

Letter of Complaint

To:

Director
Mecanismo Independente de Consulta e Investigaçã
Banco Interamericano de Desarrollo
1300 New York Avenue, N.W.
Washington, D.C. 20577
E-mail: mecanismo@iadb.org
Telephone: 202-623-3952; Fax: 202-312-4057

1. The undersigned, (**Orleir Castro Cameli**), resides at BR 364, right side in the direction of Tarauacá/Cruzeiro do Sul, Fazenda São Vicente (São Vicente Farm), in the municipality of Tarauacá - State of Acre, Brazil. In the zone known as Floresta do Rio Gregório (Gregório River Forest), the Acre Sustainable Development Program - PDSA Phase II is being carried out as a result of a loan signed between the Government of the State of Acre and the Inter-American Development Bank (IDB). It is in compliance with the Environmental Policy of Acre, with the recommendations of the Economic Ecological Zoning Program of Acre - Phase II and with the Sustainable Development Policy, Ethno-zoning, Local Territorial Planning, Community Development Plans, Rural Environmental Registry and the Policy of Integration and Development.

COMPONENT 1. Expansion and consolidation of protected areas and community forests for sustainable use.

OBJECTIVE To modernize, expand and consolidate state forests while satisfying the requirements for sustainable production.

SUBCOMPONENT To expand and consolidate state forests for sustainable production.

INTERVENTIONS Land regularization, including the analysis of the land situation; georeferencing surveys and rural cadastral mapping; physical demarcation of state forests; development of diagnostics for the creation of state forests; establishment of advisory boards for state forests; formulation of management plans; consolidation of already established state forests, including logistical support, operational support from the advisory board and updating of the land ownership situation; development of a state-forest concession system, including preparation of the State Registry for Public Forests and an annual concession grant plan, creation of regulations for concessions and development and implementation of a system to monitor and supervise forest concession contracts, in addition to the preparation of detailed documents for bidding on forest concessions.

2. I myself, my family and others who fear reprisal have suffered, because we have occupied the area described above, since 1983 (attachment 01 - purchase and sale agreement in the name of the company owned by my family, Marmude Cameli & Cia). I am legally responsible for this area (attachment 02 - Gift Agreement). In 2004, under executive order number 9.718 of March 9, 2004, was enacted the creation of the State Forest of Rio Gregório which covers the lands belonging to the municipality of Tarauacá (attachment 03 - Executive Order 9.718).

We recently were informed that in 2005 indemnities were paid for expropriation and improvements to the area located within the State Forest of Rio Gregório (attachment 04 - Payment List). Unfortunately, we were never compensated, much less recognized or regularized by the Instituto de Terras do Acre - ITERACRE. We cannot describe with certainty which of the Bank's policies were violated.

3. I emphasize that we constantly preserve the environment; our land corresponds to approximately ten thousand hectares, known as Fazenda São Vicente (image 01), and we have more than 80% of the area preserved (attachment 05 - CAR). I underscore the fact that this area was invaded and deforested by intruders on several occasions. Around 2011 and 2013, the Government of the State of Acre encouraged the creation of a village called Vila São Vicente, which is also within the territory of Fazenda São Vicente. News published on 11/04/2013 concerned the village of São Vicente, which was created within the territory of Fazenda São Vicente.

<https://agencia.ac.gov.br/governo-estrutura-vila-sao-vicente-na-floresta-publica-do-rio-gregorio/>

4. My Family and I have submitted our complaints to the Administration:
 - Instituto de Terras do Acre - ITERACRE under case No. 038/2005, case No. 8866/2013, case No. 0170/2017, case No. 0028/2019 and case No. 1033/2019. We filed several lawsuits with ITERACRE, as they alleged having misplaced the files, and only in 2019 did I have my case formally recognized and obtain a certified copy. I emphasize that the two employees who set up my case and identified mistakes in the process were dismissed by the ITERACRE administration. Another fact causing me concern is that the representative/Coordinator of IDB securities, Ms. Nadma Farias Kunrath, Ordinance 004 of January 14, 2019, is also the auditor and manager of the company contracted to carry out the cadastral survey of the areas in question. The company contracted to carry out the survey is Tecman Ltda CNPJ: 04.199.086/0001-84, under contract 035/2018, electronic auction No. 113/2018 - CEL 02. ITERACRE File No. 1818/2018. of Work Plan: 720.206.21.6011240.3019.00004.
 - On 03/22/2019, I filled out a police report on the disappearance of the files. (Attachment 06 – Incident Report No. 010070/2019).
 - Secretary of State for the Environment - SEMA file No. 004/09/10/2015 (attachment 09)
 - Instituto Nacional de Colonização e Reforma Agrária - INCRA. (attachment 10).
5. We suffered substantial damage (not being able to obtain financing, expenses for improvements made in the area, travel expenses to all institutions, and my property invaded several times, with the government not taking any steps to relocate these people or contain the deforestation). We believe that the Bank is not aware of these facts and would never subscribe to such a practice.

IMAGE 01- Detail of the perimeter of the Floresta do Rio Gregório, part of the Fazenda São Vicente.



Image 01 shows the perimeter of the State Forest of Rio Gregório part 01 (highlighted in red) (Attachment 07 and 08, map and memorandum, respectively); the perimeter highlighted in green shows where the private property, regularized since 1983, is located. As can be seen, the IDB financed the creation of a state forest on this private area, and it was acquired from the rubber plantation that also goes by the name of São Vicente. That means that the agencies responsible for application of the resources, transferred by the IDB to work on the creation of this forest, did not follow the correct procedure for the identification and definition of properties or the right of land use of the land and buildings within their boundaries.

As provided by Federal Law No. 9985/2000 - SNUC, the Conservation Units are categorized for the purpose of preservation. According to each category, it is established whether the UC should consist of areas under public or private ownership and control, or both. In some categories, it is mandatory for these units to be under public control and, therefore, the private areas within them must be acquired by the State, that is, incorporated as a public asset. As a matter of fact, no consultation was undertaken regarding our property, so it unrightfully became public domain, and I consider it to have been taken by force.

This evidence corroborates that the perimeter of the State Forest of Rio Gregório part 01 may not overlap with my area for the reasons mentioned above; these lands may not be transferred to the state because we were not indemnified or expropriated; my ownership of this land was simply ignored, causing me considerable economic and environmental upset and damage because within my area, deforestation and burning by intruders only increases with each passing year.

IMAGE 02 - Deforestation caused by intruders at Fazenda São Vicente.



Image 02 corroborates the zones of invasion within the area in question. All the pink areas inside the white circles represent the deforestation caused by intruders since the creation of the State Forest of Rio Gregório.

IMAGE 03 - Corrections to the perimeter of the State Forest of Rio Gregório

The screenshot shows the SIGEF system interface. At the top, there are navigation tabs: 'HOME', 'DASHBOARD', 'MINHA PARCELA', 'DADOS', 'PARCELA ÚNICA', and 'STATUS'. Below this, a form displays the following information:

- Código:** ac1fc569-4b93-49ef-beb1-f98254292140
- Denominação:** Floresta Estadual de Rio Gregório - Feste 1
- Área:** 211555,9842,00
- Data de Entrada:** 10/08/2016
- Situação:** Certificação - Sem Continuação de Registro em Cartório

Below the form, the following technical details are listed:

- Responsável Técnico:** CARLOS AFDONSO MARTINS FERRAZ (C4U)
- ART:** 01103009048670004101 - AC
- Envio:** 18/09/2016

At the bottom, a table titled 'REQUISITOS (REQUISITOS: 4)' is displayed. The table has two columns: 'Requisitos' and 'Data'. The 'Requisitos' column contains four entries, each labeled 'Reforço' and circled in red. The 'Data' column contains four dates, also circled in red.

Requisitos	Status	Data
Reforço	Finalizado	08/03/2017
Reforço	Finalizado	14/12/2018
Reforço	Finalizado	14/12/2018
Reforço	Finalizado	14/12/2018

At the bottom of the screenshot, the following URL is provided: <https://sigef.incra.gov.br/geo/parcela/detalhe/ac1fc569-4b93-49ef-beb1-f98254292140/>

My area is within the State Forest of Rio Gregório; see map and memorandum (attachments 07 and 08).

The information in image 03 was collected from the Land Management System - SIGEF.

As can be seen, 4 corrections were made, and my area remains the same without becoming detached from the perimeter of the forest.

Accordingly, I ask that the IDB (INTER-AMERICAN DEVELOPMENT BANK), main funding body of this forest, address and clarify these occurrences.

Signature:

Contact addresses:

Telephone:

E-mail:

