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Subject: Corridors-Indigenous Component

Below are my comments on the indigenous activities as described in Annex 2 and the Issues paper for the Rain Forest Corridors Project.

First, congrats on making a great deal of progress since earlier versions! It gets better and better, but still needs work, as per the comments below.

Comments:

First, unfortunately I see no evidence that the project work is integrally linked with important basic work being carried out on these subjects under PPTAL. PPTAL is pioneering work on improving legalization and protection activities, including strategic studies on legal issues (for example, on-going work on socio-economic assessment, tenure, land use and compensation and resettlement issues; and studies on indigenous rights and natural resource use), designing and introducing rapid environmental diagnostics into FUNAI identification manuals, designing and testing environmental assessments of indigenous lands, and initial work on protection activities (about which much thought has been given). Much of this work is well underway and should form basic building blocks for both PD/I and indigenous work under the Corridors project. I would redesign the work of the pre-investment phase to better utilize, build upon and link to existing work under PPTAL and important work being carried out by key NGOs and academic groups (for example, ISA, CTI, COIBA, etc.). Further, I think pre-investment work or preliminary work should first and foremost utilize existing secondary data - of which much exists - rather than sending teams into the fields to carry out socio-economic and environmental diagnostics (which might be useful in some cases). I would conceptually separate consultative and participatory processes (obviously an important pre-investment activity) from fieldwork to carry out data gathering (which should be highly targeted).

The institutional context of work seems intentionally blurry. At the moment, FUNAI is the lead agency and flawed as it is, one cannot pretend that it does not have jurisdiction over many of the key issues. We have partly gotten around some problems with FUNAI by helping to establish the PPTAL within FUNAI and that group has considerable competence and growing influence not to mention growing collaborations with indigenist and indigenous NGOs. You cannot talk about critical actions in a vacuum. For example, FUNAI's surveillance and protection capacity is generally weak but on the other hand, these types of responsibilities cannot just be handed over to indigenous groups in most cases nor to NGOs who do not have the police power or authority (note Waimpi case in Amapa). While theoretically one might want to get IBAMA more involved - one must recognize that at least for the time being IBAMA has not been a friend to Indians at all. One can dream about some kind of CNPT within IBAMA for Indians, but it does not yet exist. Meanwhile, when I asked various people in PPTAL if they had been consulted or involved in the development of the corridors project, they indicated no, which is worrisome. While Santilli has his good points, he is totally in favor of abolishing FUNAI. While in the long-run abolishing or major transformations of who has jurisdiction for Indians and their lands in Brazil might be a good thing, in the short and intermediate term, one cannot plan these important activities in a vacuum. PD/A type subprojects can certainly be done

more independently but if you want to have a real impact on policies, laws and regulations legalizing, protecting and regulating indigenous natural resource rights, you need to do it within the existing legal and institutional contexts that exist (naturally with a mind toward eventual transformations).

I find almost offensive the assumption that Indians would need to be bribed (incentives) to want to be stewards of their lands. You get into some very dangerous ground here. I think you should simply assume the orientation toward conservation but at the same time make the rules of eligibility for project related financing to be firmly conservation-based. Speaking of which, we are getting a bewildering array of similar community-level subproject financing in the Pilot Program - what will be the difference, if any, among PD/A subprojects, PD/I subprojects, corridor pilot area subprojects, the varzea Ticuna environmental education project, etc?

Ditto for strategic legal and policy work related to indigenous natural resource issues - which is embedded already in PPTAL, PD/I (if the Japanese funds come in), some in the Varzea project, again in the corridors project (under Component 6). This scattering effect seems to me to diffuse it, possibly cause unnecessary duplication and lessen actual policy impacts.

I am a little confused what is meant by specific indigenous subproject guidelines based on the OD and in reading the text it seems like they will pop up in the preinvestment booklet, be reviewed in the appraisal and/or decided upon during the first year. What are they? Are indigenous "action plans" fundamentally different than the non-Indian subprojects to be financed under Component 5 and if so, do you have two different tracks of eligibility, one for Indians and one for non-Indians? Further, I am concerned what these guidelines might be (is there a draft anywhere?) as the OD is primarily designed to mitigate negative impacts on Indians of development projects. Further, on reading the text, I find the focus of main thrusts of lines of activities in indigenous areas overly inclusive, that is, anything that helps protect biodiversity and anything (including health, education, etc.) that would "encourage" Indians to do so. I think some serious thinking is needed as to if the main thrust of corridor project funding for Indians will be for sustainable environmental protection and management initiatives (for example, finishing legalization, strengthening protection, possible zoning, sustainable economic development initiatives) or if it is for whatever -- health, education, battling invaders, etc. You need mechanisms for narrowing the focus, I think. I also think more thought is needed about this pre-selection business, which also seems worrisome (is it whoever makes the most convincing arguments in the pre-investment phase?).

I also think that if the Indigenous Component is mostly consultation and planning, but financing of subproject activities is under another component (5) and legal-policy work under another (component 6), you weaken the overall approach to working with Indians. Either there are some special issues and problems to be addressed or not. My vote would be to put some very specific work on indigenous lands legalization, management and protection activities under the Indigenous component, and at the same time you could still leave component 5 open to all folks for community subprojects.

In thinking further about who are the interlocutors between the project and the Indians, would it be possible to create a working group comprised of government and indigenist and indigenous representatives (and perhaps a couple of technical consultants to help) such as we have in the PPTAL (which is working better and better) with some budget to work and recommendation powers, rather than entrusting almost everything to a small coterie of consultants who seem to me overly empowered. I think I feel more comfortable with somewhat more democratic processes...awkward and clumsy as they sometimes are, than trusting

too much to a small team of consultants (who appear to me in the document to be overly entrusted with preparation and decision-making in the indigenous component).

By the way, in the first para. under pre-investment, you are talking about five types of groups, not five groups, and the Waimiri-Atroari are one not two. It still remains quite unclear who the interlocutors are? Further, one needs a basic map of the basics involved here - which groups have legalized lands and which not, which have their own organizations and which are tied to the larger indigenous organizations/who represents them, which already have projects and funded by whom, etc? These things are all known or know-able. The corridors project does not need to start from scratch.

Lastly, I think some careful thought needs to be given to issue of the IPDP ("action plans") which as I stated above were primarily designed to mitigate negative effects of development projects. The corridors project theoretically does not cause negative effects but opens up positive opportunities, no? As such, I think you need a careful re-reading of the OD with some careful thought about what types of actions relating to Indians could be carried out under this project now, before you launch into consultations and get a huge wish list of what everyone wants. We really should have some comparative data on how indigenous components of GEFs and the Central American corridor were handled, which could provide some of the the framework still needed here.

Hope these comments are helpful.

Judith

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