:** We’ve talked a lot about getting the state to intervene through the rule of law and getting the international community to intervene through the rule of law. There are, of course, many local activities that we can do in our communities, among our community, to increase our security locally. What kind of strategies do people know about to increase the capacity, just based on the resources of your own community? Do folks have some examples?

**GOMERCINDO:** Raimundo mentioned what he used to do. For example, he brought along two companions who lived in

the same homestead as he did, because he was concerned about protection [s]ince he would go out a lot, [and] those two other families were living close by. Rubber tappers usually live far from one another, spread out in the middle of the forest, without immediate contact. The fact that there were more people nearby who could hear a cry or a shot from a neighbor's place, already had created a certain sense of security. He could leave his family because members of the two other families were providing protection. This is an effective method.

Somebody mentioned *rádio cipó* [the grapevine]. It isn't a radio, it's an expression used in Amazonia for communication that passes from one person to the next. The way it's done in the forest is that someone goes to another person's house and warns them. This is called *rádio cipó*. They say, "It goes via *cipó*," like Tarzan swinging from vine to vine. A message goes from one to another to another to another, and this creates a communication network. Today in the Xapuri area it's much quicker, because now there are roads in certain places that a motorbike or even a car can take to reach those communities. In the past, when I worked with them, during the '80s, you went on foot, walking. Sometimes we'd walk 15 or 18 hours to have a meeting. One time Raimundo walked for a whole day and slept in the middle of a sugarcane field at night, because he couldn't reach his destination. So he slept in the middle of a field. Means of protection can be provided locally. Setting up a more rapid form of contact and getting closer to local people is an important and feasible method [of protection]. Sometimes if you have a bicycle or a motorbike, you can reach your destination.

The problem is that sometimes people in more remote locations, aside from having no form of communication, no telephone, cell phone, computer or Internet, there isn't any way to move more quickly or call for help or support. But I think the important thing is to be able to set up a faster communication network. In the '80s at the cooperative in Xapuri we had a radio and receivers and transmitters in several communities. We didn't have a telephone but we did have radio communication that worked for a long time. In several regions in the Amazon, this was the only way.

The only thing is that this has a cost that the residents of these places can't pay. But there are organizations I know about. Work is being done by an organization called Amazon Link, funded by an Austrian. This organization found support to place computers in several Indian villages. So today these villages manage to communicate with the outside world via the Internet with outside funding. Support has to come from outside because it can't be obtained on the local level. Unfortunately the government doesn't help.

To have a cell phone in his house, Raimundo received a cellular antenna as a birthday present in July 2013. We launched a national campaign with several friends who had visited his homestead. They donated funds to buy an antenna to install at his homestead so he could have better access. Reception isn't good there; you have to find a location pretty far from his house—100 to 200 meters—where he can get a better signal.

This is the kind of thing that has to be done. With a cell phone or even an antenna, reception is difficult in the Amazon, because the trees are so tall, about 40 meters, so you have to have an antenna that's 100 feet high. You'd have to place the antenna strategically to be able to have this form of communication. Sometimes you can use radio, but we need to improve these methods of communication on the local level to have contact with the outside world. You don't need to set up a network like the ones in the United States. If we had a network in the closest city that would be a great accomplishment. Then if you couldn't contact somebody, you could say, "Telephone so-and-so, do such-and-such." We don't have a way to do this.

One time I was 10 hours' walk from Xapuri, and a comrade arrived and said he'd heard on the radio that Macedo, whom Marcia mentioned before, had been beaten in the Upper Juruá, 600 kilometers away. He'd heard on the radio that a rubber tapper had been attacked, but he didn't understand it. He said, "They've killed a comrade." They hadn't killed anybody. I was 10 hours' walk from Xapuri; we were

having a meeting. So I said to another comrade from the union, “You stay here. I’ll go to Xapuri to find out what’s going on. Whatever I find out I’ll pass along a warning by radio”—the local radio that broadcast in that region. The information was that they’d killed a comrade, and this was soon after Chico Mendes’ assassination. That’s what he’d heard on the radio, but Macedo had been beaten. Somebody had tried to kill him but hadn’t succeeded.

I was in despair. I didn’t know where this news had come from. I had to walk 10 hours to reach town to find out the correct information. It was just luck that Macedo hadn’t been killed, although they’d tried. That was the situation.

*Translated from Portuguese by Claudia Tavares and Linda Rabben*

**RAIMUNDO:** I’d like to add a few things to what Gomercindo has said. Looking at the question of the state: You could have a strong government, but a strong government that defends the interests of capital and not of society. It’s of fundamental importance that we gain this understanding. The example that was mentioned today, we have a state that is present in the state with this profile. I live in the [extractive] reserve, having arrived there in ‘84, before it was a reserve, on a rubber estate called Floresta. My homestead was called Rio Branco.

If I went there interested in helping and joining with my comrades to defend the right to stay in our forest, after everything that happened—Chico’s murder, the acquisition of the reserve and so many other achievements in the areas of health, education, electrification, transportation, and so on—I remain very enthusiastic, living in a situation that I had not hoped to live in. That is, several of our comrades who were children at the time of the empates, and even some who participated in the struggle when they were young, are not so committed to helping, defending what was accomplished with great difficulty. So they get cattle to keep in the settlement. Others have secretly extracted timber.

We’re natives of that place, we have a community, and every month we meet and discuss things. I’m always very positive in saying that we can’t use these methods. It so happened that a nearby comrade was taking out timber, and we had to prosecute in the ICMBio, the government inspection agency. They came and seized the timber and the chainsaws. Early the next day I went up there. When the community is aware of the role it has in defending its way of life, its neighbors and itself, it is responsive. The next day I found out that the people who had been removing the timber had turned this old man’s head to harm us.

As Gomercindo said, ease of communication is one of the fundamental things in our community, to have a sense of solidarity, organization and the means to communicate. I communicated with the city and the police chief, who had already asked me to come down quickly and file a report. Two days later I was sitting down with those people and the police chief. The chief said, “Look, I called you and Sr. Raimundo here because according to information I’ve received, these things have happened. If anything further happens you [will be held responsible]. So these are interesting developments that we have to work with.

*Translated from Portuguese by Leila Tavares and Linda Rabben*

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## PRESENTATION

# Films



### FILMS

*Dreaming On: The Story of the Quandamooka People*, by Marcia Machado and Joan Hendriks

*A Fierce Green Fire: The Battle for a Living Planet*, by Mark Kitchell

*Owners of the Water: Conflict and Collaboration over Rivers*, by Laura R. Graham and Hiparidi Top'tiro

*Children of the Amazon*, by Denise Zmekhol

*Voice of the Amazon*, by Miranda Smith

*The Killing of Chico Mendes*, by Adrian Cowell

*They Killed Sister Dorothy*, by Daniel Junge

*Toxic Amazon*, by Felipe Milanez

A mini film festival, showing eight films in two venues, concluded the conference. The first four films were introduced by their makers, who spoke in person or via Skype. Descriptions of the other four films were excerpted from online or printed promotional materials.

## DREAMING ON: THE STORY OF THE QUANDAMOOKA PEOPLE

INTRODUCED BY MARCIA MACHADO  
AND JOAN HENDRIKS

The Aborigines of Australia are the original inhabitants of the land. Their culture continues to be documented as the oldest living culture in the world. The Quandamooka people had already inhabited their homeland of Minjerriba (North Stradbroke Island) and Moorgumpin (Moreton Island) for 21,000 years when Captain James Cook first sailed the waters of Quandamooka Bay, sighting these islands in 1770. Cook then claimed the eastern coast of the land as *terra nullius* (land that belongs to no one), which later became known as Australia. Since colonization the controversy of *terra nullius* has been the main conflict between aboriginal and non-aboriginal people.

*Dreaming On: The Story of the Quandamooka People* is a first-time-ever-told documentary film about the Quandamooka traditional owners' passion and determination to never relinquish their land and culture. Collaboration with elders, community leaders and the younger generation of Quandamooka country has provided a narrative with fractions of their personal stories, dreams and aspirations, interwoven with the local "Song Man's" story of creation, culminating in a long awaited land-rights victory.

Filmed in the homeland of the Quandamooka people, *Dreaming On* describes how the Noonucal, Gorempul and Ngugi tribes struggled through years of oppression and segregation to live within their culture and successfully function among non-indigenous Australians. The film captures the heartbreaking story of the deprivation of their land rights, their very own bloodline to country.

The Quandamooka people have traditionally relied on the bounty of the sea for much of their food supply and bush tucker for their balanced daily nutritive needs. The traditional owners have a deep connection with the land and waters of Quandamooka (Moreton Bay) and are remarkably efficient in preserving land and sea resources. They have a broad understanding of their environment and are bound by their traditions in art, song, dance, legends, and ceremonies that have allowed their culture to endure.

In an attempt to narrow the gap between their



community and the dominant society, the Quandamooka people established their own organizations to assist them to function in mainstream society and maintain their cultural identity as the traditional owners of their homeland.

The Quandamooka Land Council (QLC) formed in the early 1990s. Following 17 years of struggle, on July 4, 2011, the Native Title Rights of the Quandamooka people were officially recognized by the Federal High Court of Australia. In Southeast Queensland the Quandamooka People are the first traditional owners to be proclaimed custodians of their homeland.

*Dreaming On* takes the viewer on an intimate journey for the first time across the Quandamooka people's history and culture. Through stories passed down from generation to generation, the film brings us to the trials and achievements of this persistent and dedicated community located on North Stradbroke Island, only 50 minutes away from the capital city of Brisbane, Australia.

*Dreaming On: The Story of the Quandamooka People* is a result of a series of five short film projects that began in 2009. It shows highlights extracted from over 70 hours of filming during five months.

In March 2008 the Quandamooka Combined Aboriginal Organisations Forum (QCAOF), representing the five incorporated organizations on Minjerriba (North Stradbroke Island), was formed. The following year the Redland City Council (RCC) and QCAOF entered into a formal agreement. Within this partnership discussions took place on Minjerriba, and I was given the opportunity to begin the

film projects. RCC provided the necessary funds for the projects and QCAOF had the responsibility for the final editorial approvals.

My involvement in filmmaking and passion for understanding the cultures of first-nation peoples was the reason for my participation in this project. The idea was to collect stories from the Quandamooka people, in particular the elders, film the significant sites, and focus on the traditional owners' family stories.

Each day I traveled 40 minutes on the road, followed by a 25-minute water taxi ride to Minjerriba. This was my journey to encounter paradise and learn a little more during each visit about the diversity and richness of the land and the people.

In 2009 I returned to New York City and kept working on editing the films. The result was *Quandamooka Stories*, a series of four films that led to our film today.

The premiere of *Quandamooka Stories*, in 2012 on Stradbroke Island, gave me the opportunity to return and film again. As a result I spent part of the next two years creating *Dreaming On: The Story of the Quandamooka People*.

This project is part of an attempt to find the best way to maintain the custodianship of the Quandamooka stories, dance, and celebrations linked to the land and waters of Quandamooka country. My hope is that the future generations of Quandamooka people will be inspired by their history and never forget their past.

## A FIERCE GREEN FIRE: THE BATTLE FOR A LIVING PLANET

### INTRODUCED BY MARK KITCHELL

*A Fierce Green Fire: The Battle for a Living Planet* is the first big-picture exploration of the environmental movement—grassroots and global activism spanning 50 years, from conservation to climate change. Directed and written by Mark Kitchell, Academy Award-nominated director of *Berkeley in the Sixties*, and narrated by Robert Redford, Ashley Judd, Van Jones, Isabel Allende, and Meryl Streep, the film premiered at Sundance Film Festival 2012, has won acclaim at festivals around the world, and in 2013 began theatrical release, as well as educational distribution and use by environmental groups and grassroots activists.

Inspired by the book of the same name by Philip Shabecoff and informed by advisers such as Edward O. Wilson, *A Fierce Green Fire* chronicles the largest movement of the twentieth century and one of the keys to the twenty-first. It brings together all the major parts of environmentalism and connects them. It focuses on activism, people fighting to save their homes, their lives, the future—and succeeding against all odds. The film unfolds in five acts, each with a central story and character:

- David Brower and the Sierra Club's battle to halt dams in the Grand Canyon;
- Lois Gibbs and Love Canal residents' struggle against 20,000 tons of toxic chemicals;
- Paul Watson and Greenpeace's campaigns to save whales and baby harp seals;
- Chico Mendes and Brazilian rubber tappers' fight to save the Amazon rainforest; and
- Bill McKibben and the 25-year effort to address the impossible issue, climate change.

Surrounding these stories are strands including environmental justice, going back to the land, and movements of the Global South, such as Chipko in India and Wangari Maathai in Kenya. Vivid archival film brings it all back, and insightful interviews shed light on the events and what they mean. The film offers a deeper view of environmentalism as civilizational change, bringing our industrial society into sustainable balance with nature.

Featured in the film are:

- The incomparable Lois Gibbs, still fighting for all the Loises;
- Paul "I Work for Whales" Watson;
- Bill McKibben, author, activist and founder of 350.org;
- Leaders such as David Brower, Chico Mendes and Wangari Maathai, captured on archival film;
- Paul Hawken, Stewart Brand and other alternative ecology visionaries;
- Carl Pope and John Adams, longtime heads of the Sierra Club and the Natural Resources Defense Council;
- Martin Litton, at 92 still thundering about how you've got to have "hatred in your heart"; and
- Bob Bullard, environmental justice advocate, who closes the film on a universal note, saying: "There's no Hispanic air. There's no African-American air. There's air! And if you breathe air—and most people I know do breathe air—then I would consider you an environmentalist."

## OWNERS OF THE WATER: CONFLICT AND COLLABORATION OVER RIVERS

INTRODUCED BY LAURA R. GRAHAM  
AND HIPARIDI TOP'TIRO

A unique collaboration between two indigenous filmmakers and an anthropologist, *Owners of the Water* is a compelling documentary with groundbreaking ethnographic imagery. Together, a central Brazilian Xavante, a Wayuu from Venezuela, and an anthropologist explore an indigenous campaign to protect a river from the devastating effects of uncontrolled Amazonian soy cultivation. The Xavante and the Wayuu are prominent political actors in national and international arenas, and both groups face challenges over water. *Owners* highlights a civic protest showing the strategic use of culture to bring attention to concerns about deforestation and excessive use of agritoxins in unregulated soy cultivation. The film features a diversity of Xavante opinions and evidence that non-indigenous members of the local population both support and oppose indigenous demands. The film showcases indigenous efforts to build networks among different native peoples and across nations.

## CHILDREN OF THE AMAZON

INTRODUCED BY DENISE ZMEKHOL

I traveled to the Brazilian Amazon on several occasions between 1987 and 1990 to assist on television documentaries. During my journeys I had the opportunity to visit many indigenous communities, always with my camera by my side. What caught my eye were the children. Born to parents who had relied on the rainforest for their survival, these children were growing up surrounded by new ways—ways that were destroying the forest.

I was also drawn to the children of the rubber tappers, the people who harvest the wild rubber trees. The trees they relied on were also being cut down. I photographed the legendary rubber tapper Chico Mendes and his family. Chico had become renowned the world over for his nonviolent resistance movement to protect the rainforest.

Fifteen years later—and a world away—I returned to these slides, which were never printed, never shared.

The film is the result of a long collaboration between anthropologist Laura Graham (co-director and executive director) and Xavante people of central Brazil and more recent collaboration with Wayuu of Venezuela. The Association Xavante Warã, a Xavante organization that promotes indigenous knowledge and ways of living in the central Brazilian cerrado (a spiritually and materially integrated space that Xavante know as 'ro) and conservation of this unique environment, invited Graham to tell the story of its campaign to save the Rio das Mortes. David Hernández Palmar, a Wayuu (lipuana clan) from Venezuela, accompanied Graham to meet the Xavante and learn about their struggles over water.

After the trip the Xavante and Wayuu filmmakers and the anthropologist made this film based on the ethnographic footage of their intercultural encounters. The film has screened at Terres en Vue/Land Insights Film Festival (Montreal, June 2008), ImagineNATIVE (Toronto, October 2008) and the American Anthropological Association meetings (San Francisco, November 2008).

The images brought back a particularly searing memory: a phone call from Chico in December 1988, asking me to film his funeral. I told him he was crazy, he wasn't going to die, he had too much work to do. Two weeks later he was shot dead by a rancher.

Stirred by faces of the children in my photographs and haunted by Chico's untimely death, I was inspired to travel to the Amazon again—this time, to make a movie. While I expected change, I was not prepared for the extent of it. So much of the forest had been destroyed. My response to the loss is the creation of *Children of the Amazon*—a tribute to a people struggling to save their forest home. But the goal of the film is more than to bear witness. I hope to offer insight to a distant and remote land while simultaneously drawing connections to our own lives. For we are—all of us—children of the Amazon, breathing the same air, walking the same planet, and in some sense that we have yet to understand, sharing the same fate.

## VOICE OF THE AMAZON

BY MIRANDA SMITH

This documentary investigates the battle between those who would preserve the unique ecosystem of the Amazon rain forest and those who would exploit it. The story is told through the life and ideas of Chico Mendes, a brave and persistent rubber tapper who challenged the people and institutions responsible for the devastation of the forest. Through interviews with rubber tappers, politicians, scientists, police and cattle ranchers, *Voice of the Amazon* explores the complicated issues of rainforest development and recounts the bitter struggle that cost Chico his life in December 1988. At the core of the film is Chico himself in one of his last interviews, fighting for the people of the forest and a way of life, sadly aware of his approaching death at the hands of an assassin.

## THE KILLING OF CHICO MENDES

BY ADRIAN COWELL

The murder of Chico Mendes on December 22, 1988, provoked international protest and increased worldwide attention to the problem of Amazonian deforestation. The film follows his rise to prominence as the leader of the rubber tappers, who have lived in the rainforest for more than 100 years, subsisting by tapping wild rubber trees, collecting Brazil nuts, and carrying on other ecologically sustainable activities. Seeing their way of life threatened, Mendes formed the rubber tappers into a union and led the fight to halt the devastation of the rainforest and to create protected areas, called “extractive reserves,” to be managed by local communities.

## THEY KILLED SISTER DOROTHY

BY DANIEL JUNGE

A documentary on the killing of 73-year-old Catholic nun and activist Sister Dorothy Stang in February 2005, in the Amazon state of Pará, where she fought for 30 years alongside environmentalists and impoverished local communities against exploitation by powerful loggers and landowners.

## TOXIC AMAZON

BY FELIPE MILANEZ

On May 24, 2011—the very day Brazil’s Congress voted to weaken logging restrictions in the country’s Forest Code—married environmental activists Zé Claudio Ribeiro and Maria do Espírito Santo da Silva were shot to death near their home in the Amazon state of Pará. A month later journalists traveled to Zé Cláudio’s hometown of Marabá, once in the middle of the rainforest and now surrounded by clear-cut cattle pasture. As the investigation into Zé Claudio’s and Maria’s murders goes nowhere, the film crew drives into the forest, to the site of the killings, follows the heavily armed men of Brazil’s environmental protection agency as they shut down illegal timber mills, visits the militant squatters of Brazil’s Landless Movement, meets modern-day slaves, and marvels at the lawless, violent atmosphere permeating Marabá, which locals call *Marabala* (“Mara-Bullets”).

© 2014 Linda Rabben

## PRESENTATION

# Poetry

### NAOMI AYALA

Naomi Ayala was born in Puerto Rico and works as a free-lance writer, educational consultant and teaching artist.

### MARITZA RIVERA

Maritza Rivera is a Puerto Rican poet and Army veteran who lives in Rockville, MD.

### LINDA RABBEN

Linda Rabben coordinated the Chico Vive conference.



NAOMI AYALA

## FOR NOW

Here everything mirrors back.  
Take your pick—sorrel, pine  
earth star, wood thrush.  
Those who came bearing arms—  
against themselves really—  
were trying to annihilate the part in them  
that lets you know you're annihilating.  
They were smart but not so smart.  
Afraid of the stars and water  
they took refuge in toxic cupboards  
looked askance at their children.  
They were the first peoples  
of the hollow world.  
This is not a fable—but weeds  
push up through rock, a mockingbird  
is up all night belting its loop of song  
and rumor has it coyotes  
are crossing the state line.  
This is the ending  
that is always beginning  
for now.

## VOW

The trends of Monsanto's concentrated control on the seed sector in India or across the world is the central issue. This is what connects the farmer suicides in India to Monsanto v Percy Schmeiser in Canada or Monsanto v Bowman in the U.S. to farmers in Brazil suing Monsanto for \$2.2 billion for unfair collection of royalty. Through patents on seeds, Monsanto has become the «Life Lord» on the planet, collecting rents from life's renewal and from farmers, the original breeders.

—Dr. Vandana Shiva

It was over seed I took my life.  
The seed that would not sprout.  
The sun's failed call in the capsule of the future.  
The love of my child.  
Generations, generations, generations.  
My table and those who sat at the table.  
It was the cotton who died.  
The last man on earth, woman  
haunted by the caustic shrill  
a death that would not come  
way of the receding order of things.  
All that I had made, consumed.  
All that I could dream, mutation.  
I could've stayed.  
I could've longed, broken.  
This is the unfathomable  
nightmare of my forebears.  
The enemy that's ours.

MARITZA RIVERA

## OCEAN ORISHA

Standing on the edge of the shore  
with eyes closed to the rest of the world  
I feel the pull of the crashing waves  
luring me out to sea.

With eyes closed to the rest of the world  
I feel the ocean spray on my face  
luring me out to sea.  
I can smell the salt of the earth in your hair.

I feel the ocean spray on my face  
refreshing as an afternoon rain.  
I can smell the salt of the earth in your hair  
where the water is so deeply blue.

Refreshing as an afternoon rain  
a storm approaches with thunderhead clouds  
where the water is so deeply blue  
is not where I will find you.

A storm approaches with thunderhead clouds  
the sun begins to set in the sky  
where the water is so deeply blue  
fear begins to grip my heart

As the sun begins to set in the sky  
I feel the pull of crashing waves.  
Fear begins to grip my heart  
while standing on the edge of the shore.

MARITZA RIVERA

## YEMANJA

Once when I had fins  
in a previous life form  
I was a mermaid.

Once when I had wings  
and the wind kept me afloat  
my home was the sky.

Now that I have legs  
gravity keeps me grounded.  
I must learn to stand.

LINDA RABBEN

## THE WOLVES

For an hour wolves run across the screen.  
Lithe, beautiful, deadly, they race over  
compacted snow, catching up with the elk,  
grabbing her hind leg with their teeth and  
working together to bring her down.

Later the eagles, crows and coyotes come  
to filch the leavings while the wolves nap,  
blood smearing their faces, and pups play.

The wolves' life consists of hunting, killing,  
eating, sleeping, mating, raising pups and,  
from time to time, forcing this or that relative  
to flee the pack and become a lone wolf.  
At least that is how the humans see the wolves.

Perhaps the wolves would film it differently.  
They might take pictures of humans  
silhouetted on snow. They know  
the humans are watching and following.

And when the alpha female turns up  
in a culvert, bloodied and dying,  
she whimpers like a dog, not a wolf,  
as if she expected the humans all along.

She allows them to try to save her.  
In the end, they put her in a gunny sack  
and take her away for study. Humans,  
not wolves, are running the show,  
and the wolves are wise enough to know it.

LINDA RABBEN

## AMAZON JOURNEY

Some miles upriver from Manaus, a city in the Amazon rainforest, where Caruso once sang in the opera house, the Rio Negro and the Amazon flow side by side, the black and brown waters unmingling, for 50 miles. The big tourist boats fill with passengers who want to see this amazing sight and the hidden places up the *igarapés*, where the Indians are said to live.

One sunny, hot and breezeless day a boat moves away from the harbor into the enormous river. The banks are too far away to see. Soon the boat comes to the middle, where the two rivers move in parallel courses. It is an inexplicable sight, somehow disturbing, as if the rules of nature were suspended in the rivers' separate flowing. We move away toward the shore to visit an "authentic Indian village." The Indians look like the poor of any Brazilian city slum. They don't want to dance for us today.

We follow a branch of the river to a floating trading post. Forest animals in cages are introduced to the crowd. The children scream in terror as the master of ceremonies laughingly thrusts a six-foot snake in their faces. We move to large canoes that hold about a dozen people each.

The canoes turn into a small side channel. Luxuriant trees and plants hang over the boat and brush against us. It is completely silent; not even a parrot squawks. People begin to talk loudly or even to sing, to fill the silence they fear. We approach a giant *Victoria regia* lily pad, about five feet across, but the passengers are too busy making noise to notice.

Back on the big boat, we start the long return to the city. All that can be seen is the river, apparently infinite. It starts to rain, and the waterproof shades are lowered, shutting out the Amazon. The boat becomes a variety show. A roving cameraman shows movies, with passengers striking poses. Recorded popular tunes play at top volume. Everyone knows all the words and sings along.

In the midst of nature, awesome, dangerous, incomprehensible, the passengers pretend they are somewhere else. No wonder the rainforest steadily vanishes, cut down for pasture or to make toilet seats and chopsticks. We humans have a compulsion to reduce everything to our size, which in the cosmic scheme is infinitesimal. At the dock we all hurry back to civilization, trying to forget whatever we learned today on the river.

# A Letter to the Chico Vive Conference



Letter to the Chico Vive Conference

From the Relatives of José Claudio Ribeiro da Silva and Maria do Espírito Santo da Silva

March 21, 2014

# GREETINGS!

Today, as we celebrate the Day of Forests, we write this letter with an immense, recurring sense of loss. Our forests are increasingly threatened, and those who defend them are still vulnerable to assassination. We have already lost great defenders, such as our eternal comrade Chico Mendes, Dorothy Stang, Zé Claudio and Maria, in an especially brutal way, without any chance of defending themselves.

For us, as relatives of José Claudio and Maria, there has been no justice, since all those responsible for these crimes have not been punished. The author of the crime was acquitted and remains unpunished. The sentencing judges, the police, and the justice system did not put themselves in the place of the victims or their families and had no empathy for their cause or their lives. The trial, which took place exactly a year ago, was an affront to the environmentalists and especially to the family, which is still in mourning.

However, none of this will make us keep silent, forget, or, despite pressure and indirect threats, give up the struggle that was taken away from our loved ones. With the support of the Pastoral Land Commission, we maintain the couple's much loved and protected land, with its virgin Amazon forest and its leafy and splendid "Majesty," the immense Brazil-nut tree so coveted by loggers and protected all the more by Zé Claudio and Maria, along with the forest as a whole.

The rural violence in the region has already resulted in the deaths of several comrades who defended access to the land and preservation of the forest. We do not forget all our comrades who fell, especially José Claudio and Maria. Thus every year the family—together with all the human rights organizations that support us, the universities, the social movements, the homesteaders and extractivists—meet at the anniversary of the deaths of our comrades to remember their struggles in defense of the forest and the workers. It is a commemoration but also a repudiation of this government, which respects neither the environment nor the lives of those who protect it.

Every year when this event takes place, we feel a sense of loss all over again; but despite all the pain we feel because of the lack of our foundation, we don't let it bring us down. We continue the struggle that they began, the struggle for the survival of the peoples of the forest, using sustainability as an alternative tool for a dignified life in the countryside, the rivers, or the forest.

Now, on the eve of three years without Zé Claudio and Maria Silva, a great event will take place in their memory. On that occasion we will celebrate their lives, and we count on all the communities, environmental organizations, activists, and sympathizers with the cause to join us on this march on behalf of the life of traditional peoples.

We thank everyone for their sensitivity, understanding, and support for this cause.

Long live the living forest! Long live the standing forest!

Sincerely,

Families of José Claudio Ribeiro da Silva and Maria do Espírito Santo da Silva  
Nova Ipixuna, Pará, Brazil

*Translated from Portuguese by Linda Rabben*  
© 2014 Linda Rabben

# Powerpoints

by Carolina Comandulli, Philip Fearnside, Joan Hendriks, Norman Jiwan, John Knox, Liz Logan, Godfrey Massay, Cristian Otzin, Steve Schwartzman, Georgina Shanley, and Ernesto Tzi



Powerpoints will be added as they become available

# Treaty No. 8 First Nations

Presentation to the

## Sustainable Solutions for Forests and Aboriginal Communities

Chico Vive Conference  
Washington, DC  
April 5, 2014

**Tribal Chief Liz Logan**  
Treaty 8 Tribal Association  
Fort St. John, BC Canada

# Outline of Presentation

- Introduction to my People & Treaty #8
- Challenges to Sustainability
- Impacts to the Land
- Changes to the Forest
- Problem, Justification & Mitigation
- RSEA
- Moving Forward

# Where We Are

# Who We Are

PROPHET RIVER FIRST NATION  
HALFWAY RIVER FIRST NATION  
DOIG RIVER FIRST NATION  
SAULTEAU FIRST NATIONS  
WEST MOBERLY FIRST NATIONS

# First Nations Land Use

**Charlie Lake Cave – 10,500 years of proven occupation.**

# History of Treaty No. 8

Treaty 8 Negotiations at Lesser Slave Lake, 1899 (Gibson, NA 540-15)

Signed on June 21 in 1899

Finalized with BC First Nations in the early 1900's

Treaty 8 Provisions in 1906 (Gibson, NA 540-16)

# Treaty No. 8

Became known as the most comprehensive treaty in Canada

Signed with the understanding of peace, sharing and co-existence

## Partnership

# Treaty No. 8

Encompasses an area of 840,000 sq. kilometres

## Understanding Treaty 8

The treaty promised our people that we could continue a way of life. To be able to hunt, fish and trap

- ...for as long as the sun keeps shining...
- ...for as long as the river keeps flowing...
- ...and as long as the grass keeps growing



## The People & Treaty No. 8



Established Rights in Treaty and Oral Promises

## Forests & the People

- “Bush Life”
- Seasonal Rounds
- Our grocery store, our pharmacy, our church, our school
- Visual – the normal criteria; smells and sounds also important
- Cultural Revitalization
- Reenergize Spiritually



## Perceptions of the People

“Our culture has to be maintained, for the health of our people”. ~ Treaty 8 member

“The forest is important to me because it’s not just about First Nations’ Treaty Rights, it is about trying to protect the wildlife, the medicinal plants, the berries, and just the environment as a whole and if we don’t try to slow industrial development down, there’s going to be big impacts in the future and it is going affect our kids”. ~ Treaty 8 member

## Challenges to our Way of Life

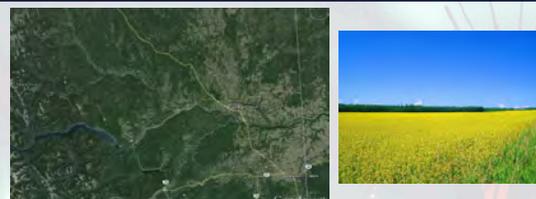
<p><u>Industrial Activities</u></p> <ul style="list-style-type: none"> <li>•Mineral and Coal Mining</li> <li>•Convention Oil &amp; Gas</li> <li>•Shale Gas (fracking)</li> <li>•Wind Energy</li> <li>•Agriculture</li> <li>•Hydroelectric</li> <li>•Forestry</li> </ul>	<p><u>Effects from Development</u></p> <ul style="list-style-type: none"> <li>• Fragmentation of land</li> <li>• Oil Spills</li> <li>• Increase in Wildlife Diseases</li> <li>• Methyl mercury (Hg)</li> <li>• Contamination of Water, Soils &amp; Air</li> <li>• Loss of Species (Ungulates, Furbearers, Plants)</li> <li>• Depletion of Biodiversity</li> </ul>
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## Impacts on the Land

1. Agriculture
2. Mining
3. Power Generation
4. Oil and Gas
5. Forestry



## Agriculture



8,704 square kilometers of private land in Treaty 8 territory – majority of this is cleared for agricultural purposes

## Mining

Eastern flank of the Rocky Mountains contains large coal reserves.



## Mining

Currently 4 coal mines in operation

14 mining proposals in the works at various stages of exploration and permitting.



Bullmoose - Teck

## Power Generation



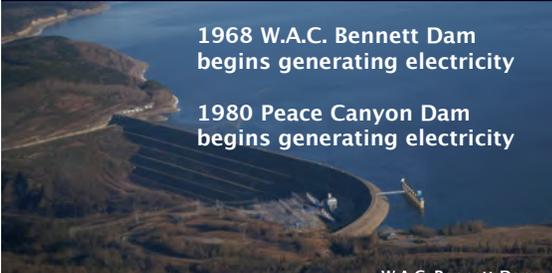
1,795 square kms of land flooded due to the WAC Bennett and Peace Canyon Dams on Peace River.

Third proposed Site C dam project would flood an additional 83km of the Peace River Valley and continue the impacts felt by the past projects.

## Fragmenting the Peace River Valley

1968 W.A.C. Bennett Dam begins generating electricity

1980 Peace Canyon Dam begins generating electricity



W.A.C. Bennett Dam

## Peace River Valley



That Gov't Wants to

## Power Generation



**SITE C CLEAN ENERGY PROJECT**

- Type: Earthfill Dam
- Length: 1,050 metres
- Height: 60 metres
- Capacity: 1,100 MW
- Energy: 5,100 GWh/yr

**83 KM FLOOD**

- Length: 83 km
- Width: 2-3 times channel width

## First Nations Values

- Traplines
- Hunting grounds
- Fishing spots
- Medicinal and food plants
- Burial sites
- Sacred & spiritual sites
- Camps & gathering places
- Historical villages & trading posts
- Historical pack & wagon trails



*This is the last land we have, future generations have a right to a landscape that is the same as their ancestors knew it.*

## Our Ancestors History will be Unearthed, Analyzed & Potentially Flooded



Stone Tools and Points Located at Bear Flat, Peace River



Arrow Head Located at Proposed Dam Site, South Bank, Peace River

- 115 recorded archaeology sites within the project area
- 149 additional recorded archaeology sites within 1 kilometer buffer of project area
- 35 heritage sites within project area (trading posts, homesteads, trappers cabins)

\*Note: These statistics are not conclusive as not all archaeology and heritage sites have been investigated, assessed, and recorded.

## Spring Calving & Winter Forage



Islands of the Peace River



Northern banks of the Peace

## Important Wildlife Habitat

## A Unique Microclimate

- Where BC cactus
- Prickly pear cactus on the Peace

## Raising Awareness

## Hydro-Electric Power for LNGs

## Gas Towns of BC/LNG

## Gas from NEBC to LNG

## Well Activity 1945 to 2002

Pre – 1945  
1950  
1960  
1970  
1980  
1990  
2002

## Exploration – Seismic

332,904 km of seismic lines in Treaty 8 Territory



## Drilling

- Muskeg is impossible to drive or work on, unless it's completely frozen. Roads are rare in these remote areas.
- They use wood mats to build a boardwalk laid over sensitive areas to build temporary roads and well sites.



## Completions – Fracking

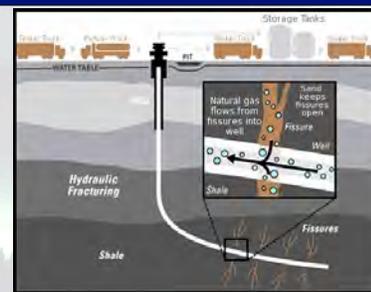
- A typical operation is very energy intensive:
  - Tens of thousands of litres of diesel fuel used;
  - In some cases 1000's of truck loads of water plus fracking fluids are needed to complete a job;
  - Multiple fracks are needed in some cases to stimulate the formation;
  - Special frack sand is shipped from the continental United States, adding to the carbon footprint.



## Completions – Fracking



## Fracking



## Fracking Impacts

- Each frack job requires 3 - 5 million gallons of water.
- 5 - 8 olympic sized pools of water per frack job per well.
- Some lease sites have 20+ wells and need multiple fracks per well.
- 10's of millions of gallons of water can be used at one lease site.



## Fracking Impacts

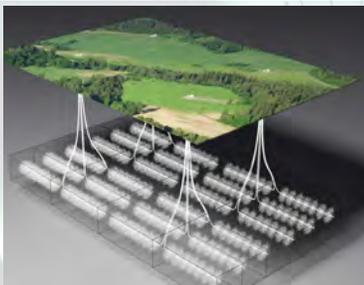
- Ground and surface water contamination is a major concern;
- Fracking fluids are toxic and waste fluids are disposed of in injection wells in the ground forever;
- Increased earthquake activity related to fracking operations is a growing concern;



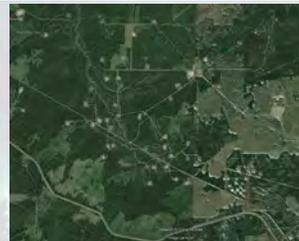
## Fracking Impacts

Shale Gas Development

What it looks like underground



## Production



A once pristine area turns into an industrial landscape.



## Legislation Doesn't Protect our Lands



**2014**  
BC gov't changes Parks Act, making it easier to remove land from parks for industrial uses like pipelines, logging roads and oil & gas drilling.

The year BC Parks changed forever

## Oil & Gas Concerns

- Ground water and soil contamination;
- Oil spills
- Impacts to wildlife habitats
- Animal health impacts;
- Toxic emissions - Flaring

**Cumulative Impacts**

## Animal Health

Moose liver covered with abscesses



2008/06/16  
Property of the Tasty 8 Tribal Association 2008

## Petroleum Contaminant Study

**Project Conclusions**

- Sump and flare pits are open and exposed to wildlife within the study area.
- 75% (12 out of 16) sites tested are contaminated.
- Animals such as moose, deer, elk and bear ingest chemicals & water out of sumps and flare pits.



Bull Moose drinking at sump pit

## Boreal Forest

**Canada's Boreal Zone**  
About 30% of the world's boreal zones within Canada. About 80% of Canada's aboriginal population lives in forested areas - over 500 First Nations and Métis communities in boreal zones



Mainly covered with cold-hardy pine, spruce, larch, poplar, fir and birch forests; also contains lakes, rivers and wetlands.

More trees are cut for agriculture or oil and gas exploration than for timber

## Forestry

Total Annual Allowable Cut (AAC): **8,650,000** cubic meters of wood per year is cut in our territory.



Wood cut in the oil patch and mining is not included in the AAC & is burned on site.

## Changes to the Forest; Changes to Cultural Practices

- Impairs the regaining of pride and cultural ways
- Loss of traditional food and medicines
- Unhealthy water and sources of water
- Loss of traditional health care practices



## Changes to the Forest; Changes to Cultural Practices

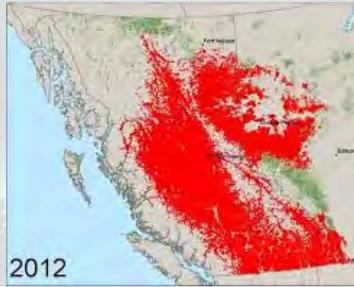
- Mountain Pine Beetle has created havoc on forests and cultural practices
- MPB epidemic has expedited industrial clear-cutting and removed forests where we exercised our Rights



5 millimeters



## Beetle Killed Forest



2012

As of May 2012, 18.1 Million Ha (more than 5X size of Vancouver Island) of forests in BC had been attacked by the MPB



## Beetle Killed Forest



## The Problem

There is a need for reconciliation of First Nations Rights and the Crown's desire to take up land for resource extraction.

We feel that the crown has allowed far too much development and consultation has not been adequate or meaningful.

The pace of activity and impact on the land is alarming.



## Project Justification

Project Justification by Gov't

1. Economics
2. Jobs/Benefits
3. Mitigation



What about other values?

*"We see the forest as a whole for what it is... Not as a dollar sign"*

Where is the balance in decision making?



## Mitigation

Justifying projects through mitigation doesn't form a model for sustainability;

It promotes industrial expansion and impacts on the land.

Conservation, protection & sustainability does not fit into this discussion w/govt.



## Reconciliation

The T8 Nations have a desire to enter into a process of reconciliation with the Crown.

The step towards true reconciliation includes a sustainable vision for Treaty 8 Territory and the province that balances ALL values.

This process MUST include a Regional Strategic Environmental Assessment within Treaty 8 Territory.



## What is an RSEA?

Regional Strategic Environmental Assessment is

- A means to address the cumulative effects of multiple initiatives in a region;
- Designed to provide a forum to debate high level policy issues; and
- Streamline project-based environmental assessments and regulatory-based decision making processes



## Regional Strategic Environmental Assessment

We have requested on several occasions for the Government to conduct this assessment.

By conducting such an assessment we can:

- Determine if projects are in the public interest;
- Find ways to optimize benefits & minimize impacts; and
- Understand and encourage the balancing of values to ensure the best possible economic and environmental outcome for everyone.



## Future (Proactive) Plans & Activities

- Annual Gatherings
- K'ih tsaa?dze Tribal Park
- Klinse-Za Caribou Plan
- Archaeological Repository
- Community Forests
- M.K. First Nations' Management Board
- Community-Based Cumulative Effects Management Planning



## Moving Forward with Cultural Purpose

- Engagement Agreements
- Leading, not waiting (proactive vs reactive)
- Development of strategic protection tools eg cultural-based resource plan
- Defining sustainable development: balance of traditional and modern economies
- Regaining our history
  - e.g. Dunne-za Cave



## Our Elders

The Late Harry Dickie - Fort Nelson First Nation:  
 "This is Indian land and not for sale"  
 "...people are playing real estate with our lands"  
 "People are only looking out for themselves"  
 "The answers are in us...but if we need to hire other brains then we need to..."

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"The Creator made the land & fur bearing animals for the Indians & money for the white people: my forefathers made a living in the country without the white peoples money; and I and my people can do the same "  
 The late Zacharie Dakodla (The Prophet)  
 PRFN Elder 1851-1927

## Our Elders

Max Desjarlais  
West Moberly First Nation:  
 "I'm hurt..my heart is crying for my great grandchildren..."  
 "We can't drink the water any more..they've spoilt our trees and water..."  
 "We should unite...work together and be strong..."



## Our Elders

Sylvia Brown  
West Moberly First Nations  
 "Is there going to be anything left for our grandchildren?"



## What Will Be Left?

If the decision making process emphasizes jobs and economic benefits.....

What will be left?



## Thank You

For more information, please contact:  
 Tribal Chief Liz Logan



[llogan@treaty8.bc.ca](mailto:llogan@treaty8.bc.ca)



# DEMAND / CONSUMPTION



Ocean City, NJ

# RAINFOREST, PERU



IPE TREE

# EDUCATE...

## PENDING DEATH NOTICE

2,000 Acres of Tropical Rainforest  
Thousands of Animals  
Millions of Insects and Plants  
Well-being of Indigenous People

### Cause of Death:

**Fiscal Irresponsibility, Environmental Nihilism, Obstinance, and Pride.**

The pending death is perpetrated by way of a contract taken out by the City of Ocean City and enforced by Mayor Sal Penillo. All casualties are attributed to the unnecessary cutting of tropical rainforest for trees to re-deck just one block of the City's boardwalk despite there being better engineering, financial, and environmental alternatives.

### Contributions:

The death is pending and can be prevented by the Mayor ordering that the Ipe purchase be cancelled. To save the 2,000 acres of rainforest and its inhabitants, please let the Mayor know how you feel at 609-525-9333 and [spenillo@Ocean-City.NJ.US](mailto:spenillo@Ocean-City.NJ.US)

Filed for by: Adam Lauer

# EDUCATE



# TAKE AN ACTION



Tim Keating / [www.rainforestrelief.com](http://www.rainforestrelief.com)

## SAVE THE RAINFOREST!! OCEAN CITY TO USE RAINFOREST WOOD TO REPLENISH BOARDWALK!



**FINAL VOTE TONIGHT - THURSDAY JUNE 14th @ 7PM**  
**BANK COUNCIL @ 8PM - CC-City Hall BOARDWALK**

### Why?

**STOP**

Destroying rainforests for boardwalk! Every second 13 acres is lost... plants, oxygen, medicine, people... too high a price for a boardwalk!

**STOP**

Ocean City from voting on the bid they received for rainforest wood on June 14th @ 7pm - Council meeting. They are not listening to citizens. As it stands 2,000 acres of rainforest will be destroyed in order to replace sections of OC boardwalk!

**STOP**

Ocean City Mayor and Council from going back on the resolution passed in 1997 and to use rainforest wood. They have not held a public workshop. Let our voices be heard. Come join us on the boardwalk and stand for the rainforest. Hold our politicians accountable for the promise of the City's 1997 Resolution that they would not use this wood. **6/14 is the final vote - be there @ 7pm.**

### Call elected officials:

Mayor Sal Penillo - 609-525-9333  
Ocean City Council - Mr. Jack Thomas, 999-9598 - President  
Mr. Michael Alvarado - 999-4429 - Keith Hargrave - 999-9524  
Mr. Scott King - 999-4742 - Michael Alvarado - 525-9528/leave msg.  
Mr. James Williams - 201-4778  
Supporting the rainforest - Jack Alvarado - 301-8938

# ENGAGE

# ENGAGE

## SAVE OUR RAINFORESTS!



**RALLIES: (1) THURSDAY MAY 2nd - 6pm CITY HALL - Ocean City Council Meeting 7pm (6<sup>th</sup> - 8<sup>th</sup> - 10<sup>th</sup> - 12<sup>th</sup>)**  
**(2) SATURDAY MAY 26<sup>th</sup> @ 11PM - McDONALD'S**

**(3) THURSDAY, JUNE 14<sup>th</sup> @ 7PM - FINAL VOTE ON WOOD**  
**OCEAN CITY COUNCIL @ 8PM**  
Help stop Ocean City government destroying the equivalent to 2,000 acres of tropical wood, for Boardwalk by 2<sup>nd</sup> Street. Demand a Council Workshop to explore all other options to precious rainforest wood.

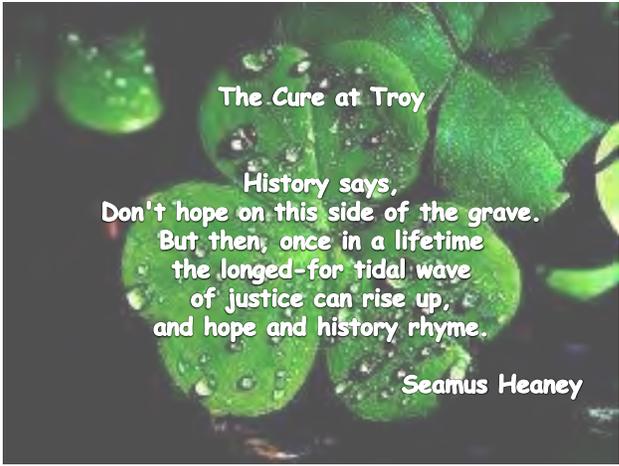
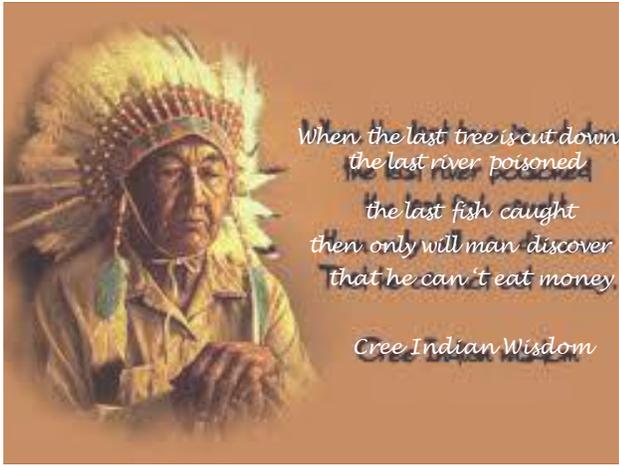
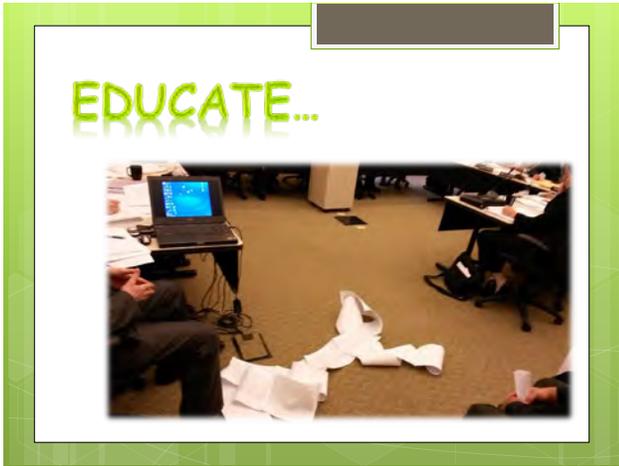
No more broken promises - Hold our administration and elected officials accountable to the Resolution passed in 1997 not to use Rainforest wood on Boardwalk.

Regardless, of whether the Ipe wood is certified by Forest Stewardship Council (FSC) or not; look outside the rainforest for Boardwalk solutions. Sign online petition: [www.petitiononline.com/2008/05/01/SaveOurRainforests.html](http://www.petitiononline.com/2008/05/01/SaveOurRainforests.html)

Call elected officials:  
Mayor Sal Penillo - 609-525-2544  
Ocean City Council - Mr. Jack Thomas, 999-9598 - President  
Mr. Scott King - 999-4429 - Mr. Keith Hargrave - 999-9524  
Mr. James Williams - 999-4742 - Mr. Michael Alvarado - 525-9528  
Mr. Michael Alvarado - 525-9528  
Supporting the rainforest - Jack Alvarado - 301-8938  
Friends of the Rainforest - [www.forestrelief.com](http://www.forestrelief.com) 609-288-1934







No matter the nation in which we reside, we as human beings now face a choice: either to be swept along by the powerful currents of technological change and economic determinism into a future that may threaten our deepest values, or to build a capacity for collective decision making on a global scale that allows us to shape that future in ways that protect human dignity and reflect the aspirations of nations and peoples.

*Al Gore, The Future: Six Drivers of Global Change (2013)*

