

Traditional populations and forests

An overview of Brazilian policies

Forests and Common Lands:
Rights, Conflicts, FRA, and PESA
New Delhi, December 18, 2012



Brazil



Brazil



	Population	Area (sq km)	Forest area (sq km)
Brazil	197 million	8,514,876	5,170,885
Brazilian Amazon	23 million	4,200,000	3,564,293



Brazil

- 1500 – the Portuguese arrive: colonization based on distribution of land to Portuguese, land grabbing and forest conversion.
- No rights for the indigenous peoples (but serious opposition to IP slavery)
- 1961 – First IP land: Xingu



Recent History

- **1967** - Constitution: land occupied by IP belongs to the Union (and not to the States)
- **1985** - Democracy
- **1988** - Constitution
 - Human rights + Environment
- **Rio 1992** and international context
- **Perception** by public, media and government of the need to stop deforestation and protect native Brazilian and traditional population rights



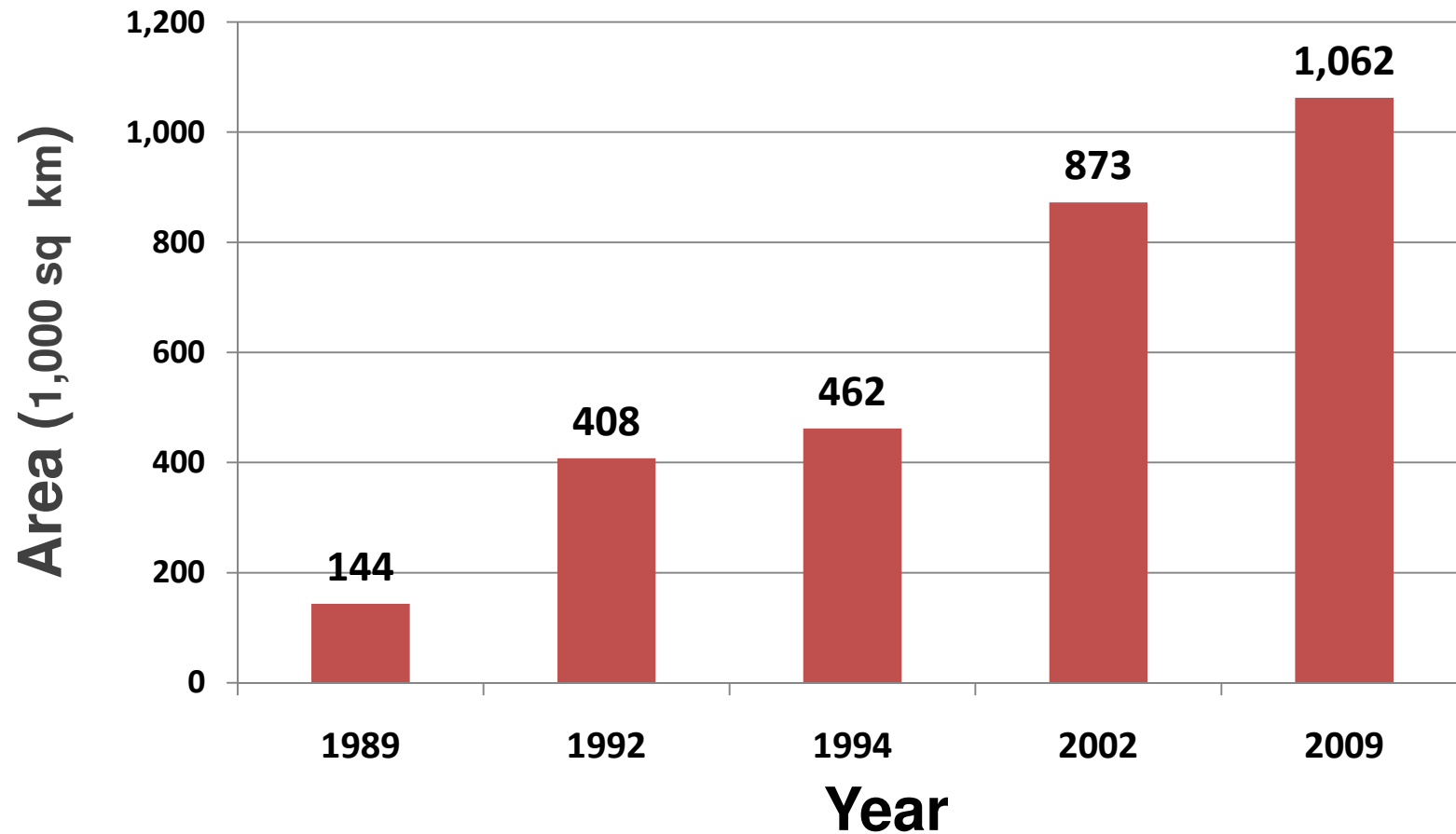
1988 Constitution

- Acknowledges **IP cultural identity and originary rights**
- The Union ought to demarcate their lands and protect the people
- “Lands traditionally occupied by IPs are those permanently inhabited, those essential to the preservation of environmental resources necessary to their well-being and to their physical and cultural reproduction, according to their uses, customs and traditions”.



Land allocated to Indigenous Peoples

98% in the Amazon



Implementation

- International programme (PPG7) financed most land demarcation
- Programmes for health and education
- Socioeconomic indicators difficult to come by
- Indigenous peoples population increased 200% (1990/2010)
 - Large proportion of increase due to the self-identification as IP
 - Now: 896,000 people
 - Brazilian population increased 35 % over the same period

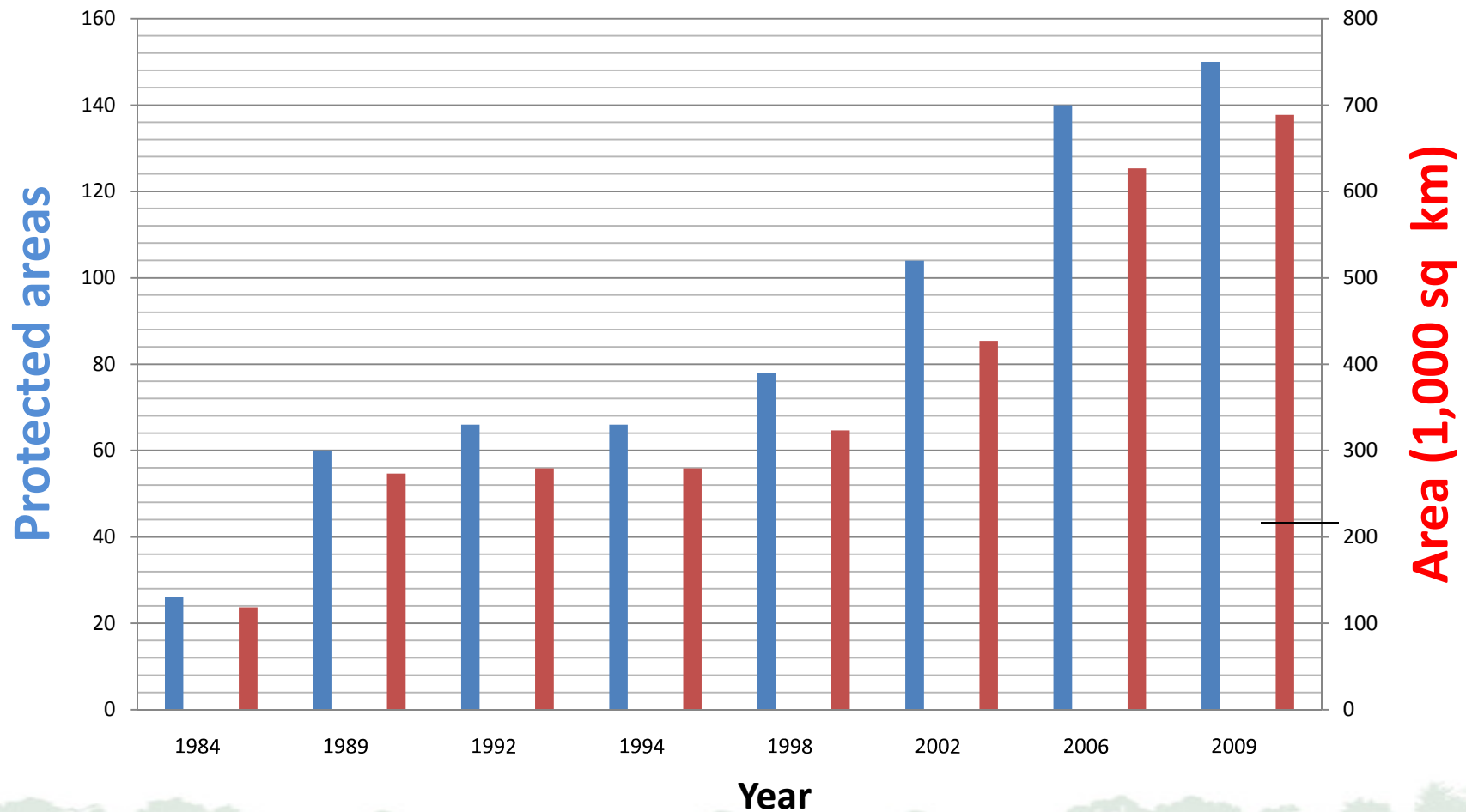


Other Traditional Groups

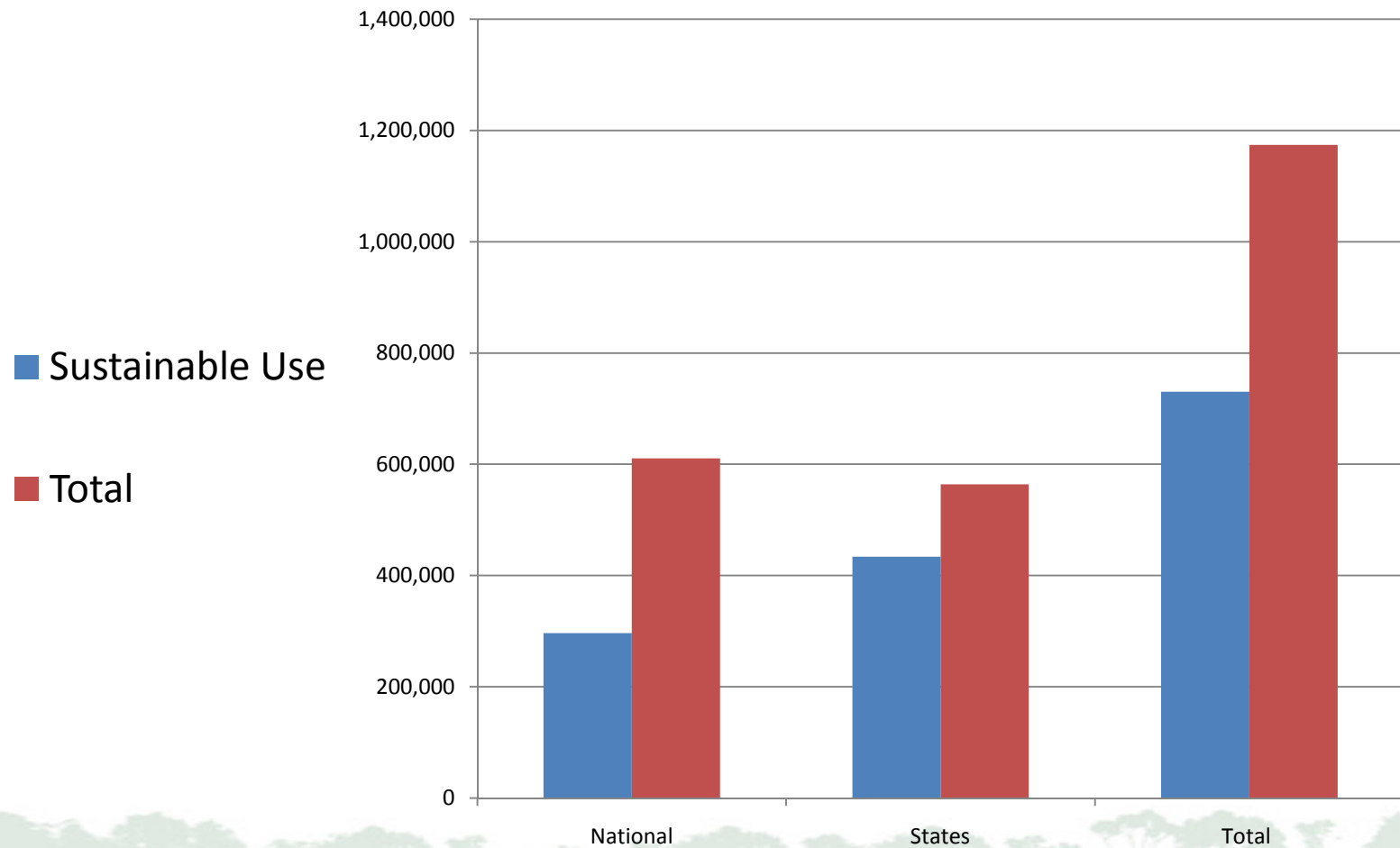
- Forest extractivists, fishermen and peasants
- New approaches to conservation areas and settlements to allow for sustainable use
 - Extractive Reserves
 - Sustainable Development Reserves
 - Extractive Settlements
 - Sustainable Settlements
 - Quilombola Lands



National protected areas in the Amazon



Sustainable Use Conservation Areas in the Brazilian Amazon (sq km) - 2010



Benefits of Land Rights

- Protection
- Identity
- Access to
 - Agricultural bank loans
 - Housing development projects
 - Energy programs
 - Forest management and other activities legal



National Program For Community Forestry

- First concept presented at Acre in 2007
- First plan launched in 2009
- Strong civil society participation
- Coordinated by Forestry Service **and** Ministry of Agrarian Reform
- Other agencies are members of the council



Gurupá case study

- Two decades of community and union organization
- 1997 - necessary to tackle the issue of tenure if natural resource management was to be successful.
- Starting in 2004 tenure rights were formalized using **5 different legal tools**:
 - Extractivist Settlement Project
 - Sustainable Development Reserve
 - Extractivist Reserve
 - Usage Concession Agreement
 - Quilombola Territory (for ex-slaves descendants).
- Emphasis on **socioeconomic development** (health, education and water quality, among others)
- Development of new technologies: one on shrimp traps that received 2 major awards for social technology.



Gurupá case study

- Community-defined environmental rules and forest management activities *before* formal tenure rights were ensured.
- Forest is managed mostly for assahi production
- Forest management is considered a strategy to maintain a way of life and to pursue better living conditions.

Food security

- assahi is essential to local nutrition
- fishing and hunting improve in managed areas



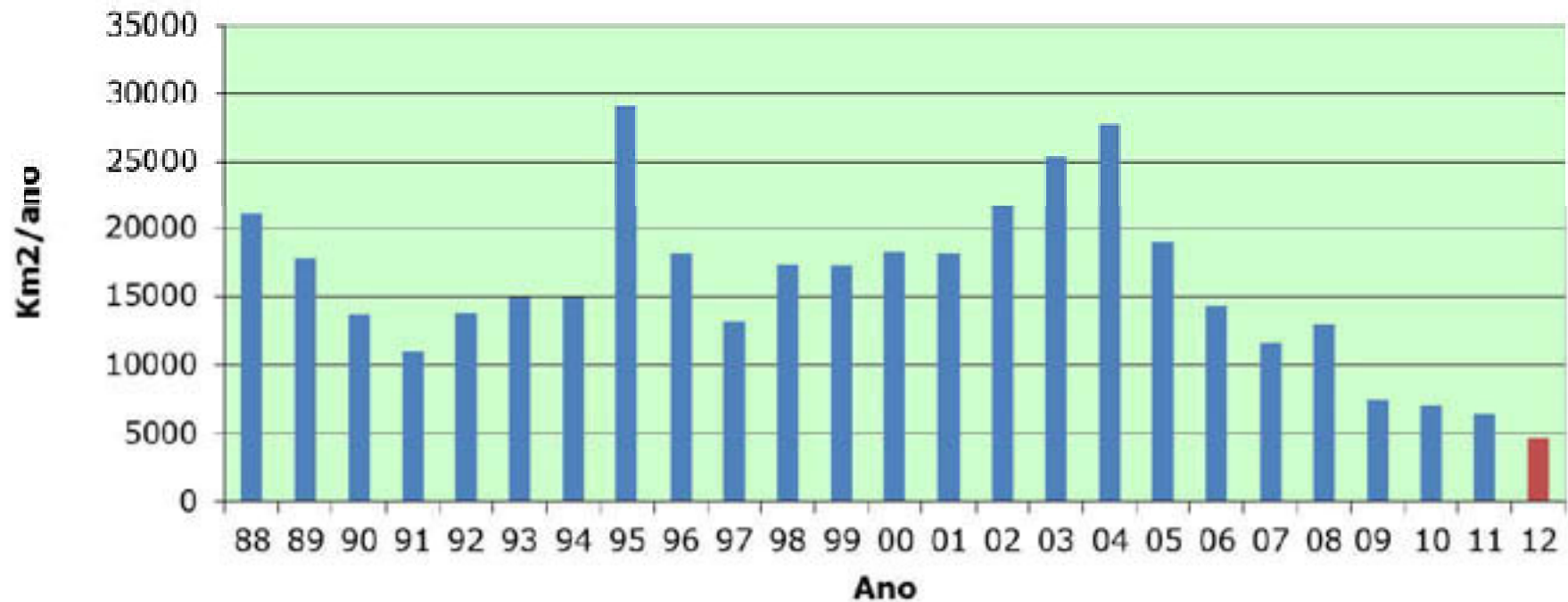
Gurupá: lessons learned

- Strong **link** between tenure and community based forest management in Amazonia.
- Tenure solutions must consider **community characteristics, their forms of using the resources and their wishes.**
- Community-based guidelines for resource use very important. It has set the basis for the type of tenure most appropriate for each community
- The struggle for tenure and resource use has a positive impact on **citizenship** and on the creation of **social capital.**



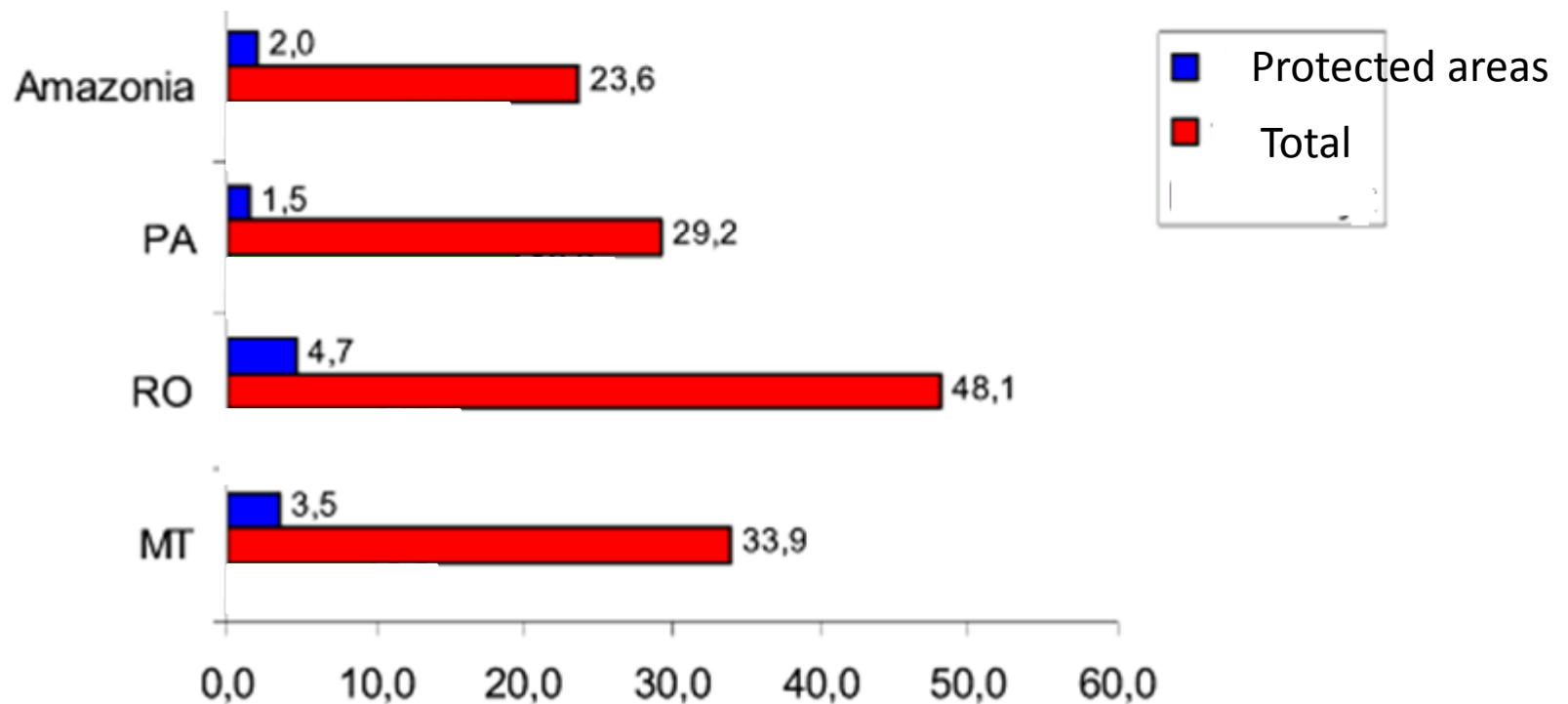
Deforestation rates in the Amazon

Taxa de Desmatamento Anual na Amazônia Legal



Deforestation inside and outside protected areas

As percentage of deforested area - 2003



Source: Ferreira et al, 2005

Present situation

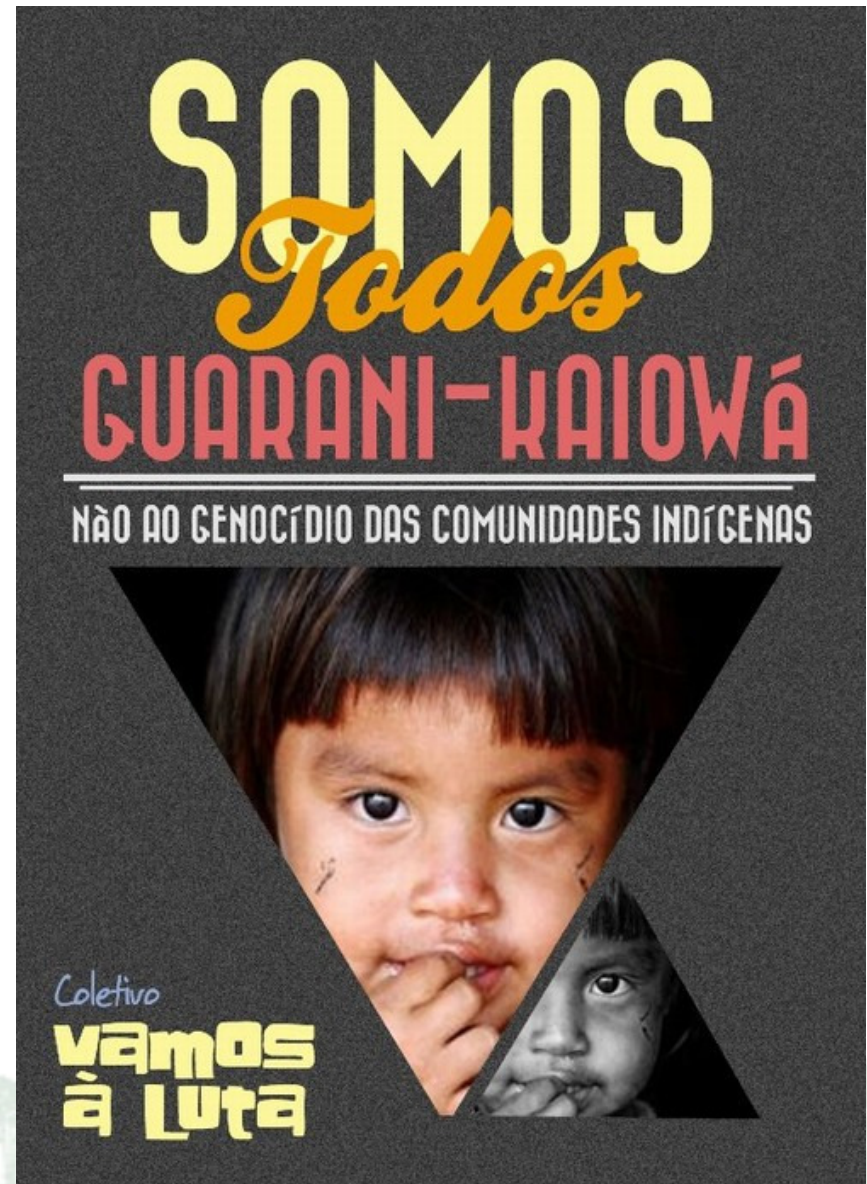
- Slow progress and a couple of **setbacks**
- Political forces grouped around traditional view on the use of natural resources
 - geographical area where agriculture is main economic activity
 - agribusiness production chain
 - conservatives
- Changes to the **Forest Code**
- Changes to Conservation Areas
- **Attempts to limit IP rights** on their allocated areas



Conflicts

Guarani Kaiowa

- IP outside allocated areas murdered
- Suicide trend
- Decadence



Conflicts

- **Belo Monte**
- Hydroelectric dam
11233 MW
- Being built without
proper consultation
- Strong impact on
livelihoods



Conflicts

- Awa
- Encroached by farmers and illegal loggers



Luiz Carlos Joels

lcjoels@gmail.com

skype: lcjoels

