

Best Practices Guide  
for Consulting with  
**Indigenous Peoples,  
Traditional Communities,  
and Quilombolas**



**NBS BRAZIL ALLIANCE**  
NATURE BASED SOLUTIONS



# Who we are

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## NBS BRAZIL ALLIANCE NATURE BASED SOLUTIONS

Founded in 2021, Nature-Based Solutions Brazil Alliance aims to promote and encourage an agenda to combat deforestation and environmental degradation by strengthening nature-based solutions and the carbon credits market in Brazil.

The institution unites project development companies, non-governmental organizations, and impact investors who, together, are responsible for more than 70% of Brazilian carbon credits issued since 2022, related to NBS and Agriculture, Forestry, and Other Land Use (AFOLU). The creation of guidelines and good practices to promote integrity in the sector are at the heart of the organization's work.

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## List of abbreviations

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- **CASAI:** Indigenous Health House
- **CONAREDD:** National REDD+ Committee
- **FCP:** Palmares Cultural Foundation
- **FPIC:** Free, Prior, and Informed Consent
- **FUNAI:** National Foundation of Indigenous Peoples
- **ICMBIO:** Chico Mendes Institute for Biodiversity Conservation
- **INCRA:** National Institute of Colonization and Agrarian Reform
- **NBS:** Nature-Based Solutions
- **PGTA:** Territorial and Environmental Management Plan
- **PNGATI:** National Policy on Territorial and Environmental Management of Indigenous Lands
- **PNPCT:** National Policy on Sustainable Development of Traditional Peoples and Communities
- **REDD+:** Reducing Emissions from Deforestation and Forest Degradation
- **RESEX:** Extractivist Reserves
- **SESAI:** Secretariat of Indigenous Health
- **TI:** Indigenous Land
- **UNFCCC:** United Nations Framework Convention on Climate Change

# 1. Introduction

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The expanded availability of carbon projects and the growth in the number of developers in the voluntary market, both nationally and internationally, shed light on the need to ensure the integrity and quality of carbon credits, good practices in project preparation, and social and environmental safeguards. Brazil has the potential to represent 15% of global opportunities in nature-based solutions, given its territorial extension and rich biodiversity. Part of this potential for removing or reducing emissions is located on public lands, and achievements will depend on a process of dialogue with Indigenous peoples, traditional communities, and Quilombola communities. In the Brazilian Amazon, for example, 27% of forest areas are Indigenous Lands (TIs, acronym in Portuguese), which are home to 173 ethnic groups.<sup>(1)</sup>

A disoriented growth of projects could lead to technical errors in the construction of benefits, which would harm both the communities involved and the voluntary carbon market. Accordingly, driven by a firm belief in strengthening principles and good practices, NBS Brazil Alliance presents this Guide with minimum

parameters and conduct to be observed in contact, clarification meetings, FPICs, and implementation of forest carbon projects in partnership with Indigenous peoples, Quilombolas, and traditional communities, such as ribeirinhos (riverside communities), rural communities in the Sertão region, extractivists, family farmers, and Agrarian Reform settlers.

This Good Practice Guide for consulting with Indigenous peoples, traditional communities, and Quilombolas was written by project developers and third sector organizations involved in the construction of carbon projects in Brazil, and its target audience is developers operating in the country. It is intended to serve as a basis for sharing good relationship practices that strengthen the development of projects with integrity and excellence, respecting the autonomy and protagonism of Indigenous peoples, traditional communities, and Quilombolas; it does not intend to exhaust the discussion about the representation of these communities in the voluntary carbon market.

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<sup>(1)</sup>IPAM, 2015. Indigenous Lands in the Brazilian Amazon: carbon reserves and barriers to deforestation.



Credits: Marcio Nagamo/Carbonext



## 2. Social and environmental safeguards

Carbon projects carried out in partnership with traditional peoples and communities must comply with specific laws, statutes, and regulations, administered locally, nationally and internationally. One of the instruments that applies to carbon projects is compliance with social and environmental safeguards that seek to protect local actors and natural resources directly and indirectly impacted by the projects.

Partnerships and projects carried out together with traditional communities, Quilombolas, and Indigenous peoples require special attention regarding forms of working with groups with specific ways of living and worldviews. Therefore, there are appropriate approaches and relationships that consider the diversity and the rights established in laws to protect these populations. In the project construction stage, a partnership must be established according to the communities' needs, the possible risks and impacts, the applicable benefits, and the activities to be developed, respecting current legislation, peoples' right to difference and self-determination, as well as any regulations, plans, guidelines, and directives directly implemented by the community (or communities) and their representative organizations.

Projects require compliance with a participatory process to establish a sustainable management system, in order to guarantee social, environmental, and financial sustainability, in addition to mitigating the threats caused by the main agents and drivers of deforestation and pressures on the different social organizations of Indigenous peoples, traditional populations, and Quilombolas.

Collective territories hold territorial autonomy, and they use conservation and restoration processes that preserve and strengthen cultural identities, while promoting the protection of biodiversity and the environmental and social wealth of their territories, positively impacting development and strengthening local socio-biodiversity.

**Therefore, it is necessary to ensure that a project:**

- (a)** does not cause a negative impact or restrict activities normally carried out by the people regarding the use of the territory, including ancestral/traditional activities related to material and intangible cultural transmission or any other form of land use;
- (b)** does not represent a restriction on traditional ways of using and cultivating land;
- (c)** does not, in any way, restrict territorial rights or the rights to exclusive use of natural resources; and
- (d)** does not constitute occupation, domain, possession, or even shared use of their natural resources on the part of the organization.

In International Law, the REDD+ safeguards of the United Nations Framework Convention on Climate Change (UNFCCC) outline a global framework of social, environmental, and governance principles according to which activities must be implemented. The UNFCCC establishes that the implementation of measures aimed at reducing emissions caused by deforestation and forest degradation must be carried out in accordance with the Cancun Safeguards – Decision 1/CP.16, namely:

- 1.** That actions complement or are consistent with the objectives of national forest programs and relevant international conventions and agreements;
- 2.** Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- 3.** Respect for the knowledge and rights of Indigenous peoples and members of local communities, taking into account relevant international obligations, national laws, and the United Nations Declaration on the Rights of Indigenous Peoples;
- 4.** Full and effective participation of interested parties, in particular Indigenous peoples and local communities;
- 5.** Actions consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of Decision 1/CP.16 are not used for the conversion of natural forests,

but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;

**6.** Actions to avoid the risks of reversing REDD+ results; and

**7.** Actions to reduce the displacement of carbon emissions to other areas.

In Brazil, these safeguards were internalized by CONAREDD+ Resolutions number 15/2018 and

number 4/2021, which determines that the aforementioned safeguards be applied to Indigenous peoples, traditional communities, and family farmers, including among their rights the guarantee of these peoples to their territory. The land ownership of traditional peoples and communities in Brazil is guaranteed and protected by article 215 of the Federal Constitution, by the National Policy on Traditional Peoples and Communities (PNPCT) (Decree number 6,040/2007) and by the National System of Conservation Units (Law number 9,985/2000).



Credits: Júlio Nauan/brCarbon



### 3. Free, Prior, and Informed Consent (FPIC):

Free, Prior, and Informed Consent (FPIC) is a fundamental step in carrying out partnership projects with traditional communities, Quilombolas and Indigenous peoples. It is through the FPIC process that populations actively participate in the construction and development of cooperative projects, legitimizing actions according to their specific demands. However, before carrying out the FPIC, clarification meetings must be held with the people, so that they can decide whether or not they want to participate in an FPIC.

In 1989, the International Labor Organization (ILO) adopted Convention number 169, implementing the requirement of the FPIC process as a policy to protect and respect the deliberations of Indigenous populations regarding their territories. In Brazil, this Convention was approved by Legislative Decree number 143/2002, which came into force on July 25, 2003, when the country sent the ratification protocol to the ILO. Currently, there is a consensus that the Convention on Biological Diversity (CBD) requires compliance with the principle of FPIC as a fundamental element of the legal protection afforded to traditional knowledge associated with biodiversity. In Brazil, article 9 of the Biodiversity Law (Law number 13,123/2015), which regulates the provisions of the CBD, states that “access to associated traditional knowledge of identifiable origin is conditional on obtaining prior informed consent.”

**The FPIC process consists of the following:<sup>(2)</sup>**

- **Free:** without coercion, intimidation, manipulation, threat, or bribery.
- **Prior:** indicates seeking consent in advance, before the beginning or authorization of any project activity, and respecting the time restraints required by consultation protocols in consensus with communities.
- **Informed:** providing information in a language and form that are easily understandable to the community, covering the nature, scope, purpose, duration, and location of the project or activity, as well as information about the areas that will be affected, about the respective economic, social, cultural, and environmental issues, about the actors involved, and about the procedures that the project or activity will entail.
- **Consent:** the right of people to give or withhold their consent to any decision that will affect their lands, territories, resources, and livelihoods.

Consultation is the instrument through which communities hold autonomy to deliberate on the impacts of external actions in their lands and territories, according to the knowledge they have regarding their populations and traditional territories, their needs, and the risks and benefits involved. Each ethnic group or community may already have their own internally established format in accordance with specific cultural norms and forms, or an FPIC protocol constructed with governmental or non-governmental entities; there is also a possibility of constructing an FPIC protocol together with partner companies. When there is already an established FPIC protocol that is socially shared by the communities, it must be followed.

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<sup>(2)</sup> References and modes of operation based, among other sources, on Conservation International's Guidelines for Applying Free, Prior and Informed Consent (2013).

## An FPIC process is considered successful if it includes the following activities:

**1. Data collection:** Before starting the process, local information must be gathered to undertake the FPIC, such as: identifying external actors who influence the community, understanding how the community depends on natural resources, especially those that could be affected by the project and determine all needs related to rights and decision-making structures.

**2. Understand the current local context:** Carry out prior research on elements of the local context that are important for carrying out the FPIC process.

**3. Understand legal and customary rights:** Legal and customary rights play an important role in defining interactions with the community and individuals involved. It is important to understand whether and how national legislation incorporates or applies the various nationally and internationally guaranteed rights of traditional communities.

**4. Identify and respect traditional decision-making structures:** Communities may already have a consulting structure to collaborate in formulation and implementation, but they may not be familiar with the term FPIC. Accordingly, understanding the ways that the community already makes decisions and adapting to the specific context of partnership projects are essential for the process to proceed effectively.

**5. Develop an approach that takes cultural aspects into account and collaborate in formulation and implementation:** Cultural norms must be integrated into the FPIC process. Furthermore, the process must verify the needs related to women's participation and human rights related to the proposed project, establishing a process to ensure that all groups, including vulnerable populations, can participate in dialogues and decision-making processes.

**6. Ensure the exchange of information:** Information must be presented in a language that is understandable to the community, in a timely manner and adapted to its culture. The distribution of information should also help with other actions within the community and among all relevant actors.

**7. Ensure accountability:** A mechanism must be established with an ombudsperson who can address FPIC violations, and there must be an agreement with the community on how the project will be monitored to determine when the FPIC process will need to be renegotiated.

**8. Include the FPIC in an ombudsperson mechanism:** Ombudsperson mechanisms are an important component of a project or activity, and they provide a necessary channel to resolve conflicts and concerns that may arise between the parties involved or any violations of the community's right to FPIC. These mechanisms must be available in an appropriate format throughout the duration of the project.

**9. Monitor and adapt commitments:** Periodic monitoring assessments provide communities and project proponents with the information needed to evaluate and adapt commitments at defined points. These changes are a natural part of the FPIC process, and the adaptability of both the process and the project must be considered in the planning and implementation phase, with moments and spaces for reviewing commitments and activities during the project's life cycle and its planning.



In addition to FPIC, other aspects must be observed in the process of approaching traditional communities, Quilombolas, and Indigenous peoples, such as:

- **Transparency in the public consultation process:**

Communication with representative entities at all stages of partnership, from the first approaches to traditional peoples and communities, is a fundamental part of carbon projects. In order to be a joint construction, it must comply with the autonomy and strategic channels of dialogue using means such as informative communications and an already established agenda for clarification, in addition to periodic reports on the progress of the project and due services.

- **Full and effective participation:** In addition to being transparent and in good faith, interactions must use language that is accessible and understandable to communities. They must also respect timeframes that are compatible with the specific agendas of the communities in which the partnership work is carried out, thus guaranteeing their full and effective participation.

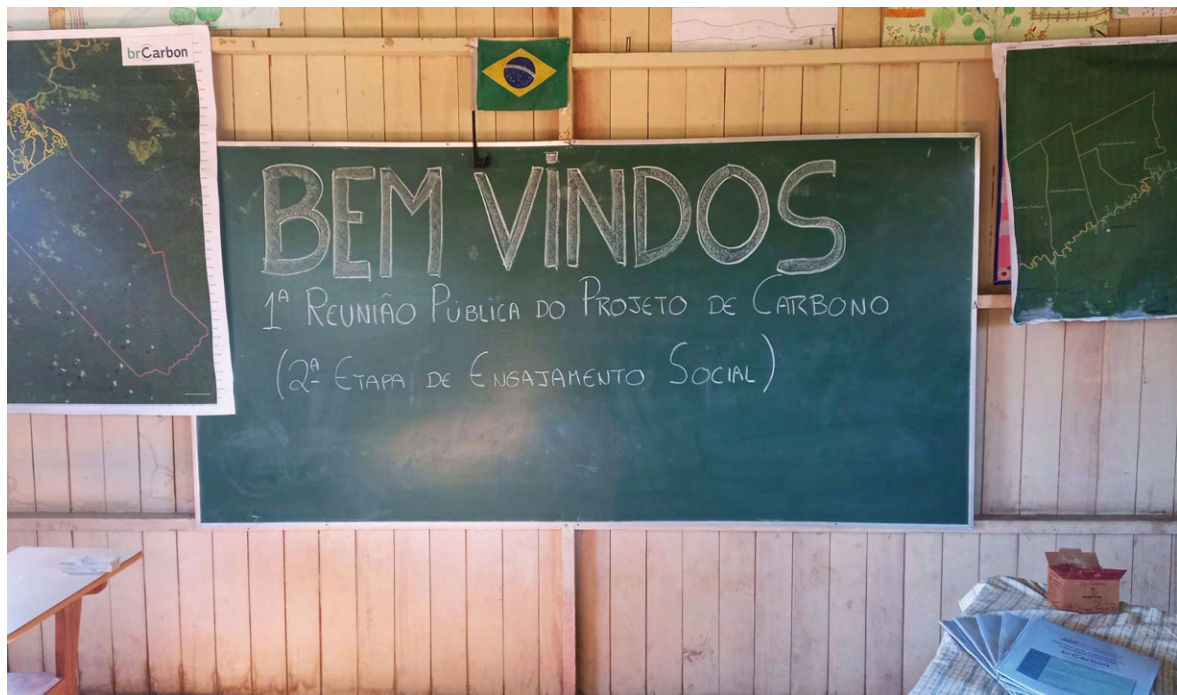
- **Provision of legal advice:** Advice is necessary, provided that it guarantees people's ability to influence consultation processes as a form of legal security in the process, to make it more beneficial.

Legal advice must be chosen or indicated by the community itself and must be neutral in the process as a whole. Ideally, this consultancy will be linked to an institution that works in defense of forest peoples.

- **Participation of the State and regulatory bodies:**

The participation of the State (federal and state governments) in public open calls for projects developed on public lands can be an important partnership, guaranteeing an open process, with transparency, supervision, and knowledge of regulatory bodies (ICMBio, INCRA, FCP, FUNAI, Federal Public Ministry, State Secretariats, and others). In the case of Indigenous communities, although the land is public, possession, usufruct, domain, and control belong to the populations that live there and hold autonomy over their territories.

These guidelines are based on respect for the right of peoples and communities to determine their own development path. They arise from the understanding that respect for these rights and the recognition of traditional knowledge about the management of natural resources can offer lasting success for conservation and human well-being. The positive impacts go beyond the local community: they reach the broader global community.



Credits: BrCarbon Archive

## 4. Consultations with Indigenous Peoples

Projects developed on Indigenous Lands must respect specific laws that are related to Indigenous peoples. The entire process must be documented, and the rights of autonomy, consultation, and specific standards must be observed, as well as the ways and spaces where communities deliberate their own practices and phases of work.

It is necessary to acquire thorough knowledge of the Indigenous rights guaranteed by the 1988 Constitution, a result of the previous demands of the Indian Statute, and the entire set of nationally recognized laws that protect the rights of Indigenous peoples in Brazil, including the National Policy on Sustainable Development of Traditional Peoples and Communities established by Decree number 6,040/2007:

“[...] First Article. Actions and activities aimed at achieving the objectives of the National Policy on Sustainable Development of Traditional Peoples and Communities must occur in an intersectoral, integrated, coordinated, systematic manner [...]”.

**It is fundamental to pay attention to the following points:**

- **Approach made in a legal manner and committed to the rights of Indigenous peoples:** Initial conversations and approaches with Indigenous representatives must respect a jointly established schedule and must be carried out with the prior consent of the communities, as well as informative communications to the public bodies and institutions responsible for Indigenous affairs, such as FUNAI. They need to be registered to guarantee that the agreements established between the parties are remembered.

- **Identification of internal governance:** before initiating the FPIC, it is necessary to be aware of existing studies or to produce anthropological studies on the power structures and internal forms of organization of the Indigenous population or populations proposing the partnership project. Based on the governance map and respecting the local authority, it is possible to organize an action agenda together with Indigenous populations.

- **Documentation of all stages of the project development processes:** All stages must be recorded and documented, and these documents must be shared between the proposing Indigenous peoples and individual companies, in language that is accessible to all interested parties.

- **Provision of information and transparent access between developers and participating communities:** Whenever and as many times as necessary and requested, information must be made available to the communities. Furthermore, it is important to ensure that the language and means of sharing information are common and accessible, to ensure that the parties are in full agreement regarding the content shared.

- **Construction of an agenda that encompasses the priorities of all agents involved and establishment of timeframes that comply with all actors involved in the project:** Schedules must be jointly drawn up and agreed upon, respecting festivals, productive periods, and traditional rituals.

- **Compliance with Free, Prior, and Informed Consent.**

- **Monitoring and communication at all stages:** The stages must be recorded, monitored, and shared between the parties, in addition to active maintenance of communication.

- **Respect for autonomy and self-determination:** Identification of cultural specificities and respect for the forms of decision-making and political and social structures of each people.

- **Mapping and careful attention to Indigenous representation and their rights:** Full attention to national and internal rights determined by each group of people during all stages and processes of project execution.

- **Maintain an informative and transparent relationship with public bodies linked to the Indigenous agenda:** Contact FUNAI, SESAI, and CASAI in advance about the activities to be developed in the territory. FUNAI is the official body responsible for policies related to Indigenous peoples in Brazil, and its responsibilities include delimiting, monitoring, and managing Indigenous Lands; this does not mean that it is responsible for approving the implementation of projects in the territories.



## 4.1 National Policy on Territorial and Environmental Management of Indigenous Lands (PNGATI) and Territorial and Environmental Management Plan (PGTA)

The set of national rules and norms that developers must be aware of include the National Policy on Territorial and Environmental Management of Indigenous Lands (PNGATI) and Territorial and Environmental Management Plan (PGTA), which is a PNGATI instrument. According to article 1 of Decree number 7,747/2012, the main objective of PNGATI is:

“[...] to guarantee and promote the protection, recovery, conservation, and sustainable use of natural resources in Indigenous lands and territories, ensuring the integrity of Indigenous heritage, improving the quality of life and full conditions for physical and cultural reproduction for current and future generations of Indigenous peoples, respecting their socio-cultural autonomy, in accordance with current legislation.”

According to the second article, sole paragraph, of the PNGATI, the tools for the territorial and environmental management of Indigenous Lands are:

- **Ethnomapping:** participatory mapping of areas of environmental, sociocultural, and productive relevance for Indigenous peoples, based on Indigenous knowledge and wisdom; and
- **Ethnozoning:** a participatory planning instrument that aims to categorize areas of environmental, sociocultural, and productive relevance for Indigenous peoples, developed based on ethnomapping.

According to the fourth article, the specific objectives of the PNGATI, structured into thematic axes, are as follows:

1. Protection of territorial and natural resources;
2. Indigenous governance and participation;
3. Protected areas, conservation units, and Indigenous Lands;
4. Prevention and recovery of environmental damage;
5. Sustainable use of natural resources and Indigenous productive initiatives;
6. Intellectual property and genetic heritage;
7. Qualification, training, exchange, and education.

Carbon projects must develop parallel actions that include aspects that compose the PNGATI, which complement and enrich the experience and development of projects with Indigenous peoples.

PGTAs, in turn, enable the negotiation of both internal and external agreements, constructing channels of dialogue with the State and civil society organizations, creating institutional articulations and arrangements that contribute to the process of ethnodevelopment and sustainability of peoples and Indigenous Lands. Furthermore, they represent one of the possible instruments for articulating the actions of the government body responsible for policies related to Indigenous peoples, thus guiding the relationship between the State and civil society organizations with Indigenous peoples.



Credits: Marcio Nagamo/Carbonext

## In summary, it is possible to establish the following general conduct guidelines for consultation with Indigenous peoples:

1. Respecting each form of social organization, representatives of Indigenous peoples must provide information about interest in implementing the project in Indigenous Lands to all communities that make up the ethnic group or people and all communities represented by regional associations;
2. After the internally generated information process, communities must decide whether or not they are interested in continuing the process of building a relationship and conversation with organizations;
3. If there is a negative response from the communities after internal meetings, the conversation ends there! If there is interest and a positive response, companies must provide the information requested by the peoples' representatives and gather the legal documents to continue the partnership. Development companies must be flexible and understand that interethnic communication requires care and time, and many meetings and conversations may be necessary. This agenda needs to be fulfilled exhaustively until a mutual understanding has been reached between the organization and the communities' interests so that the partnership project is possible;
4. After conversations with the legal representations of the communities, an agenda of regional meetings must be developed so that new information can be passed on, in the format of face-to-face and virtual workshops when relevant, as long as interested parties have quality access to internet and are open to this type of meeting;
5. After the regional rounds, a general assembly must be held to guarantee the presence of all forms of representation that are legally recognized by the internal governance of the people to give voice to local demands with others who are involved in the process. Important: The definitions of location, date, participants, among other logistical issues must take into account the choices and autonomy of populations and communities. For example, traditional festivals, rites of passage, and funerary rituals can influence the establishment of these agendas;
6. Once the general assembly has been established with discussion spaces, autonomous spaces, and informative and deliberative spaces, decision-making takes place in accordance with internal governance. Having consent between the group and the organization, the legal representatives and/or those defined in the assembly of the communities participating in the project formalize an agreement to begin formulating the project;
7. After completing these steps, the parties involved, companies, and Indigenous populations are able to establish a partnership that meets the needs of all involved after conversations and negotiations.

**Important:** All Indigenous ethnic groups have their own modes of governance, and the model may vary depending on each case; HOWEVER, this is a form of conduct based on ethnic and traditional diversities that can be understood as a practical good conduct guide that respects policies and cultural norms, which are fundamental in partnership projects that involve diversity.

## 5. Consultations with Quilombola Communities

Quilombos were spaces of freedom and resistance where communities of people who had been enslaved lived between the sixteenth and nineteenth centuries. However, the term 'Quilombo' is a concept with African roots modified over the centuries, which means warrior camp in the forest (Lopes, 1987). One hundred years after the abolition of slavery in Brazil, the 1988 Constitution created the definition "remnants of Quilombo communities," which, over the years, was replaced by the term "Quilombolas."

Brazil has around 1.3 million people who identify as Quilombolas, accounting for 0.65% of the country's total population; of this total, around a third are located in the Legal Amazon Region. The region that concentrates the majority of the Quilombola population is the Northeast (70%), especially the states of Bahia and Maranhão, mainly due to historical issues related to colonization (IBGE, 2023).

In Brazil, these territories are legally recognized and regularized by INCRA or state land regulatory bodies, and the government organization that promotes the protection of the rights of Quilombola communities is the Palmares Cultural Foundation (FCP). FCP is responsible for mapping and certifying remnants of Quilombo communities, and it also participates in the licensing of infrastructure projects and in promoting Afro-Brazilian culture. Its importance in the consent process (FPIC) is mainly in mediating between communities, government organizations, companies, and other entities of interest, in addition to evaluating the environmental impacts of projects proposed in Quilombola territory, which is directly related to the prior consultation processes. Its activities are strongly supported by **Decree number 4,887, of November 20, 2003:**

"It regulates the procedure for identification, recognition, delimitation, demarcation, and titling of lands occupied by remnants of the Quilombo communities referred to in article 68 of the Transitional Constitutional Provisions Act."

The rights of Quilombolas are also provided for in article 68 of the Transitional Constitutional Provisions Act:

"To the remnants of Quilombo communities who are occupying their lands, definitive ownership is recognized, and the State must issue their respective titles."

Free, Prior, and Informed Consent (FPIC) must respect the principle of human dignity, especially regarding the appreciation of goods and values related to the autonomy of Quilombola peoples rather than to individuality. Therefore, it is important to consider the following:

- The need or obligation to obtain the consent of all communities involved in the project to be proposed, by means of community discussions in a clear, transparent, accessible manner and with essential information for decision-making;
- Present to local communities the objectives proposed by the carbon project in question and the possible changes in the economic, social, cultural, and environmental spheres;
- The importance of notifying all communities regarding any proposed activities, in the traditionally recognized and culturally appropriate manner. Proponents must follow the internal regulations linked to the territories, as well as the Statute, which contains formal procedures for joint deliberation on activities;
- Consent in communities must be an ongoing process of project planning, design, implementation, and monitoring. Based on this frequency, communities can choose to give their consent or not; and
- In a general assembly, following their own statutes, community leaders can revoke consent, either for legitimate reasons or acting in good faith.



It is known that diverse organizations in Brazil work on behalf of Quilombola communities, and they should be considered as stakeholders, given that they work to preserve the culture, rights, and sustainable development of Quilombola communities. They include the following:

1. National Coordination for the Articulation of Black Rural Quilombola Communities (**CONAQ** - <http://conaq.org.br/>);
2. Coordination of Associations of Remnants of Quilombo Communities of Maranhão (**CONAQMA**);
3. Coordination of Black Rural Quilombola Communities of Vale do Ribeira (**CCNQVR**);
4. Association of Remnants of Quilombo Communities of the State of Rio de Janeiro (**ACQUILERJ**);
5. Federation of Quilombola Communities of the State of Bahia (**FECQ-BA**);
6. Association of Remnants of Quilombos of the State of Ceará (**ARQ-CE**);
7. Association of Remnants of Quilombo Communities of Maranhão (**ACONERUQ-MA**);
8. Quilombola Association of the South Region of Espírito Santo (**AQURES**);
9. Quilombola Association of Bahia (**ASQUAB**);
10. State Coordination of Associations of the Remnants of Quilombo Communities of Pará (**Malungu** - <https://malungu.org/>).

Procedures for FPIC in Quilombola territories must be carried out in crucial stages of transparency and consent. Therefore, it is necessary to ask whether the process has fulfilled the following stages:

**STAGE 1) Identification and Protocol:** Did it identify the rights holders in the territory and their rights by means of engagement (Who are the collectives involved)?

**STAGE 2) Mobilization and Engagement:** Did it present different sources of communication and mobilization (posters, videos, etc.)?

**STAGE 3) Participatory Implementation:** Did it carry out the process of participatory meetings (raising of awareness) in all communities of the territories (or engagement by means of general meetings organized by the communities themselves)?

**STAGE 4) Information and Agreements:** Did it inform affected rights holders?

**STAGE 5) Validation and Formalization:** Did it validate and formalize the work plan?

**STAGE 6) Implementation and Monitoring:** Is there an existing application plan?



Credits: Júlio Nauan/brCarbon

## 6. Consultations with Extractivist Populations in RESEX

The National Council of Extractivist Populations (CNS), a national organization that represents agroextractive communities organized in associations, cooperatives, and unions, proposes the Guidelines for REDD+ Programs/Projects in Extractivist Reserves<sup>(3)</sup> in Brazilian territory, in a document published in January 2023. Thus, work with extractivist populations must comply with the following guidelines:

1. The institution that intends to develop a REDD+ project in Extractivist Reserves must initiate dialogue with the concessionary associations and the National Council of Extractivist Populations.
2. The institution must present a preliminary project proposal to the RESEX, including a map of the project area, duration, estimates of deforestation reduction, and other topics necessary for the complete understanding of the project proposal by the community.
3. The preliminary project proposal must be presented to the community, initiating the process of Free, Prior and Informed Consent.
4. The preliminary project proposal must be presented and approved by the RESEX Deliberative Council.
5. The process of drafting and signing agreements and contracts must be accompanied by legal and technical advice specializing in the environmental area.

6. It is necessary to respect all RESEX management instruments (Management Plan, Administration Plan, Consultation Protocol, and others), whenever they exist.

7. REDD+ projects must ensure and respect the identity and traditional way of life of community members.

8. Projects must develop fair and equitable benefit sharing models in a participatory manner with the beneficiary communities, considering current and future generations.

9. Projects must include socioenvironmental safeguards in accordance with the Cancun Principles, and they must be previously discussed with the communities.

10. Projects must present a Risk Management Plan, which must be discussed and approved by the communities.

11. The project proponent must be the concessionaire association, and the management model must be defined between the parties.

12. The project must comply with current legislation, especially Decree number 6,040/2007, which established the National Policy on Sustainable Development of Traditional Peoples and Communities.

It is recommended that work with extractivist populations in RESEX observe the above guidelines in the development of their partnership projects.



Credits: Júlio Nauan/brCarbon

<sup>(3)</sup> Available at: <https://institutoestudosamazonicos.org.br/acervo/diretrizes-para-programas-projetos-de-redd-em-reservas-extrativistas/>



## 7. Consultations with Family Farming Communities and Agrarian Reform Settlers

Family farmers and Agrarian Reform settlements represent social groups with diverse demographic, economic and cultural profiles. Their production systems include a broad production gradient, in addition to regulations on access and land use, which can be collective, individual, or through a concession from the National Institute of Colonization and Agrarian Reform (INCRA) and state land institutes.

Accordingly, carbon projects with these groups of actors must begin with a robust prior diagnosis to understand the local scenario of land use and ownership, local representative institutions, and the socioeconomic and cultural profile of farmers.

Family farming is an economic activity regulated by Law number 11,326/2006, which defines family farmers as:

“Those who practice activities in rural areas, own an area of up to four fiscal modules, with labor undertaken by the family, minimum percentage of family income originating from economic activities of their establishment, and management of the establishment or enterprise by the family.”

**Work with family farmers and Agrarian Reform settlements must comply with the following guidelines:**

1. Carbon projects in areas of family farmers and Agrarian Reform settlers must be based on local demand and interest;
2. Consultations and participatory diagnostic actions must be carried out with representative institutions recognized by family farmers and local Agrarian Reform Settlements, such as Residents' Associations or Producers' Associations and Rural Unions;
3. The preliminary project proposal, including map of the project area, duration, estimates of deforestation reduction, and other topics necessary for a complete understanding of the proposal, must be presented to the community, beginning with Free, Prior, and Informed Consent;
4. Free, Prior, and Informed Consent is indispensable when the project is carried out or has a direct impact on areas of community use, with cultural values or under the ownership of family farmers and rural settlements. In case of indirect benefits promoted by the project, these actors must be consulted, maintaining the principles of transparency, with full and effective participation in all stages of the project;
5. Carbon projects that are in areas of family farmers and Agrarian Reform settlers, or that consider them as beneficiaries, must respect local ways of life and customs;
6. Projects must develop models for sharing fair and equitable benefits, in a participatory manner with the beneficiary communities, considering current and future generations.



## General recommendations

### What to do:



1. Seek information about possible Memorandums of Understanding (MoU) or Non-Disclosure Agreements (NDA) previously signed by the community with another developer, before initial contact.
2. Share information in language that is appropriate to the communities involved.
3. Use documents necessary for approach, such as: authorization to use voice and image; consent to enter or visit a territory; forms for participation in public consultation and others.

**Important:** Access by non-community members and non-Indigenous people requires specific health authorizations from organization representatives, as a means of preventing the spread of diseases or any harm to people. Consultation with the health agent assigned to that community is recommended. Furthermore, traditional territories should not be entered without consultation and consent from the people.

### What not to do:



1. Offer payment in cash or attempt to cover any offer previously made by another developer.
2. Fail to provide the information requested by populations in a timely manner.
3. Disrespect the productive agenda of traditional festivals and rituals.

**Attention:** Should an event occur that is not considered in the document or that is assessed as not in conformity during a process of approaching a community, it must be reported to the competent body.

## Projects in Protected Areas

Carbon projects that take place in protected areas, covering all definitions, including Indigenous Lands and Quilombolas, must be coordinated with the active participation of representatives of traditional peoples and communities present in these areas. The corresponding bodies, such as FUNAI, FCP, ICMBio, IBAMA, and the Special Secretariat for Policies to Promote Racial Equality of the Presidency of the Republic and/or its state counterparts, must also be involved in the process.



Credits: Júlio Nauan/brCarbon

## 8. Conclusion

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The legal basis of this Guide is Decree number 6,040 of February 7, 2007, which instituted the National Policy on Sustainable Development of Traditional Peoples and Communities (PNPCT, 2011).<sup>(4)</sup> Peoples who differ culturally and recognize themselves in this manner have their own civil organizations, and they utilize territory and natural resources for social strengthening, applying traditional knowledge and innovations.

The Alliance values the strengthening of socioeconomic activities based on sustainable development, as established in the 2030 Agenda,<sup>(5)</sup> with balanced use of natural resources and improved quality of life for the present and future generations.



Credits: Marcio Nagamo/Carbonext

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<sup>(4)</sup> Decree number 6,040 of February 7, 2007.  
Available at: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2007-2010/2007/decreto/D6040.htm](https://www.planalto.gov.br/ccivil_03/_ato2007-2010/2007/decreto/D6040.htm).

<sup>(5)</sup> 2030 Agenda for Sustainable Development.  
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