



DISCUSSION DOCUMENT

KoBra Spring Conference 2023

Climate Justice: Renewable Energies in Brazil

The ongoing global climate crisis and its increasing devastating effects reinforce the urgency of the decarbonization process and the expansion of renewable energy towards a global energy transition. However, such processes must be implemented within the pillars of social justice and human rights in order to be sustainable for all. This document was written in the context of the KoBra Spring Conference 2023, based on the discussions fostered by the lecturers, other experts and NGOs related to these topics. It is not intended to exhaust all aspects related to them, nor to fully represent the personal opinion of each author, but to summarize some of the main perspectives presented during the event.

- There is no climate justice without respect for human rights, and there are no human rights without respect for indigenous rights. **Climate justice must be built around indigenous rights to self-determination, well-being, traditional knowledge, and a healthy environment, as articulated in the UN Declaration on the Rights of Indigenous Peoples.** This must be recognized by national governments and the environmental community. The future of our planet lies in their ways of living on Earth.
- **Countries and business & civil society should work on legally binding mechanisms to recognize the rights of Indigenous Peoples and local communities in the management of natural resources.** The contribution of these groups to the conservation of biodiversity is considered equivalent to the protection of environmental areas.
- **Indigenous Peoples must have direct access to funding so that they can fully exercise their role in addressing the twin issues of biodiversity loss and climate crisis.**
- The recognition of land rights and other demands of traditional populations such as Fundo e Fecho de Pasto, Quilombolas and Indigenous Peoples is a central principle for ensuring a just and equitable energy transition. Given the current speed of implementation of new renewable energy projects, this process requires a **comprehensive and accelerated demarcation of collective land ownership to effectively prevent land grabs and consequent land conflicts.** Yet, recognition should not be limited to communities in regions that have or may have renewable energy projects, but should be extended to all traditional populations and indigenous communities in all regions of Brazil.
- **It is imperative that prior to any activity that may affect Indigenous Peoples' rights to resources, territories, livelihoods and food security, that their free, prior and informed consent (FPIC) is secured;** it is an earned right that must be protected and enforced. This must be done in culturally appropriate ways, in accordance with their traditions, norms and values, and through representatives and institutions chosen by them.

- **Procedural fairness must be assured for traditional communities affected by energy transition related enterprises. In this sense, it is crucial that there is full information dissemination on new projects and their specific impacts at the local level, holding public hearings in rural and indigenous communities, and offering fair and legally approved contracts.** In addition, regional energy planning involving all stakeholders and affected populations can be used as a tool to find spatial allocations for renewable projects that are in line with community needs.
- Contracts between renewable energy companies and municipalities have consistently been found to be biased against local communities. **Establishing free, high-quality legal advice to communities prior to signing such contracts should be a priority to prevent frauds.** As a preventive measure, templates for legally binding agreements should be made publicly available as a service to communities and businesses. In addition, collective land rents should be disclosed and publicly accessible to prevent information asymmetries between communities and businesses from being used to unfairly reduce rental prices. Permanent mechanisms for dialogue and conflict resolution between communities and businesses should also be considered to address any outstanding issues.
- **Fair compensation combined with land lease payments to communities are key measures to distribute the benefits and costs of renewable energy expansion between consumers and host communities.** Currently, payments to local communities are limited to land leases (often far below market values) and even these are not guaranteed, due to the lack of recognition of land rights. Renewable energy projects, however, have tangible and intangible impacts within the community as well as in neighboring communities, representing losses for these populations. Benefits in the form of investments in public space (e.g. squares renovation, sports facilities), or the creation of quality jobs with a transparent and inclusive hiring process and training opportunities for long-term job security, may be ways to compensate communities.
- For a democratic and ecological energy policy it is urgent **that a broad debate be held with Brazilian society before possible government decisions are taken in the direction to exploit dirty energy with public funds, such as shale gas and nuclear energy.** After all, it is the people who will ultimately bear the costs and the negative consequences of implementing a model that is not aligned with the Sustainable Development.
- The unbridled growth of capitalist enterprises is the main cause of the climate crisis and global warming. It is necessary to slow down the pace and work toward a democratic global economy.

This document was created with contributions by Edson KRENAK (Cultural Survival, University of Vienna), Michael KLINGLER (BOKU Vienna), Patricia Derolle Huber GALVES and Johannes SCHMIDT (BOKU Vienna, reFUEL project), Paola VELASCO-HERREJON (University of Oslo) and the open letter to President Lula signed by institutions and part of Brazilian civil society entitled "Por uma política energética DEMOCRÁTICA, ecológica, sem energia nuclear e sem gás de folhelho ("xisto")" (February 2023).



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