

TRADITIONAL COMMUNITIES AND NO-TAKE PROTECTED AREAS IN BRAZIL; CONFLICTS AND RIGHTS

EXECUTIVE SUMMARY

NUPAUB, 2011

This preliminary report aims at studying the relationships between traditional communities and no-take protected areas in Brazil. It was based mainly on graduate thesis as no data on these communities were available in the Government studies upon which these protected areas were established¹. The report is divided in Part I, where the origin and features of the conflicts between traditional communities and protected areas administrations are analysed and Part II, where each protected area and conflictive situations are described. The total report, written in Portuguese has 227 pages .

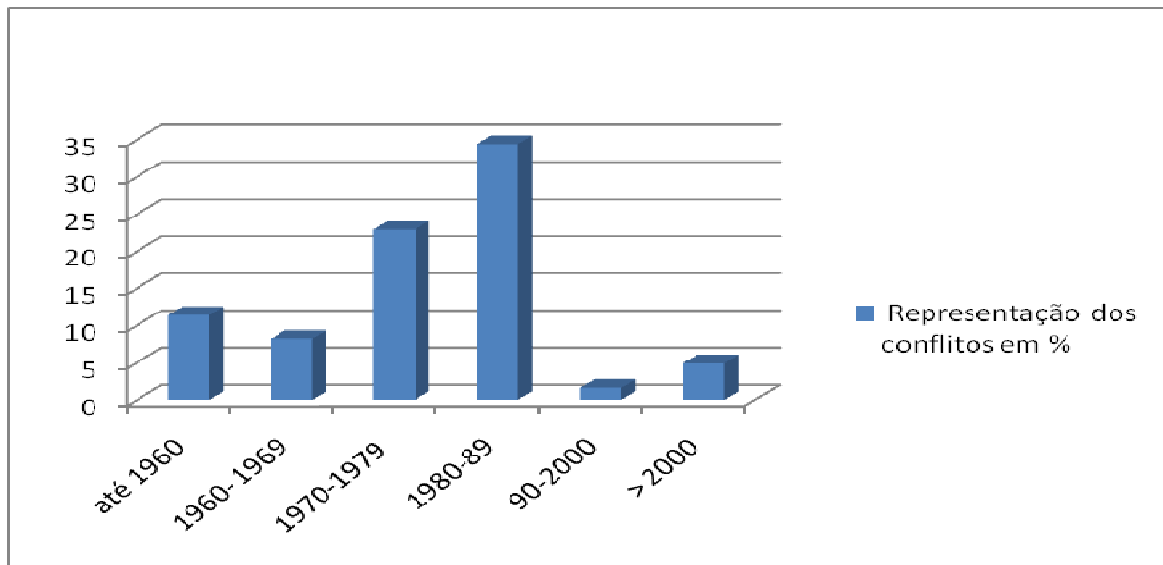
The establishment of these no-take areas followed the same pattern around tropical countries in the world: poor environmental protection and high costs concerning social rights of traditional communities that lived inside the territories that were transformed into conservation areas. The communities inside the areas were either removed from their territory (around 30% of the cases) or had their traditional activities such as small scale farming, fishing, forest harvesting severely restricted by Law (70%). Many of them migrate to urban areas as they could not continue with their traditional way of life.

The complete report is divided in two sections: an introduction in which basic information on the sixty one protected areas was analysed (mainly national/state parks, ecological stations, biological reserves that do not allow human presence in the area). A second section is a summary of the conflicts between traditional communities and protected areas administration in each of the 61 studied protected areas. An important issue is how these social groups perceived the conflicts and expressed their feelings concerning their exclusion from their territories.

From the 312 no-take protected areas, administered by the Federal and State Governments the study covered around 20% of the total.

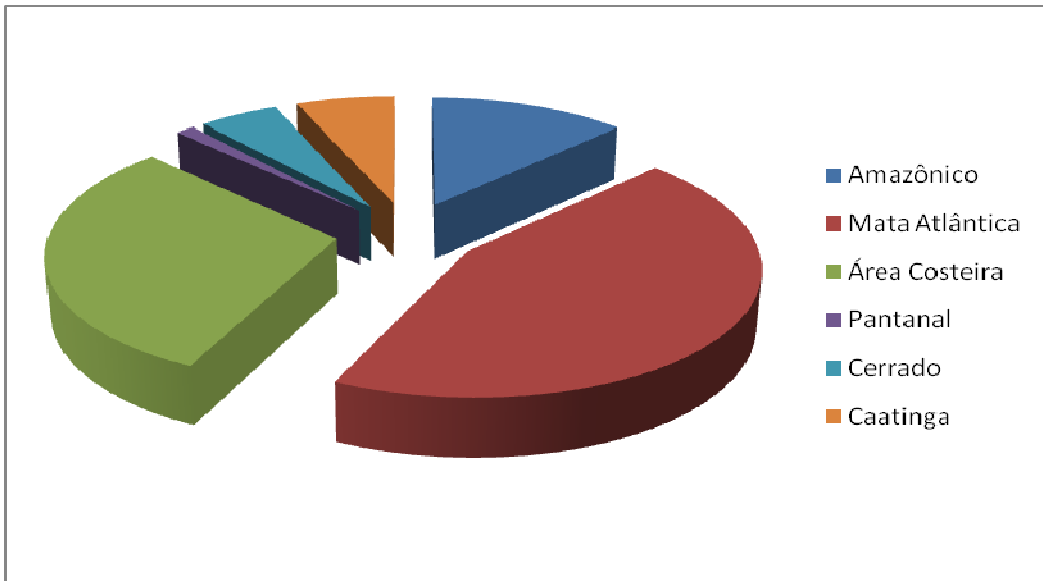
¹ The complete report is written in Portuguese and is available at the site www.usp.br/nupaub

Figure 1 Relationship between the number and period of establishment of studied protected areas.



Over 50% of the no-take protected areas were established between 1970 and 1989, period in which the country lived under a military dictatorship and human rights were consistently disrespected.(Figure 1).As consequence, no social claims of the removed/transferred people were considered by the Environmental Institutions..Silence and migration were the main response of the affected communities. In the middle of the 70's, international conservation Ngos, particularly WWF started reinforcing the policy of no-take protection and the conflicts increased in the period between the 1970-1989 as it can be seen from figure 1.. Only after 2.001, when a new System of Protected Areas-SNUC was established, after more than a decade of hard discussions and disputes among radical preservationists and socio-environmentalist groups concerning peoples participation and respect of social rights, the existance of traditional communities was finally recognized and new sustainable use categories were created.(extractive reserves, reserves of sustainable use). Councils were established in all protection categories and new protected areas can now only be established after consultation with local communities.As result, the conflicts were reduced in the newly created areas after 2001.

Figure 2. Proportion of protected áreas by environmental regions



The study shows that the most of the cases involving conflicts protected areas (around 44.3%) are located in the Atlantic Forest, 30.3% in coastal areas, 12.6% in the Amazonian região, 6.3% in the Caatinga (Northeast Brazil) and 5.0% in the Cerrado (Savannah) and 1.2% in Pantanal. (Figure 2 and map 1)

Map 1 Location of Studied no Take Protected Areas According to Ecological Regions



According to the definition of the National Policy for Sustainable Development of Traditional Peoples and Communities (2006) they are defined as “culturally diverse social groups, recognized themselves as such, have their own forms of social organization, occupy territories and use natural resources as condition for their cultural, social and economic reproduction, using traditional knowledge, innovation and practices produced and transmitted by tradition”.(article 1); In the article 7, the individual and social rights are ensured in the case of conflictive situations that endanger their social/ integrity and territorial rights.

Table 1 Traditional peoples and communities involved in conflicts

Traditional Communities	N. of Cases	%
Caiçaras	14	20,0
Artisanal Fishers	8	11,4
Quilombolas	9	12,8
Amazonian Riverine / caboclos	8	11,4
Pantaneiros	1	1,4
Peasants / Caipiras (Non- Amazonian Caboclos)	13	18,5
Azorians	3	4,3
Indigenous Peoples	8	11,4
Sertanejos	7	10,0
Total	70	100,0

Obs: In some areas there are more than one traditional people/communities

Traditional communities that live inside the no-take protected areas are either indigenous peoples that represented around 11% of the cases and non-indigenous communities or caboclo type of social groups who are the result of the melting of European colonizers, Indians and Black Africans representing around 89% of the simple. They are, locally known as caiçaras, quilombolas, Amazonian caboclos, Pantaneiros, Caipiras(peasants), Sertanejos, Artisanal fishers, among others. The non-indigenous (Caboclos) communities are the majority in the study as indigenous peoples have their territories already secured by the Brazilian Constitution.

Concerning the conflicts, around 30% resulted in the expulsion/non-voluntary resettlement outside the traditional territories transformed into no-take protected areas. The majority of the conflicts (round 70%) resulted from severe restriction of the traditional mode of production of communities such as total prohibition of small scale/subsistence agriculture fishing and forest harvesting mainly for handicraft).According to recent World Bank OP 4.12 (2001) these severe restrictions to the use of renewable natural resources are equivalent to non-voluntary displacement even when communities are not physically removed from their territories.

There are cases of social resistance to displacement, but in the majority of the cases many traditional dwellers, as the result of the actions of the Forest Police (policía florestal/ambiental) migrate into marginalized sub-urban areas of the surrounding villages/towns. In these cases, most of the families did not received any compensation as they did not have property titles and were considered “ ilegal occupants” although they lived there for considerable period of time.

In the second part of the report, where each area was described, traditional people made explicit the way they suffered from the displacement and prohibition of their traditional activities and how they were mistreated by the environmental authorities.