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The Institutionality of Environmental Justice in a REDD+ Offset Project

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Abstract: This article presents a comparative institutional analysis of the implementation of the Climate, Community and Biodiversity Standard, of Verra, for a REDD+ offset Project in the Brazilian Amazon and the results from Environmental Justice (EJ). Based on the Institutional Analysis and Development Framework, the article identifies interactions between political arenas and formal and informal rules in the results of EJ following the case study of a REDD+ offset Project. The article points to the importance of the operational local arena and the institutional work of local players in the results of REDD+ offset Projects regarding EJ aspects.

Keywords: REDD+ offset, CCB standard, institutions, environmental justice, Amazon.

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Introduction

With the search for institutional arrangements that guarantee strategies to reduce greenhouse gas emissions for the purpose of climate regulation, it has become an important agenda in multilateral negotiations between countries and jurisdictions, as well as in other countries and jurisdictions, under the United Nations Framework Convention on Climate Change (UNFCCC) and the Conference of the Parties (COP) meetings. The Kyoto Protocol, negotiated at COP3 in 1997, was the first to establish the regulated carbon market within the United Nations (UN) system, determining the Clean Development Mechanism (CDM) as the reference method for the regulated carbon market among developed and developing countries (EULER, 2016).

In 2005, a discussion began at COP11, in Montreal, on another market strategy that would include private arrangements and voluntary market negotiations plus the regulated market called REDD+ (Reducing Emission from Forestry and Degradation). REDD+ became part of UNFCCC's climate strategy at COP 16 in 2010, the year in which the Cancun Safeguards (CS) were defined (Brazil, 2015). At COP 19, in 2013, the Warsaw Framework defined the "architecture of international rules" for REDD+ (EULER, 2016).

REDD+ refers to a wide range of actions aimed at reducing deforestation and forest degradation, increasing incentives to payment mechanisms for ecosystem services that ensure the increase of forest carbon stocks through conservation and sustainable forest management (SARTORI; LATRÔNICO; CAMPOS, 2014; SOUZA, 2013). REDD+ is one of the governance strategies of ecosystem services, led by the State or by private entities, that has been gaining strength in Brazil (SEROA DA MOTTA et al., 2020, SOUZA, 2013). In this article we focus on REDD+ projects for the purpose of conservation and maintenance of the standing forest, aiming at the voluntary carbon compensation market, which we call REDD+ offset.

In the voluntary market, the company Verra is one of the certifiers most sought after by investors, with 1,775 certified projects and 944 million carbon units verified and distributed across all continents, according to data made available on its website. In addition to the Verified Carbon Standard — VCS (compatible with ISO 14064) used to quantify carbon units, the company created the Climate, Community, and Biodiversity (CCB) standard as project quality certification for environmental justice aspects.

The SC establishes environmental safeguards that have been adopted nationally and internationally as a parameter of environmental justice (EJ) assurance in REDD+ offset projects. The creation of the CCB, in connection with the CS, is a response to the increasing criticism aimed at carbon market programs and projects regarding their negative impacts on local populations (SARTORI; LATRÔNICO, CAMPOS, 2014; MARIN-HERRERA; CORREA-CORREA; BLANCO-WELLS, 2021).

These standards determine the formal institutions (FI) that must be created by the REDD+ offset Project in order to generate the institutional change necessary to improve the governance of ecosystem services. In the institutional arrangement of the REDD+ offset Project, free access and transparency of information regarding the project are guaranteed by the certifier. It is the carbon entrepreneurs, traders, and brokers of

the voluntary market that should be concerned with ensuring the quality of the project regarding compliance with the standards.

However, it is not possible to affirm that the market chooses to buy carbon credits (CC) from projects with the best environmental and social performance, resulting in a disconnection between the mechanisms of punishment and incentive, which are key for compliance with the rules (North, 1990). These flaws are reflected in the broad questioning of REDD+ offset Projects regarding their EJ aspects (MILNE; MAHANTY, 2019) and the perpetuation of their results of conservation effectiveness over time (CARRILHO et al., 2022).

Although the implementation of the CCB has emerged as a mitigating measure to the impacts related to the EJ of REDD+ offset projects, there are few works dedicated to understanding the local institutional changes caused by the standard regarding the promotion of EJ. This article intends to reflect on the operational aspects of the institutional change intended by formal institutions (FI) (e.g., "de-jure rules") created by CCB 2.0/gold.

For this purpose, the article proposes a comparative institutional analysis of formal rules (FR) and rules in use (RU) (SESSIN-DILASCIO et al., 2015), derived from institutional work (InWork) carried out by local coalition in the equation of informal institutions (INF) and FR in the operational local arena (PAVANELLI et al., 2022). The article aims to contribute to the reflection on the importance of the operational local arena and the InWork of local players in the results of REDD+ offset projects regarding EJ aspects and to point out possible ways to improve the institutional arrangements of certifiers and other institutions interested in the subject.

1.1 Institutional Theory and the Operational Local arena

Institutional theory follows a long history of theoretical and methodological production, in different fields of knowledge and using different approaches (MORGAN et al., 2010). For Hodgson (2006) institutions can be defined as systems of rules established and rooted in society with the function of structuring social interactions, with formal (FI) and informal (INF) institutions (HODGSON, 2006).

North clarifies that FI are those that when broken, imply legal sanctions applied by a specific type of organization, while non-compliance by INF is sanctioned by the social environment (NORTH, 1990). Hodgson (2006) highlights the fact that there is no clear separation between FI and INF, because even those that are clearly formal, such as the case of laws are not enforced without tacit (informal) elements in their application. Therefore, informal rules (IR) are difficult to codify and identify.

Considering FI, it is possible to separate those that are "de jure" — defined by normative regiments — from those that are in use — "de facto") (SESSIN-DILASCIO *et al.*, 2015). In Brazil, this finding gave rise to the expression "*pegar/ não pegar*" (stuck/ didn't stick) applied to the law, showing that properly regulated legislation is not necessarily applicable in society; it depends on what informal elements (e.g. customs, habits, and others) are equated to formal elements (PANIZZA; DE BRITO, 1998). Institutional

plurality hinders the assessment of aspects of institutional change, directed by the creation of a standard or by a change in social habits.

Pavanelli *et al.* (2022) suggest the inclusion of new analytical variables from the *Institutional Analysis and Development* Framework (IAD), created by Ostrom (2005, 2008) and Ostrom and Basurto (2011), in order to understand how institutional change occurs in the context of Brazilian energy policy. This reformulation considers biophysical conditions; attributes of communities, such as social resources (e.g. mental models, symbolic capital, ideology, social, political, and human capital), and economic resources (e.g. financial, technological, and infrastructure capital), which in interaction can produce new coalitions for institutional change permeating the following political arenas: meta-constitutional, constitutional, collective choices, and operational level of FR.

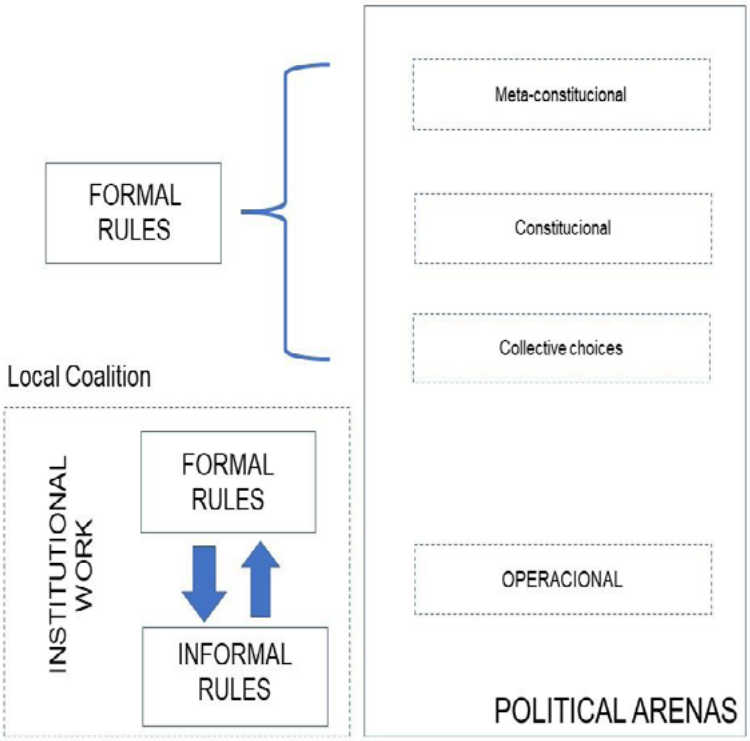
Many studies on institutional change focus on the analysis of stability and reproduction anchored by the concept of "path-dependence" as a logical explanation for the reproduction and stability of institutions based on the influence of previous events (lock-in). The substance of change is more difficult to characterize ontologically, and this will not be the focus of this article. It will focus on the comparative institutional analysis (MORGAN *et* al., 2010) of FR and RU based on the case study of the REDD+ offset Project of Valparaiso.

The hypothesis of this article is that conflicts related to REDD+ offset Projects regarding their EJ aspects are the result of operational difficulties in making use of FI in the context of the territories (operational local arena) and of differentiating "de-jure" and in-use institutions, which is a result of the InWork of local coalitions.

2 Methodology

The method used in this article is based on comparative institutional analysis (CIA) (MORGAN et al., 2010) based on the case study (YIN, 1989) of the Valparaíso project. We compare the FR ("de-jure"), derived from different political arenas to the RUs of the Valparaiso REDD+ offset Project. According to the literature (JESPERSEN; GALLEMORE, 2018), the RUs derive from the InWork of the local coalition, in the equalization of FI and INF. The framework in Figure 1 contributes to the identification of analytical categories that have been incorporated into the CIA.

Figure 1 - Institutional Analysis Framework of the REDD+ Project.



Font: modified from Pavanelli et al. (2021).

The analysis of the consolidation history of the REDD+ mechanism allowed us to identify the different political arenas and FR related to EJ. Additionally, 21 open interviews were conducted with stakeholders involved in REDD+ offset and jurisdictional projects, following the snowball method (PARKER; SCOTT; GEDDES,2020). We interviewed technicians, environmental activists, state officials, civil society organizations, and indigenous people who were somehow involved with REDD+ projects. These interviews helped us to understand the decision-making political arenas related to REDD+ projects.

Content analysis (SESSIN-DILASCIO *et al.*, 2022) supported the categorical document research to identify and sort FIs of CCB 2.0/gold, as well as its application in concrete reality based on third-party monitoring, reporting, and verification (MRV) reports available on the Verra website. We collected news about the project from newspapers and information from the websites of the companies associated with the Valparaiso project. The database comprised 72 documents, including reports and projects published from 2011 to 2021 (10 years), two descriptive reports on the CCB standard (edition 2.0 – gold

level and edition 3.0), the VCS standard (edition 3.0), and 5 newspaper articles.

During the article review period, interviews were also conducted with an auditor and a project analyst of Verra in Cruzeiro do Sul/AC, in situations of discussion about the Valparaiso project. The data from these interviews were of great importance for understanding how third-party audits and the monitoring of Verra REDD+ projects are operationalized, as well as the dimension of influence of audit and local data on the redefinition of project objectives and the assessment of FR.

All these data contributed to the identification of FRs and their respective political arenas, which were organized as follows: meta-constitutional (CS and rules of Convention° n 169 of the International Labour Organization - ILO 169), constitutional (mandatory in compliance with national laws and legislation), and collective choices (created by the CCB 2.0/gold standard).

The FRs identified in each political arena were crossed with the rules established by the CCB standard edition 2.0/gold level, as documented by the CCBA report (EHRHART *et al.*, 2008) and combined with premises related to the granting of the VCS standard, indicating criteria, standards, principles, and institutional arrangements required by the CCB standard. The FRs of the operational arena of project Valparaiso are the result of the influence of FRs of other political arenas that make up the context of REDD+ negotiations.

The IRs, the result of social, historical, cultural, and economic interactions in the Valparaiso territory, constitute tacit (informal) elements. These are rules that are difficult to code and identify. The identification of these rules would require long ethnographic work, which is not part of the objectives of this paper; therefore they were not described. On the other hand, the article focused on the identification of the RUs of the project, presented in the reports prepared by the third-party auditors, in the field notes, and in the data derived from participant observation (SILVA; MENDES, 2013) during the development of the Covid-19 emergency aid project and the installation of a water system in the Foz do Valparaiso community, with support from Instituto Fronteiras.

The participant observation helped in deepening the understanding of local coalitions in the operational political arena, the feedback relationship between the political arenas, and the work of third-party audits. Above all, it contributed to the critical analysis by the researchers to identify problems regarding the application of the project FRs, in particular the land agreements on popular consultation.

The data obtained in an interview with one of the entrepreneurs of the project in March 2022, in the municipality of Cruzeiro do Sul/AC, also provided comparative critical elements between the FRs of CCB 2.0/gold and its implication in the daily practices of the community.

2.1 Characterization of The Valparaiso Project

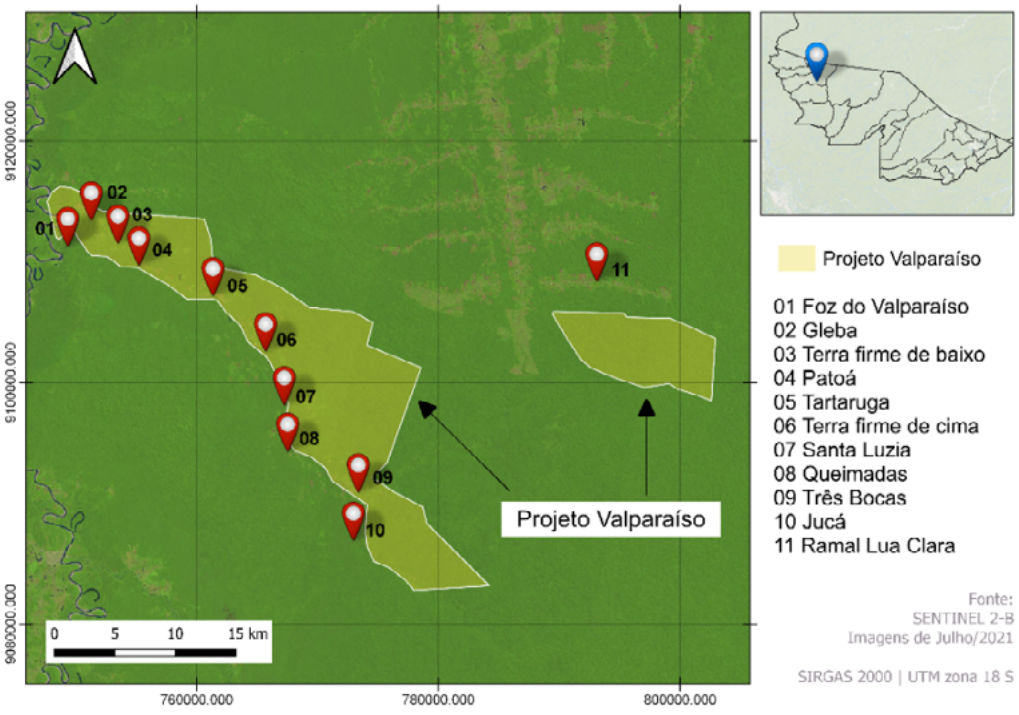
The Valparaiso REDD+ offset project is located in an old rubber plantation. The area was granted by the Union for rubber extraction, and for many years it was managed

by the so-called "*patrões da seringa*" (rubber bosses). Many of these areas are occupied by remaining rubber tapper communities that remained in their territories after rubber prices dropped and the management of rubber plantations was abandoned.

The high cost and technical complexity of the certification process, coupled with the need for long-term investment to produce a greater amount of equivalent carbon to ensure the profitability of the project (BOUCHER, 2015), causes many landowners to associate with other institutions to ensure the economic viability of the project, as was the case in the researched project, whose CC certification was carried out jointly between the Project Valparaíso-Russas, totaling 70,072 hectares.

The Valparaiso Project is located on the right bank of the Valparaiso River and covers 28,096 hectares of an old rubber plantation, where several riverside and former rubber-tapping families live, forming community groupings. The larger area, adjacent to the Valparaiso River, was bought by the current owner in 1985. The smaller area, near the Lua Clara branch, was acquired in 1986 (**Figure 2**). The project was implemented in an area classified as having great potential for use conversion, from forest to pasture, and occupation, driven by the paving of Branch 3 and the continuity of the project to expand BR-364 in the vicinity of the National Park of Serra do Divisor.

Figure 2 – Map of the REDD+ Valparaiso project and its communities.



Font: Instituto Fronteiras, 2022.

The Valparaíso-Russas Project certification process lasted three years (17/03/2011 - 07/2014). The CCB 2.0/ gold certification was received on 25/06/2014. The project is expected to remove 3,123,870 tons of equivalent carbon dioxide emissions in 10 years. The first part of the project is expected to last 30 years, from 30/03/2011 to 18/03/2041, and the project proponents have advised to maintain the forest cover for 110 years, beyond the certification period (EATON *et al.,* 2013).

3 Results and Discussions

3.1 Comparative Institutional Analysis: The Interaction Between Formal Institutions (FI) and Informal Institutions (INF) in the Operational Political arena

3.1.1 The formal institutions of the CCB standard and the Cancun Safeguards

In the Brazilian legal Amazon, Verra is the main certifier of voluntary carbon projects. Among their projects, half (15-51.7%) have received the CCB certification. CCB 2.0 establishes fifteen environmental justice criteria and another three optional ones to achieve gold level (CCB 2.0/gold). The document that describes the CCB 2.0/ gold criteria points to integration with the CS, except for safeguard nº 2 (CS2) related to national forest governance. This article used the definitions of the CS to establish current comparative operating parameters between FIs, of CCB 2.0/gold and RUs, derived from the interaction between FIs, INF, and InWork.

Table 1 - Results of the comparative analysis between formal institutions required by the CCB 2.0/gold standard and the safeguards (CS).

	CS	CC Standard - 2nd edition
1	Actions that are complementary or consistent with the objectives of national forest programs and other relevant international conventions and agreements	a) Compliance with national laws
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	a) Legal and traditional rights of occupation/ use/access/management over their lands b) Demonstrate documented community consultation and agreement procedures c) Demonstrate that the activities of the project do not lead to the involuntary removal or transfer of property rights holders from their lands or territories, nor force them to relocate activities that are important to their culture or livelihoods

4	Full and effective participation of stakeholders, in particular indigenous peoples and local communities	a) Describe the complete documentation of the project, which should be free to access communities and other stakeholders b) Explain how relevant and appropriate information on the potential costs, risks, and benefits to communities was provided for proper decision-making regarding the project c) Describe the communication measures and methods used to explain to the communities the validation and verification process d) Describe how the communities influence the design and implementation of the project through effective consultation e) Demonstrate that all consultations and participatory processes were conducted directly with the communities f) Describe the necessary measures taken to allow effective participation
5	Actions should contribute to the conservation and recovery of natural ecosystems and avoid negative impacts on biodiversity and environmental services, as well as contribute to other social and environmental benefits	a) Include high-value conservation attributes related to the biodiversity of project areas b) Estimate the expected and actual impacts, benefits, costs, and risks, direct and indirect, to each of the community groups c) Describe measures necessary to mitigate any negative impacts so that no high-value attribute for conservation is negatively affected d) Demonstrate that the net impacts of the project for all community groups are positive in comparison to a scenario of project absence
6	Identify actions to avoid the risks of REDD+ results reversals	a) Identify natural and man-induced risks for the benefits expected from CCB and the necessary measures taken to mitigate risks and maintain and improve benefits
7	Identify actions to reduce the displacement of carbon emissions to other areas	a) Identify expected leaks and describe measures and proposals for mitigation b) Identify impacts on biodiversity outside the project zone and describe measures and proposals for mitigation c) Identify positive and negative impacts on communities, describe proposed mitigation measures d) Demonstrate that the activities do not result in negative net impacts

Font: created by the authors based on EHRHART, et al. (2008).

CS4 establishes rules related to the full and effective participation of stakeholders, especially traditional communities. The standard points to the need to make the full documentation of the project accessible to communities in their local language. It should be proved that widely disseminated meetings were held and that the necessary measures

were adopted to ensure effective and equitable participation of the affected groups. It is mandatory to demonstrate that information on the potential costs, risks, and benefits of the project was provided to communities in an understandable way, including describing the communication methods used.

CS5 points to consistent actions to conserve natural forests and biological diversity and to encourage the protection and conservation of ecosystem services, as well as social and environmental benefits. There is a need to estimate the impacts that generate changes in the welfare of affected community groups in relation to all ecosystem services important to the communities, and any negative impacts in this regard should be mitigated, demonstrating that the net impacts are positive for the community.

Regarding the measures to avoid risks of reversal (CS6) and displacement (CS7) of deforestation to other areas, the standard ensures that natural and man-induced risks will be identified, and that measures will be taken to prevent or mitigate these risks, including on biodiversity outside the project area, comparing them with the net benefits of the related project.

3.1.2 The operationalization of formal institutions in the Valparaiso project

This session will analyze the InWork carried out by the players related to the Valparaiso Project, especially the companies responsible for the project, the Verra certifier, the third-party audit company and the community of Foz do Valparaiso that lives in the area destined for the project. Table 2 presents the comparison between the FI, derived from the CCB 2.0/gold standard and the CS, the activities established by the entrepreneurs of the Valparaiso Project, and the rules in use derived from the InWork by the related social players.

According to data from the audit reports, the georeferenced mapping of the Project area was not completed, as there is no record so far of the area in the SIGEF (Land Management System) of INCRA (National Institute of Colonization and Agrarian Reform) for the purpose of issuing the CCIR (Certificate of Rural Property Registration), which entails the failure to comply with (CS1). It is customary in Acre that purchase, and sale agreements are made verbally without complying with legal requirements for this type of transaction.

As for the right to land of the populations living in the project area (CS3), the entrepreneur committed to the transfer of entitled lots to the community. The land ownership agreements signed by community members are not available for free access on the Project website at Verra. To date, the documents available for the project are not clarifying; they do not make it clear to the communities what, in fact, the size of the lots will be, the moment of the transfer of ownership to the community, nor the binding agreement to this transfer. Participant observation data also indicated the vulnerability of the communities in areas of use that will be destined for hunting, animal breeding, and cultivation.

As for the indicators related to the data transparency process (CS4) and CPLI

(CS4), some of the project documents are available on the Verra website. However, there are several documents with similar information, with the same title, and even duplicated documents, some even containing Word revision markings. Thus, there is no clarity on the logical structure behind the numerous versions and repetitions. The documents are not named in such a way as to facilitate their identification regarding the certification and validation process to which they are related, not even to the indicators of the VCS or CCB standards. These points combined make it difficult for a more accurate analysis of the project, forcing interested parties to go through reports that may not have been taken into account in the certifier's assessment of the project.

Table 2 - Comparison between the formal institutions of the Valparaiso Project and the rules in use (RU) derived from the institutional work (InWork) of the players related to the project.

FORMAL INSTITUTIONS (FI)		INSTITUTIONAL WORK (InWork)
CS/CCB	**Valparaiso Project**	**Rules in Use (RU)**
1	1) Declaration of the area in CAR	1 and 2) The area was declared in CAR, but it does not have its land regularization process completed in INCRA (it is not registered in SIGEF for CCIR issuance)
	2) Completion of the area land regularization process	3) Use of the public machine to complete assistance activities provided for in the project (dental kit and UBS improvements)
3	1) The project promises to transfer lots of entitled land to the communities in the area	1) The land ownership agreements signed by community members are not available for free access
		2) Community reports indicate that they had no choice and were induced to sign agreements that restricted the area destined for community subsistence practices
		3) Community reports indicate that they had no opportunity to clarify their rights to property
		4) Community members claim that they live in constant fear of being evicted from their territory
4	1) Provision of documents on the website and in print	1) Low transparency of agreements and assessments: a) many documents that differ between the date of the report and its date of availability; b) repeated documents; c) lack of clarity regarding which documents were used for the assessment; d) translation into Portuguese with errors that hinder comprehension
	2) Radio program for dissemination of information about the project	2) There is no proof about radio programs
	3) Meetings with the community	3) Meeting "minutes" are not available for consultation

5	1) Actions to monitor deforestation and conversations with the community	1) The project's benefit distribution is focused on the distribution of baskets of food staples, training sessions, and, only recently (25/06/2021), the hiring of 10 people from the community to work for the project
	2) 100 community members received medical attention from a local nurse	2) The project activities were punctual and non-procedural
	3) The local medical clinic (UBS) was renewed	3) Community members reported a situation of nutritional vulnerability, including periods of food shortages
	4) Construction of collective bathrooms	4) Many families have already left the land and are migrating to adjacent areas, especially the Lua Clara branch, occupying land not yet distributed by the Union
	5) Construction of a collective cafeteria	5) Instability of land ownership. Entrepreneurs do not have their land regularized according to Brazilian standards
	6) Distribution of dental kits (12 children)	
	7) Purchase of three boats for the transport of communities and their products, which should facilitate their access to the market	
	8) Training on sustainable agriculture (with 26 visits between 2016/17)	
6	9) Creation of an association to process cassava flour and açai — Purchase of an açai processor	
7	10) The project promises to share the financial benefits with the communities	

Font: Prepared by the authors.

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clarify the size of the lots, the moment of the transfer of ownership to the community, nor the binding agreement to this transfer. Participant observation data also indicated the vulnerability of the communities in areas of use that will be destined for hunting, animal breeding, and cultivation.

As for the indicators related to data transparency (CS4), some of the project documents are available on the Verra website. However, there are several documents with similar information, and even duplicated documents, some containing Word revision markings. There is no clarity on the logical structure behind the numerous versions and repetitions. The documents are not named in such a way as to facilitate their identification regarding the certification and validation process to which they are related, not even to the indicators of the VCS or CCB standards.

The analysis of social participation and consultation requirements (CS4) was based on the project creation documents drafted by *CarbonCo* (17/2014), and two verification reports, the first by the *Rainforest* Alliance/Imaflora audit (RFA/I 2017/3) and the second by the Environmental Services audit (2019/2). The CarbonCo report on the CPLI process (CS4):

> "It was discussed in greater detail with the communities to ensure they were fully aware of the Valparaiso Project, were able to contribute to the design of the project, openly express intended results and concerns, understand the procedure of third-party complaints and voluntarily give consent" (MCFARLAND *et* al., 2013, 31P).

The report points out that consultation with communities and agreements were established during two official meetings that took place on 19/03/2011 and 11-15/05/2013, recorded in minutes. In the latest report published on the project (23/08/2021) (MCFARLAND *et* al., 2021.17p.), entrepreneurs indicated the dates when they met with the communities to discuss the project; in total were 11 meetings in 10 years of the project. The minutes were not attached to the report and are not available on the process transparency website. The report points out that:

> "As of June 2013, most community members residing within the Valparaiso Project have or signed the 'minute' or verbally agreed to participate in the Project (MCFARLAND *et* al., 2013, 32P.).

Although the communities recognize the existence of the Project and have regular interaction with the coordinator who spends 15 days in the field every month, it is extreme to affirm that the CPLI was legitimate and without conflicts. The field meetings were held by the owner of the land, without mediation or external support, and the communities were not supported by lawyers to clarify their rights of ownership. In addition, all the reports were written in English and translated into Portuguese with errors of agreement and disconnected sentences that hindered compression. There is also the complexity of the content, the size, and number of documents that are difficult to analyze.

The verification report points to the limited number of activities that were devel-

oped in the 10 years of the project (2011-2021) in relation to those provided for. Both the reports and the information collected in the field indicate that no action has been taken so far to share financial benefits for the communities, nor the allocation of land bonds.

The community describes the restriction of the areas for crop cultivation and hunting as harmful to subsistence, especially for the last communities of the river, which are further away from the regions where food can be purchased. The community complains that they live in constant fear of expropriation.[1] They report that they had no choice and were induced to sign land ownership agreements that restrict the size of the area destined for crop cultivation. 4) Many families have already left the land and are migrating to adjacent areas, especially the Lua Clara (INCRA) branch, occupying land not yet distributed by the Union The third-party audit report prepared by *Rainforest*/Imaflora reads:

> "*According to the interviewees, the proposal given by the project's proponents is to demarcate 15 to 20 ha per family. (…) The interviews with the communities reveal that there is no consensus agreement over the adequacy of the proposed plot size and that the communities do not agree to the planned restrictions to hunting rights, timber extraction, and fishing, as the family's main income generation and way of life*." (GEIGER *et al.*, 2017, 48p.)

According to Informant 1:

> "The residents were all "*posseiros*" (people who occupy a piece of land and start living off it). I could leave them as residents of the Project, but I want them to be owners of the area, so they are able to get loans, to give them dignity."

The training projects really happened, but were limited to a short period. Sustainable economic development activities have not been resumed so far. To this day, the main source of water consumed in the community comes from the river; there is no water treatment infrastructure or artesian wells or motor that feeds water distribution to the communities.

In an interview, one of the entrepreneurs of the Project pointed out that the proposal was discussed with state senators and deputies in the City Council of Cruzeiro do Sul/AC and, later submitted to the Institute of Climate Change of Acre. He said he invests around 20% of his gains from carbon sales in social projects and monitoring of project assets. He also reported that the Project underwent several assessments when problems related to compliance with the standards were pointed out. He stressed the difficulty in obtaining qualified technical support in the area, considering that the nearest city is on average a day and a half away.

The entrepreneur pointed out that the 10 communities that are part of the process require public services that are not the owner's duty to provide and that the certifiers and verifiers do not know the local reality:

1 - https://www.juruaemtempo.com.br/2021/08/moradores-da-comunidade-valparaiso-buscam-solucao-para-nao-perderem-terras-para-suposto-proprietario/

> "They [the communities] see the benefit coming in and think it is an obligation. I am a businessman, but I do not just look at the capital, I look at people. They [communities] do not value this. We made the buildings individual because they were not taking proper care of them when they were collective. It is not easy to look after people." (Informant 1)

In addition to the pressures to comply with the standards and meet the demands of the communities, the owner has to negotiate the carbon with intermediaries, which has diminished his bargaining room and financial gain from the project:

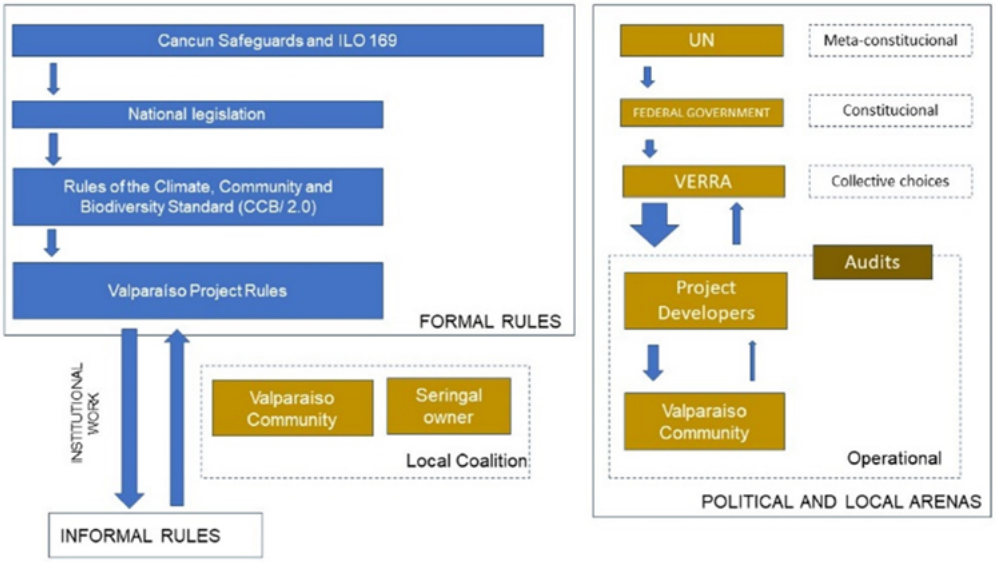
> "Selling carbon is a bad business, you can only find middlemen looking for documents to represent, you don't find the end customer. There is much speculation and little reality. It's not easy for those who own the project to find the end customer." (Informant 1)

3.2 Analysis of The Institutional Work (InWork) Derived from Formal Institutions

The results from the comparative analysis of FIs and Rus (Table 2) point to a great difference between the declared FIs in relation to the InWork carried out by the players in the operational political arena. Figure 3 presents a summary of the results of the Comparative Institutional Analysis (CIA), clarifying the composition of the FRs analyzed and the political arenas in which the interaction between FRs and RIs is elaborated and discussed, and the InWork carried out by the local coalition of social players, as well as the influence between political arenas and regulations (arrows).

It is evident that the FR of the CS and ILO 169 derive from the meta-constitutional political arena (UN). The national legislation to which CS1 refers derives from the constitutional political arena, the rules of CCB 2.0/gold derive from collective choices, and the rules of the Valparaiso REDD+ Project are the result of the operational political arena. The FRs in the operational political arena stem from the interaction between Verra and the Project developers. The mediation between the operational political arena and Verra takes place through third-party audits, responsible for monitoring compliance with Verra rules and suggesting modifications based on the assessment of the Project results, interviews with stakeholders, and monitoring visits. It is important to note that the interaction between the political arenas and the influence of the rules represented by the arrows is mostly unidirectional for the analyzed project.

Figure 3 - Framework of The Comparative Institutional Analysis for the REDD+ Offset Valparaiso Project



Font: Prepared by the authors.

The operational political arena, which is the analytical focus of this article, is the political-institutional space where the interaction between FRs (derived from all other instances) and RIs ("institutional forests") occurs, resulting from the historical process of local social interaction. The social players that make up the local coalition are the members of the community of former rubber tappers of Valparaiso and the owner of the rubber plantation. The other entities that worked to develop the project for Verra (Project Development) are not part of this coalition since they are removed from the reality of the project.

The UN and the Union exert some influence on the project through their regulations and agreements, but it is the collective choices represented by Verra and mediated by third-party auditing that exert greater influence on the operational political arena. The influence of the operational and collective political arenas on the constitutional and meta-constitutional political arenas in the analyzed Project is not clear and appears to be nonexistent. Feedback processes are more recurrent in the operational political arena, where the dialogue between Verra and the developers is mediated by third-party auditing. The communities that are close to the project area have access to the auditor through the monitoring and inspection visits, every 5 years, when the project developers are prepared to answer the auditors' questions regarding the project results.

The same can be said for the FRs established for the Valparaiso Project that are influenced by the INF of the local coalition. The rules that actually remain are those that derive from the InWork carried out by the local coalition on the FRs and Ris in the operational political arena.

There is no shortage of examples that highlight the importance of the InWork of the local coalition in defining the "de facto" rules of the project, which escapes even the auditors. As demonstrated by Table 2, it is possible to notice some inaccuracy as to "compliance with national legislation". In the case of this project, even in the absence of a land regularization process, the certifier accepted that the entrepreneur could define the property rights of the land for the communities through the transfer of lots and bonds. The documents do not clarify how it would be possible to carry out these transfers, following land and environmental legislation, leaving the negotiations open to be resolved by the local coalition.

Another example of the influence of the local coalition on the definition of "de facto" rules is the actions carried out to comply with the CPLI. The CPLI appears as two meetings: one at the beginning of the process (1 day), and another at the time of Verra's visit for the acquisition of the standard (3 days); these are the moments when the entrepreneur claims to have presented all the documents regarding the project, promoted room for clarification of the rights and duties of the community, and presented the activities to be developed. The processes of transparency regarding the data and documents intended for analysis by communities are dubious. The audit highlighted that the project summary document was unfit for an audience with low literacy levels.

The institutional analysis points out evidence that the desired change in the scope of EJ, from the creation of the FIs defined by the standard, should be analyzed within the scope of the operational political arena of the project, considering the influence of the local coalition in the application of the rules. In the case of the Valparaiso Project, the third-party audit, even after identifying problems with the compliance of rules defined in the other political arenas, was not able to change the reality in the operational political arena. This was due to, at least in the case studied, limitations of the feedback processes from the operational political arena to the other decision-making political arenas.

4 Conclusion

There are many criticisms made regarding REDD+ offset projects regarding EJ aspects. The recognition of these flaws resulted in the definition of the CS and inspired the creation of standards for certification and verification of carbon projects developed by companies and certifying associations in order to create equity parameters for certified credits that could be verified, monitored, and reported, as is the case of the CCB/2.0 standard, created by Verra.

Based on a comparative institutional analysis of a concrete case study of a REDD+ offset Project in the Amazon, this article intended to reflect on the influence of the operational political arena and the institutional work of the local coalition of social players on the results of the application of the formal rules created by the Cancun Safeguards and the CCB 2.0/gold standard by Verra. The article compared the interaction between the different political arenas, their formal rules (meta-constitutional, constitutional, collective, and operational choices), and their corresponding application in the operational

political arena of the REDD+ project.

The project analyzed brings forth important elements of reflection on REDD+ offset projects in the Amazon, among which is the relevance of adding to the theoretical and empirical understanding of the regulatory space beyond the formal institutions established by the standards. Believing that institutional change can occur through normative statements can lead to outcomes that differ from the expected ones.

This article gives evidence of possible analytical contributions to the expected institutional change in REDD+ *offset projects* in the Amazon and points to the need to understand the concrete results derived from the interaction between the different political arenas and the rules and institutional work of local coalitions in building a territorial trajectory to reduce deforestation and forest degradation.

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AMBIENTE & SOCIEDADE 25 anos 25 años 25 years

SciELO

A Institucionalidade da Justiça Ambiental em Projeto de REDD+ Offset

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Charles Borges Rossi
Paulo Antônio de Almeida Sinisgalli

Resumo: Este artigo apresenta a análise institucional comparada na implementação do padrão Clima, Comunidade e Biodiversidade, da Verra, para um Projeto de REDD+ offset na Amazônia brasileira e os resultados derivados da justiça ambiental (JA). A partir do Institutional Analysis and Development Framework, o artigo identifica interação entre arenas e regras formais e informais nos resultados da JA seguindo o estudo de caso de um Projeto de REDD+ offset. O artigo aponta para a importância da arena operacional e do trabalho institucional dos atores locais nos resultados dos Projetos de REDD+ offset quanto aos aspectos da JA.

Palavras-chave: REDD+ offset, padrão CCB, instituições, justiça ambiental, Amazônia.

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Artigo Original

AMBIENTE & SOCIEDADE 25 anos 25 años 25 years

SciELO

La Institucionalidad de la Justicia Ambiental en un proyecto de Compensación REDD+

Karla Sessin-Dilascio
Charles Borges Rossi
Paulo Antônio de Almeida Sinisgalli

Resumen: Este artículo presenta un análisis institucional comparado de la implementación del padrón Clima, Comunidad y Biodiversidad de Verra, para un Proyecto de REDD+ compensado en la Amazonia brasileña y los resultados derivados de la justicia ambiental (JA). A partir del Marco de Análisis y Desarrollo Institucional, el artículo identifica la interacción entre arenas, registros formales e información de los resultados de JA siguiendo el estudio de caso de un Proyecto de compensación REDD+. El artigo aponta para la importancia del ámbito operacional y del trabajo institucional de los actores locales en los resultados de los Proyectos de REDD+ compensados en cuanto a los aspectos de JA.

***Palabras-clave*:** REDD+ voluntario, estándar CCB, instituciones, justicia ambiental, Amazonía.

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