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Firm seeks carbon deal for Brazilian tribes

By Fiona Harvey in Copenhagen and Jonathan Wheatley in São Paulo
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Brazilian tribes should be entitled to billions of carbon credits in return for sustainable management of their forests, according to a new legal opinion from a major law firm.

At the Copenhagen climate conference, countries are expected to finance the preservation of forests around the world by awarding them carbon credits that can be sold to rich nations as a way for them to offset their greenhouse gas emissions.

Baker & McKenzie, the lawyers, has published an opinion stating the Surui tribe in Brazil would own any rights to carbon credits arising from their forests, under any international deal that may come out of the Copenhagen summit.

The legal opinion has yet to be tested in the courts but it could open up an important new chapter in the decades-long history of trying to prevent rampant deforestation.

If a meaningful forest-protection mechanism is implemented and the opinion is supported, the tribes would become extremely wealthy.

Carol Lin Vieira of Forest Trends said the opinion was important because it would “lay to rest the fears of many environmental and indigenous rights advocates that a global warming agreement – either made at the upcoming Copenhagen meetings or struck at a later date – would hurt indigenous groups”.

She said it would mean indigenous groups were not left behind and would be able to benefit from the preservation of their forests, and predicted that many other legal opinions would follow on other tribes.

At least 40 per cent of the world’s forests have been lost in the last 30 years.

The Surui tribe is made up 1,200 people overseeing 243,000 hectares. They were nearly wiped out after their first contact with white people about 40 years ago, when the population was reduced from about 5,000 people to about 290 people as the result of diseases to which they had no immunity.

Illegal logging on their land has also taken a toll on the community.

Tashka Yawanawa, the chief of another indigenous tribe that has lived since time immemorial in the heart of the Amazon forest, visited the UK recently to meet the Prince of Wales, who has made the preservation of forests a personal ambition. The prince will attend the Copenhagen conference next week to press his case with world governments.

Mr Yawanawa said: “The forest is our life. For indigenous people, it is where we live, where we hunt, where we find food, medicine, shelter, everything.”

He said that if forests were to be awarded carbon credits then the benefits and money should accrue to local people. The funds could be used for services such as education and ensuring people were able to defend their forests from illegal logging, ranching and other destructive activities.

Amazonian tribes live in a delicate balance between the encroachment of the modern world and their

ancient way of life, Mr Yawanawa said. Although people are aware of the many conveniences of modern life, they prefer to keep to their traditional ways.

“If we need medicine, we go to the forest. The forest has cures that western medicine does not have,” he said.

But some forest-dwellers leave in search of education. Mr Yawanawa gave an example of seven young men from his own tribe: four have gone to university, while three have sought to learn the secrets of shamanism by spending several years almost completely alone in the forest, in sacred places.

There are many tribes in the Amazon that are still unknown. The Brazilian government has a special department for uncontacted tribes, of which there are estimated to be at least 40.

<http://www.ft.com/cms/s/0/47750800-e4ee-11de-817b-00144feab49a.html>