

July 25, 2011



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**California Air Resources Board**  
1001 I Street  
Sacramento, CA 95814

Attn: Clerk of the Board  
Re: Public comments concerning AB32

My comments concern the international offsets component of AB32. Specifically, I am writing on behalf of Global Justice Ecology Project—an international ecological justice organization—to raise concerns that the international offsets protocol within AB32 will lead – indeed, is already leading – to clear abuses of human rights and the rights of Indigenous Peoples.

Upon learning of the international forest offsets protocol within AB32, and the Memorandum of Understanding signed between former Governor Schwarzenegger and Governor Juan Sabines, of Chiapas, Mexico, I traveled to Chiapas to do research as part of a fact-finding delegation with Global Justice Ecology Project. What we found is that the promise of funding from California's forest carbon offsets protocol is exacerbating rural conflicts over land tenure, and has already led to the eviction of several indigenous communities from their homes. As many observers have predicted, implementation of the policy of Reducing Emissions from Deforestation and forest Degradation (REDD) appears to be exacerbating long-standing conflicts over land tenure.

In Chiapas, while REDD will be implemented in several regions, one area of clear concern is the Montes Azules Biosphere Reserve. In 1971, the Mexican government gave some 600,000 hectares of land in the Lacandon jungle to the 66 families of the Lacandon tribe. A second decree in 1976 made the greater part of the rainforest into a UNESCO World Heritage site, the Montes Azules Biosphere Reserve. In order to enclose a million-and-a-half acres of forest, 26 villages of indigenous Tzeltal and Ch'ol people—over 2,000 families—had to be displaced from their homes. The tension and conflict that resulted made it impossible, for decades, for the Mexican government to successfully delimit the land in question. Today, with the promise of financing under REDD, work is underway again to delimit the land.

In February of this year, Chiapas Governor Juan Sabines began distributing payments of 2,000 pesos a month to members of the Lacandon community as part of the state's Climate Change Action

Program. Governor Sabines said in May that the funds are coming "from a tax on vehicle registration, because, as of yet, California is not able to put up the money."

The money is given in payment for the Lacandon tribe to protect and police the forest against illegal settlers; in order to inventory and protect the jungle to generate carbon credits, the government must not only delimit its boundaries – it must evict anyone living there who may not have legal land title. The village of Amador Hernandez, within the Montes Azules Reserve, is one such irregular settlement under threat of removal.

Global Justice Ecology Project visited the village of Amador Hernandez this past March. While there, we had the opportunity to attend a village meeting. At the meeting, a young man named Santiago Martinez read out a document in which the government threatened to send a team to evict irregular settlers – meaning the villagers themselves. He then gave his own analysis of the problem: "They are promoting the idea of giving carbon credits to industries in California so they can continue contaminating."

From the other angry voices at that village meeting we learned that, a year before our visit, all medical services, including vaccinations, had been cut off to the community. Several elderly people and children had died due to lack of medical attention.

"The fact that they did this after we refused to enter into any of their plans makes us believe that it has to do with our lands," said Martinez. "They're attacking our health as a way of getting access to our land."

Under international law, indigenous peoples can only be displaced from their homes under conditions of Free, Prior and Informed Consent. From all appearances, it seems that the state government of Chiapas plans to use funds from California to institute forest protection programs that violate international law by submitting Indigenous communities to relocation, without any process of consultation or Free, Prior, Informed Consent, as guaranteed by the United Nations Declaration of the Rights of Indigenous Peoples.

Enclosed with this written comment is a seven-minute video from Amador Hernandez, which Global Justice Ecology Project is submitting as testimony to the Air Resources Board. I urge you to watch this video, and to consider the distant implications that the international offsets component of AB32 may have.

As an organization with an office in California that is concerned about environmental protection, social justice and human rights, Global Justice Ecology Project cannot support legislation that may be implicated in the involuntary displacement of Indigenous Peoples from their lands. The international forest offsets protocol being developed within the Cap and Trade rules of AB32 threatens to do just that.

Sincerely,



Jeff Conant

Communications Director  
Global Justice Ecology Project