




Impacts of the Public Forest Management Law on traditional communities in Crepori National Forest

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Abstract: This article focuses on the impacts of the Public Forest Management Law on traditionally occupied territories, by analyzing the case of Crepori National Forest, in the state of Pará. The origins of the modalities of protected areas that focus primarily on high-tech exploitation are the starting point of the exposition, which highlights the elements that show how the management of forests benefits commercial exploration of wood resources over the territorial rights of peoples and communities that traditionally occupy these areas. The text also explains the mechanisms of the law that purportedly protect the territorial integrity of the conservation units. Finally, we present the case of Crepori, in which traditional communities were made invisible by the national forest management plan. The article draws on qualitative research, based on secondary data and ethnographic field work. The findings corroborate studies indicating that the processes of forest concessions negatively impact traditional communities.

Keywords: Public forest management law; traditional peoples and communities; socioenvironmental conflicts; forest concessions; Crepori National Forest.

São Paulo. Vol. 23, 2020

Original Article

DOI: <http://dx.doi.org/10.1590/1809-4422asoc20190054r2vu2020L5AO>

Introduction

This article investigates the relationship between the implementation of Law 11,284/2006, called the Lei de Gestão de Florestas Públicas, or Public Forest Management Law (PFML), and the territorial rights of traditional peoples and communities, based on an analysis of what happened in the Crepori National Forest (FLONA Crepori), Pará, Brazil. The comparison of conservation unit management documents with ethnographic records shows how, within the framework of forest concessions, the invisibility of communities can revoke the guarantee of rights provided for by law¹.

In a complementary manner, this article recovers historical aspects of the conservation unit modality that, in Brazil, came to be called national (or state) forests, to analyze the elements that govern this modality regarding the entrepreneurial exploitation of forest resources, to the detriment of the forest and land rights of traditional peoples and communities. In addition, the mechanisms that the PFML relies on to allegedly guarantee the territorial integrity of the occupants of the conservation units are identified.

Despite records of conflicts involving forest concessions and traditional peoples and communities in countries in Africa, Asia and Latin America (WRM, 2015a; 2015b; 2001), conflicts with these groups are rarely the focus of research in Brazil. Concessions are considered to be a “new model” and are repeatedly analyzed in dialogue with the concept of “governance” (CHULES, 2018; CARNEIRO, 2012; DRIGO, 2010). The territorial rights of traditional peoples and communities are often conceived as an “impediment” to the implementation of forest concessions (cf. CHULES et al., 2018, p. 304; GARCIA et al., 2015, p. 123).

Ribeiro et al. (2017), for example, evaluate the performance of concessions in western Pará essentially based on reports from official agencies, with no field work that allows us to assess the impacts on the groups that periodically suffer them. In some cases, such as Garcia et al. (2015), it has even been reported that “unfortunately, in large part, traditional communities are strongly affected by the concessions” (2015, p. 1); however, this did not impede them from concluding that “so far, concessions have been working relatively well, despite some obstacles that hinder their expansion” (2015, p. 1). In other words, the “intense losses” to the communities do not prevent a good evaluation of the functioning of the model. This is also how Monteiro and Santana (2010), among others, describe things when their analysis indicates the damage to communities generated by the concessions in Pará, but nonetheless conclude that the model is a success.

Methodological procedures

This article is supported by qualitative analysis, based on primary and secondary data, among which we would highlight the examination of the *Plano de Manejo da Floresta*

1 - The term “forest concessions” is used by the Brazilian government to designate the granting of permits for forest management, in exchange for a fee paid by the grantee, by the Union, State, Federal District or Municipality, for the exploration of products and services (Law 11,284/2006). We use the term “logging concessions” referring to cases in which the concessions are specifically aimed at logging on an industrial scale, the scope of this article.

Nacional do Crepori [Crepori National Forest Management Plan] (2010) and the *Censo Socioeconômico: Identificação de Populações Residentes na Floresta Nacional do Crepori* [Socioeconomic Census: Identification of Residents in the Crepori National Forest] (2010a), prepared by the Senografia-STCP Consortium and the Brazilian Forest Service (*Serviço Florestal Brasileiro*, SFB). The purpose was to analyze whether studies and official reports could constitute spoliation tools based on the way they approach or conceal communities and their territories.

The primary data, in turn, were obtained in 2011, in fieldwork in the FLONA Crepori. It is a conservation unit of 740,661 hectares, created by decree (no number) on February 13, 2006, in the municipality of Jacareacanga, PA. The activity was requested by the Chico Mendes Institute for Biodiversity Conservation (ICMBio) to complement the census of the unit, in conjunction with its management. There were two ethnographic incursions that, in a little over twenty days, crossed the Crepori, das Tropas and Pacu rivers. During this stage, free, structured and semi-structured interviews were conducted within the domestic units and populated centers of the conservation unit. At a later date, the team returned for two meetings with the research interlocutors, during which the data collected were presented, discussed and validated.

We emphasize that the aim of this article is not to reproduce in full the ethnographic records or a discussion on the identification of the group as a traditional community, previously discussed in Guerrero et al. (2012), Torres et al. (2013) and Almeida (2014). Here, the matter under investigation is how official documents have justified the denial of this condition to this group and whether this resulted in the denial of their territorial rights and the consequent allocation of their lands to logging concessions.

National forests: who are they for?

Until the announcement of the *Sistema Nacional de Unidades de Conservação* (SNUC) [National System of Conservation Units], instituted by Law 9,985/2000, human occupation was not permitted in FLONAs and they were the scene of several conflicts involving state management and the groups that occupied them (IORIS, 2000). The SNUC changed this status and they became part of the category of sustainable use conservation units, whose objective was to “make nature conservation compatible with the sustainable use of part of its natural resources” (art. 7, § 2). More specifically, SNUC stipulates that in a FLONA, “the permanence of traditional populations that inhabit it when it is created is allowed, in accordance with the provisions of the regulation and the Management Plan of the unit” (art. 17, § 2), but that “its basic objective is the sustainable multiple use of forest resources and scientific research.”

In other words, the modality of national forests (together with state and municipal forests) is primarily aimed at large-scale economic exploitation of their natural resources and scientific research, while “allowing” the presence of traditional communities – who were living there when they were created.

The genesis of the FLONA modality, recovered by Ioris (2014), helps us understand

its affinity with exploration in the form of large enterprises. The author reconstructs a path based on the so-called *cameralist sciences*, from eighteenth century Germany, within which are outlined the “theoretical and methodological procedures of scientific forest management” that inspired the emergence of this category of forest reserve (LOWOOD, 1991, p. 316). Particularly geared to industrial logging practices, in Brazil, the FLONAs gained contours closer to those they present today at the beginning of the twentieth century in the USA, with the creation of the first conservation units in this category, designating spaces in which the “state would exercise its control and the discipline of forest exploration” (STEEN, 1992; WORSTER, 1987² apud IORIS, 2008, p. 290). Since then, the model has spread as an instrument of forestry policies around the world, weaving a “close relationship between the state and science for the control of its resources and its modes of use and appropriation” (IORIS, 2014, p. 100).

Regulated by the Forest Code of 1965, the FLONA model gained prominence in developmental policies designed by the military governments for the Amazon in the 1970s and 1980s, causing numerous conflicts with traditional peoples and communities. Ioris (2014) pointed out the effects of the creation of this type of conservation unit on traditionally occupied areas when analyzing the clashes that occurred in the FLONA Tapajós and associated the creation of 21 FLONAs in the Amazon region, in the 1980s, with mining industry interests.³

The creation of an expressive number of FLONAs in the region during this period neutralized demands from indigenous peoples and quilombolas to the right to recognition of their territories expressly provided for in the recently enacted Constitution of 1988 (ALBERT, 1992, 52s⁴ apud IORIS, 2014, p. 193). In Amazonas and Roraima, for example, Albert shows how the creation of FLONAs in 1989 was practically simultaneous with the approval of the law that regulated mineral exploration in this modality of conservation unit (Law 7,805/1989). These FLONAs extended over 95% of the Yanomami Indigenous Territory, then in the process of demarcation.

The enactment of the PFML is history repeating itself, with the increase in the creation of FLONAs and state forests (FLOTAs) aimed at the exploitation of resources, particularly in northwestern Pará and along the BR-163 axis. The possibility of concessions increased the potential for conflicts with traditional communities in FLONAs, the main targets of this model, triggering vectors for the expropriation of these groups (NEPOMUCENO, 2017), as seen in the FLONAs Saracá-Taquera and Crepori, created in 2006, of which the latter is the central case of this article.

2 - STEEN, H.K. The origins and significance of the National Forest System. In: STEEN, H. K. (Ed.). **The origins of the National Forests**. Durham: Forest History Society, 1992 e WORSTER, D. **Nature's economy: a history of ecological ideas**. Cambridge: Cambridge University Press, 1987.

3 - These FLONAs were created within the scope of the Programa Nossa Natureza (PNN) [Our Nature Program], established by Decree 96,944/1988.

4 - ALBERT, B. Indian Lands, Environmental Policy and Military Geopolitics in the Development of the Brazilian Amazon: The Case of the Yanomami. **Development and Change**, v. 23, p. 35-70, 1992.

The Public Forest Management Law

In 2006, under the axiom of “sustainable development,” the PFML instituted a new regulatory framework for industrial scale exploitation of the forest, enabling the continuation of historical looting in the Amazon, in the opinion of some authors (VIDAL et al., 2005; DE PAULA, 2006; MOREIRA, 2008; TORRES, 2008; NEPOMUCENO, 2017). With this law, land tenure parameters were established in order to grant access to forest resources to large economic groups, those capable of meeting the demands set out in the concession notices.

In 2019, in Brazil, there were 17 federal public forest concession contracts in execution, a total of 1,018 million hectares. The forest management units granted are located in the FLONAs Jamari and Jacundá (RO) and the FLONAs Saracá-Taquera, Crepori, Altamira and Caxiuanã, in Pará (BRASIL, 2019, p. 23). For 2020, 12 FLONAs and an unassigned land were selected, comprising 3.8 million hectares, of which it is estimated that 3.2 million are effectively exploitable (2019, p. 34).

Referring to the process of the elaboration of Bill 4,776/2005, which would become the PFML, De Paula (2006) highlights the strong influence of guidelines from international institutions, such as the United Nations, the World Bank and the World Trade Organization, which in 2000 orchestrated the new “International Arrangement on Forests,” concerned with influencing forest policies worldwide. Thus, Brazilian government agencies aligned themselves with the World Bank’s recommendations, based on an assumed “forest vocation” of the Amazon, leading to a perspective of “commoditization” of the region that seeks to induce its economic development through the exploitation of its forests – with clear reference, in this discourse, to modern industrial practices of forest production (ZHOURI, 2006). For Zhouri, it is important to pay attention to the strategic dimension in choosing the term *vocation*, given that it contains a sense of “divine calling,” something natural or essential that transcends “territorial policy.” This process, emphasizes the author, is “culturally oriented to the attribution of meanings and values to territories, above all under the seal of the state” (2006, p. 156).

The SFB, an organ established by the PFML that is responsible for, among other functions, “disciplining the operationalization of the forest concession,” knows about the logging potential in the Amazon, but has no systemized record of forest occupation, a fact well demonstrated in the cases studied by Nepomuceno (2016; 2017) and Affonso (2018). In a work on the FLONAs Saracá-Taquera and Jamari, Sena and Tuji (2012) conclude that the interests of traditional peoples and communities were relegated to the background, and that these groups had limited participation in the decision making.

According to the SFB, “a constant concern in the forest concession process is the maintenance of the rights of the traditional communities present” (apud AZEVEDO-RAMOS, 2008). Before submitting a tender for an area, the procedure requires that “preliminary and participatory studies are conducted to identify the existence of traditional populations in the area and the use they make of the forest.” Our analysis focuses on this point. The discourse corresponds to the opposite in practice – at least concerning that observed in the FLONA Crepori and in other works listed here. Not that such studies

are not conducted, they are, but merely to make logging concessions feasible in record time, at the cost of the integrity of traditionally occupied areas.

One of the most relevant documents in the context of these preliminary studies – and, in the case of the FLONA Crepori, the one in which the expropriation of the families who were there was legitimized – is the management plan of the conservation unit. This is the document that should contain the identification of areas of traditional use and the characterization of human occupation in the conservation unit in a sufficiently in-depth manner to dialogue with the notion of “traditional populations,”⁵ the category the agency uses to separate beneficiaries of the unit from non-beneficiaries. This is not what happened in the FLONA Crepori.

Crepori: the plan that hides management

“They are not constituted as a traditional community.” Categorical, this was one of the conclusions recorded in 2010 regarding occupants of the River das Tropas in the FLONA Crepori management plan, by a consortium hired by the SFB to prepare the document. According to the research parameters, the conservation unit had no human occupation that could be characterized as a “traditional community,” except for two indigenous families.

The peremptory character of the statement hid the trajectory of more than a dozen families whose origins were established in the first moment of rubber exploration, in the second half of the nineteenth century, when their ancestors settled in that tributary of the River Tapajós. In the first decade of the twentieth century, the rubber tapper Raymundo Pereira Brasil recorded that he and five others held portions of forests in the valley of the River das Tropas where “250 inhabitants (besides the Indians)” lived (BRASIL, 1912, p. 28). At least one of these rubber tappers, José Dutra, left offspring that eventually merged socially with the remaining rubber tappers and still live there today, such is the case of his granddaughter, Mrs. Aldenora. “There at River das Tropas, they took this stream that’s there at the Dutra – Dutra was my grandfather’s name, right? – so, they’d already named the stream, Dutra stream,” she reported, exemplifying the age of the occupation with the toponymic record. And she added, regarding his continuity: “He built this place, the whole family stayed there. Then, my grandparents died, so my father left, one by one they left, you know, the brothers... but my father, every year he went there, cleaned up, we’d stay there for a while, you know?”

The new form of occupation of the rubber plantations, by a forest peasantry that incorporated indigenous technologies (ALMEIDA, 1993; WOLFF, 1998), started to associate swiddens with the collection of a wide variety of forest products, while a gradual lack of interest in rubber tapping prevailed, which, in the Crepori region, ceased between 1960 and 1970 due to a lack of buyers. In the meantime, another market was emerging:

5 - Here we use the term “traditional populations” due to its constant use in official documents with which we dialogue. However, we agree with the reasoning articulated by Guerrero (2012) for preferring the term “traditional peoples and communities.”

the trade in “cat skins,” an ephemeral endeavor, which ended due to Law 5,197/1967, which provided protection to the fauna.

At about the same time, gold emerged. There is a consensus concerning the beginning of mineral exploration in the Tapajós region: its origin was the discovery of the first deposits precisely in the River das Tropas, in 1958, by Nilson Pinheiro. Since then, the exploration of the Gold Province of Tapajós, the most extensive and potentially the wealthiest in Brazil (OLIVEIRA, 2005; LIMA, 1994), has never ceased.

Many of those who live on the River das Tropas witnessed these three moments of economic highlight in the region: rubber, cat skins and *garimpo* (artisanal mining, principally gold). In addition to the age of the occupation, this indicates aspects of its territoriality, based on the diversification of activities and a close relationship with this territory (ALMEIDA, 2002).

This record, however, eluded the developers of the management plan for the FLONA Crepori. The document was contracted via a tender won by the Senografia-STCP Consortium, also used to prepare a socioeconomic census, which subsidized the preparation of the plan. Then the disagreements began: the census was only ready *after* the plan, that is, the conclusions were drawn before the end of data collection. If the mishap sought to speed up the offer of the FLONA to logging companies, it undermined guarantees of territorial integrity of the groups occupying the conservation unit provided for by law.

Argument concerning the notion of “traditional community”

The occupation history presented in the FLONA Crepori management plan, although consistent and supported by relevant bibliography, is not effectively related to the specific occupation found there. This lacuna matters, particularly when operating with the notion of traditional communities. Moreover, the only time the census mentions the notion is to make generic statements, which are not empirically supported:

None of the occupations can be characterized as a community, since they do not have social facilities. Nor are they constituted as a traditional community, defined [sic] as people who live in close relationship with the natural environment, a dependence on their natural resources for their sociocultural reproduction, through activities with low environmental impact. The exception is the two settlements occupied by Mr. Onorato Manoara [sic] and Mr. João Gonçalo Mota, both resident in the FLONA with indigenous families. (CONSÓRCIO SENOGRAFIA-STCP & SFB, 2010a, p. 6.40).

Two definitions in this passage are significant. The first denies people from the River das Tropas the attribute of constituting a community, due to the absence of “social facilities.” The authors do not describe, however, what they rely on to affirm that a community is defined by the presence of such “facilities.” In addition to the conceptual improprieties, there is also factual imprecision, since the population of the River das Tropas possessed structures like a school and a health center (assuming that these public services

meet the standard for what the document calls “social facilities”), until the beginning of 2000. These, however, were on the left bank of the river, and were duly incorporated into the Munduruku Indigenous Territory (Munduruku TI) at the time of their recognition; however, the government failed to rebuild these facilities on the opposite bank, where the non-indigenous occupants were relocated, and where the FLONA Crepori would later be created.

The definition of traditional populations in the document (“close relationship with the natural environment, a dependence on their natural resources for sociocultural reproduction, through activities with low environmental impact”) – equally categorical and equally denied to the occupants of the River das Tropas – also presents problems. Like the first, it is also not referenced. The document uses the phrase “defined as” – but who is defining? Similar characterization has already been vetoed by the SNUC when it was processed, and its meaning, according to Creado et al. (2008: p. 259), signals a recurring trend of naturalization and subjection of traditional peoples and communities to environmental issues.

In the social sciences, there is a debate, articulated with the practice of social movements, which operates on this notion, which does not appear at any time in the text. Furthermore, it is difficult to understand why this formulation was preferred to that determined by Decree 6,040/2007, which was already in force, and precisely instituted the National Policy for the Sustainable Development of Traditional Peoples and Communities, and which characterizes them as “culturally differentiated groups that recognize themselves as such, who have their own forms of social organization, who occupy and use territories and natural resources as a condition for their cultural, social, religious, ancestral and economic reproduction, using knowledge, innovations and practices generated and transmitted by tradition.” This formulation forms part of the very document that calls for a methodological roadmap for the development of FLONA management plans, published in 2009 by the ICMBio (BRASIL, 2009).

By working with an open definition and denying it to a certain social group, the authors of the census would, at the very least, have to present their interpretation of these elements and the reasons they did not correspond with that encountered at River das Tropas, but this was not done. The closest the census came to that appears as an illustration, when two indigenous families are mentioned as an exception, without further explanation. The document does not, therefore, inform what distinguishes the actions of Munduruku families from that of other FLONA families.

Although it is argued that the elements of the definition of “traditional populations” used by the authors of the management plan are self-evident (which contradicts any construction in the conceptual discussion on the topic), it is difficult to understand the denial of the category to the River das Tropas groups. The inconsistency is even greater when the document states, shortly thereafter, that the occupation of the River das Tropas is characterized by family farming for self-consumption and plant and animal extraction (CONSÓRCIO SENOGRAFIA-STCP; SFB, 2010a, p. 6.40: 6.67).

The lacuna opened by such inconsistencies is serious, since the notion of traditional

populations is seen by the ICMBio as central to making occupations compatible with the vocation of the conservation unit, while the legitimacy of the occupants as beneficiaries and rights holders depends on it.

Although the management plan was finalized before the census, it indicates it was based on the census: the “Diagnosis” section, in the topic intended for “Historical, cultural and socioeconomic aspects,” literally states that “All the information reported in this item is based on the Crepori National Forest Socioeconomics Report” [cf. CON-SÓRCIO SENOGRAFIA-STCP; SFB, 2010b] and on the population census (BRASIL, 2010, p. 4.1).

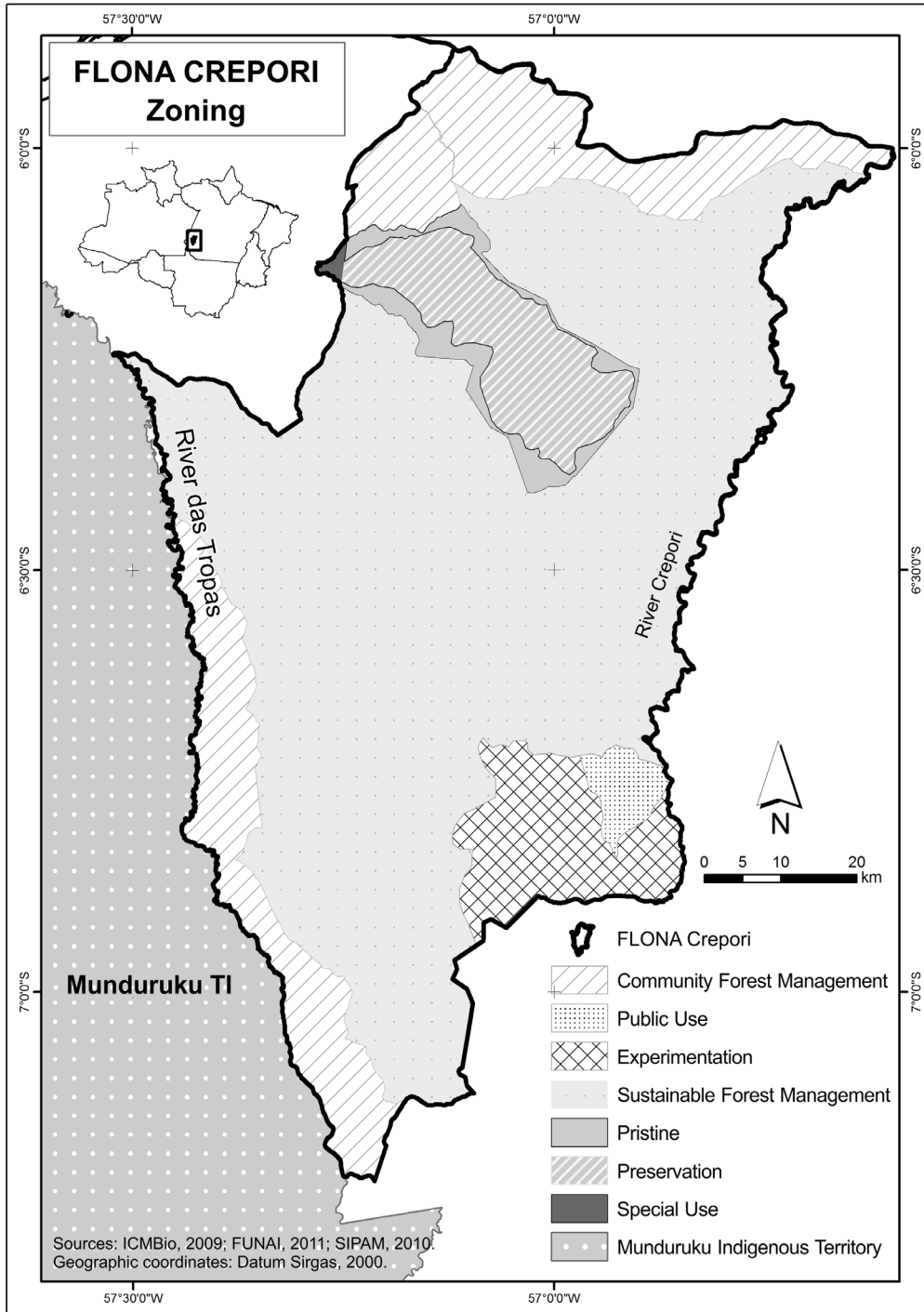
It is notorious, therefore, that the entire population census itself was excluded from the main management document for the FLONA Crepori. By saying that it was based on a census, and not presenting those records in the management plan, the understanding of the reader is the results of the census were not significant enough to generate management referrals – the ultimate aim of the management plan. In other words, here it is not a matter of discussing notions of what constitutes a traditional population, the very existence of human occupation in the area has already been concealed from any record.

Based on population studies riddled with biases, the FLONA Crepori zoning was made official. As Map 1 shows, most of the conservation unit (66.2%) is intended for logging concessions, including areas with points of traditional occupation. Only 17.9% of the land is destined for community management, which could be carried out by the communities surrounding the FLONA, and there is not a single stretch of the more than 740,000 hectares that has been recognized as a traditionally occupied territory.

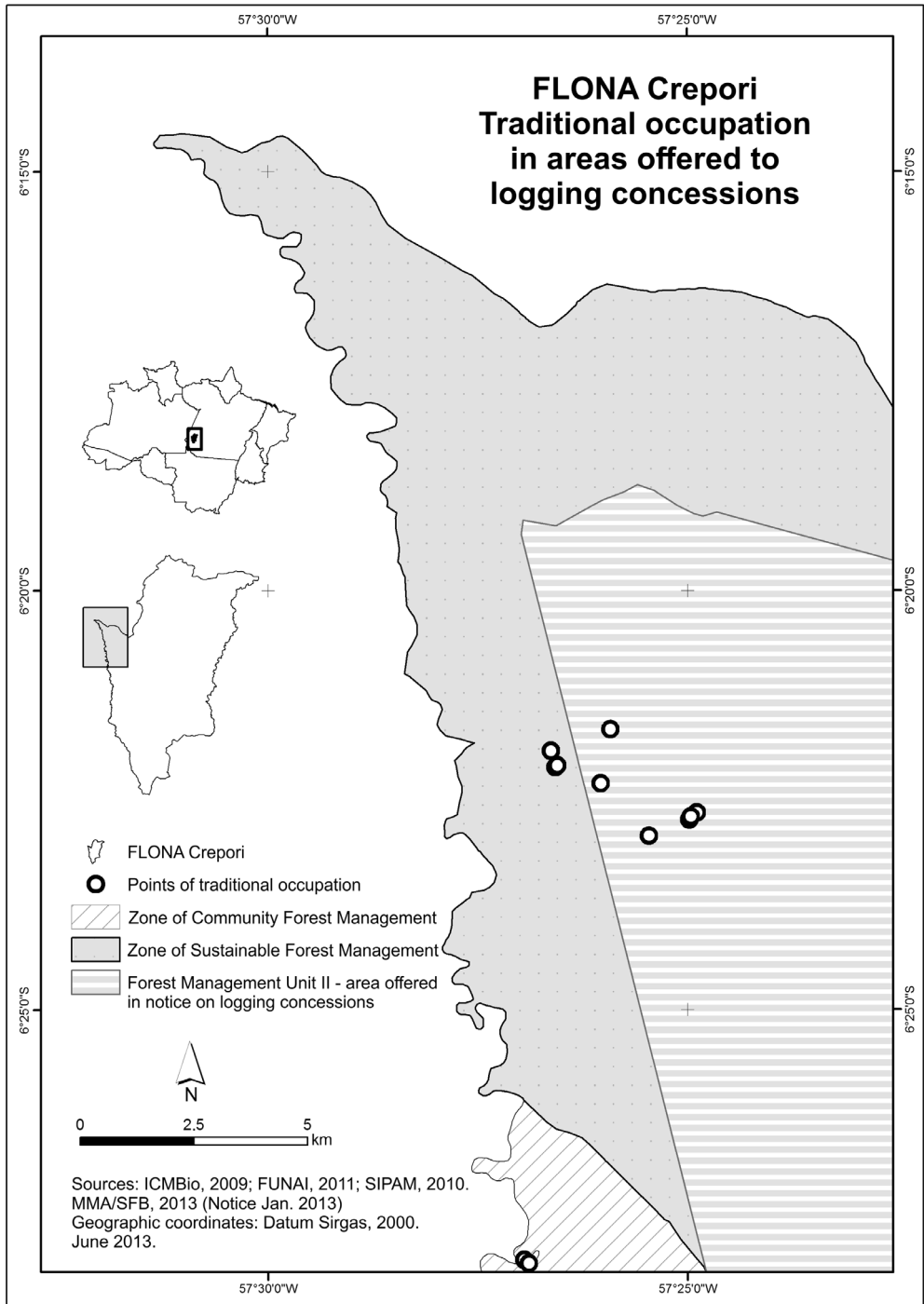
The expropriation was triggered by the drafting of the tender notice of logging tenders in the FLONA, published in 2010, and was sealed in the notice published in 2013. For the ancestral occupants of the FLONA, in addition to their existence not even being recorded in the unit’s management document, their occupation areas were allocated to logging tenders (Map 2).

In June 2014, the FLONA (including the portion occupied by traditional communities) was granted to the Pará company Brasad’Oc Timber Comércio de Madeiras Ltda. for 40 years. However, in November of the same year, the Federal Prosecutor of Itaituba filed a public civil action asking for the suspension of the event in defense of the interests of the expropriated traditional communities. In 2016, the Federal Court of Itaituba suspended the concession contract and stipulated its continuity was subject to conducting anthropological studies that delimited traditionally occupied territories identified in the area.

Map 1. Zoning of the Crepori National Forest. Elaborated by the authors in 2013, based on data from ICMBio 2009, FUNAI 2011, and SIPAM 2010. Geographic coordinates: Datum Sirgas 2000.



Map 2. Traditionally occupied territories affected by the logging concession notice in the Crepori National Forest. Elaborated by the authors based on data from ICMBio 2009, FUNAI 2011, SIPAM 2010, MMA/SFB (Notice Jan. 2013). Geographic coordinates. Datum Sirgas 2000.



Occupants of the River das Tropas and their classification in official documents

By highlighting that the FLONA Crepori management plan does not explain its understanding of a traditional population, in no way do we propose the presentation of a list of attributes of “traditionality.” Moreover, the fact that the traditional population composes a category that is both open and under construction does not imply it is a category empty of meaning.

The understanding adopted by us concerning this notion dialogues with the reflections of authors like Carneiro da Cunha e Almeida, Berno de Almeida, Little and Barretto Filho, as developed in previous publications (GUERRERO, 2012). This view accompanies the shift from a substantiated notion to a category involving political subjects, and is defined by the relationship that these groups establish among themselves and with other subjects. Thus, we defend that this “definition” is not unilateral, rather it is a negotiation, which always takes place in a dialogical context, inspired by a version of the “neotraditionalist pact” of Almeida e Cunha (1999).

The ICMBio, however, operates using more substantive notions concerning what these groups are, listing attributes – ancestry, the use of resources, the sustainability of activities, etc. Although we disagree with the parameters adopted by the managing body, what we seek to emphasize here is that the application of these parameters should at least be isonomic.

Thus, the population of the River das Tropas could not have been barred from the ICMBio list, since it meets the agency’s own parameters that define beneficiary groups. There are characteristics that allow for the identification of *traditionally occupied lands*, according to Berno de Almeida:

these forms of common use designate situations in which the control of basic resources is not exercised freely and individually by a particular domestic group of small direct producers or by one of its members. This control occurs through specific norms, combining the common use of resources and private appropriation of goods, which are applied, consensually, to the intricacies of social relationships established between various family groups that make up a social unit. (BERNO DE ALMEIDA, 2008, p. 28).

In 2011, along the 119 kilometers of the right bank of the River das Tropas, in the interior of the FLONA Crepori, there were 12 occupations, for whom the main economic activities were the artisanal *garimpo* of gold, agriculture and extraction.

According to the authors of the socioeconomic census and the FLONA management plan, the practice of *garimpo*, in and of itself, seems to have been an eliminatory factor for the group to be considered a traditional population. Even for the ICMBio, it is considered (unjustifiably) strange that a traditional population and *garimpo* are compatible and not mutually exclusive. As if, in general, the extractivist and the *garimpeiro* (artisanal miner) were not the seasonal rhythm of the lives of so many riverside families.

Projecting stigma on families associated with the practice of *garimpo*, because they do not meet the expectations of the authors of the census, seems to encounter a parallel with the stigmatization of communities in Parna do Jaú due to practices also not considered “conservationist,” as analyzed by Creado et al. (2008).

In Tapajós, this combination was registered in the 1960s, when rubber tapping, cat hunting and *garimpo* coexisted. However, there was a clear tendency for workers to become increasingly involved in the last activity. In 1964, Tibiriçá Santa Brígida, the mayor of Itaituba, observed that “the majority of the rubber tappers from *firmas aviadoras* (suppliers who offer barter-based credit) began going to *garimpos* and continued to supply as *garimpeiros*” (apud LIMA, 1994, p. 24).

At this point, we would like to illuminate the characteristics of the peasantry that was formed by the rubber industry and extends its limits, aggregating it to artisanal activity in *garimpos* to complement the characteristics of the families of the region – riverside descendants of rubber tappers, who resumed the peasant project – with the specificity of their dedication to gold extraction on a small scale.

In this sense, certain organizing principles are worth noting, such as the way in which the consortium of activities is fundamental for the maintenance of their dwellings, particularly with regard to monetization to acquire goods not produced by the family, and how this consortium depends on knowledge of the forest – fishing, hunting, gathering, agriculture in the Amazon rainforest, etc. This raises the consideration that, just as the gold extraction company imported the prevailing labor relations from rubber tapping and cat hunting, together with *aviamento* (a barter-based credit supply relation), the *garimpos* often imported the consortium of agricultural and extractive activities that characterized previous occupations.

Another element linked to the peasant universe concerns the concept of land for business versus land for work (Martins, 1979). The land only has meaning through the work that is applied to it, as exemplified by riverside dweller and *garimpeira* Maria Anicete: “About documents for this [the land where she lives], I don’t have any, and I don’t know anyone who does. I know mine is this right here, look [she shows her hands].”

It is also worth noting a series of complex mechanisms that govern social and work relationships in the occupations where artisanal *garimpo* is also practiced in the FLONA, and which involve the identification of the characters that make up the units in which the exploration takes place.

The Ditão *garimpo*, on the River das Tropas, is a case in which the same area houses multiple arrangements. First, Ditão understands himself (and is thus recognized by the group) to be the *owner* of the area. “Because it was me who researched everything,” he explains – remembering that *research* is used to consider the first prospects. This is in line with the forms of territorial appropriation recorded by Lima (1994, p. 77, emphasis in original), in the 1990s, when he registers that “the act of opening up pioneering *exploration*, opening up *pranchetas* [small mineshafts] first-hand, detecting the first evidence of gold, grants the explorer who claimed the prerogative that of *owner*.”

Many people work within the area recognized as Ditão’s. There are examples that

oscillate between the practices recorded by Lima of *donating land* or *dar encosto* [lit. giving a strip]. Seu Ditão, himself, was working on a system known as *meia-praça* (a type of partnership) with a young man, in a small ravine, through the artisanal system. From what we observed in the field, levels of partnership have already been established between some of these *garimpeiros* and Seu Ditão. It is interesting to note that being the *owner* of the *garimpo* is a form of land appropriation that, in part, imposes restrictions on the group. The *owner* of the ravine, for example, is allowed to charge around 10% on the fruit of the work of others in the area, but they are forbidden, under penalty of losing the legitimacy of their right as *owner*, from preventing the entry and activity of anyone who so desires.

Even so, social mobility is not easy in an artisanal *garimpo*. In some cases, social reproduction itself lies at the limit of what the autonomous *garimpeiro* can engage in, in terms of financial resources or labor power. In the River das Tropas, where the situation is no different, we saw that sometimes the solutions encountered to bridge this gap are mechanisms of mutual assistance (“So, we go over there and help him wash it. [...] Anyone who’s not busy goes. [...] We always help each other”).

The occupations – the dwellings, gardens, ravines, diverse areas of collection – all of the aforementioned were not recognized as such by the FLONA management plan, much like the occupants were characterized as a group that did not constitute a traditional community and, therefore, could not be beneficiaries of the conservation unit. Regarding the place where these families live and work, the zoning designated it as an area for “sustainable forest management,” and, therefore, this entire portion of the FLONA was offered to large logging companies in the form of forest concessions.

From invisible management to desirable management

Regarding the characterization of the population of the FLONA Crepori, we observed that the elaboration of the management plan is deeply contradictory when claiming, as its basis, a study that quantifies and surveys more than two hundred people inside the conservation unit, to eventually arrive at a document that almost completely omits the registration of the occupants (and their rights).

Indeed, the document actually describes finding “some people,” but, without properly exposing its criteria and collating them with the reality it found, it classifies these people, without going into details, as incompatible with the category of a traditional population and, therefore, ineligible to qualify as a beneficiary of the FLONA. The document further indicates they should be removed, leaving the area free for concessions that benefit large logging companies.

Regardless of the causes that engendered this movement, it fits in with a thinking that prompted the very act of creating the FLONA Crepori, and other national and state forests between 2006 and 2008 in western Pará, one that reflects a sector of environmental policy overly concerned with ensuring the success of the PFML, that is, providing the best conditions for these conservation units to meet the demands of the timber market. As stated in the management plan, the region “possessed forest cover with timber species

and low levels of human occupation; it held timber stocks of high commercial value; it was situated within a radius of economic accessibility to the logging industry” (BRASIL, 2010, p. 2.5).

This haste to state that the FLONA Crepori is practically unoccupied reflects aspects of environmental policy in general. These are contradictions that come from the opposition between the economic interests in the FLONA and the rights of the people who live there, and that conclusively show the structural character of the problem, present in the very legislation that defines and standardizes the objectives of this type of conservation unit.

Note that the human occupation of FLONA must take place within the norms stipulated by the management plan – and it is the process of preparing the plan that is responsible for recording human occupation and its management. Without involving the population in the elaboration of the document, you can fall into a dangerous exclusive tautology, which depends entirely on the resistance of the population or the referral of those involved in the management of the unit to overcome. In the case of the FLONA Crepori, this is what motivated the activity on which this article is based.

The SNUC itself contains ambivalences that denote a structural character of the “policy” of conceiving the rural and forest peoples as obstacles, and understanding a bias of social exclusion in the discourse on environmental conservation, most notably in the modality of national forests. As stated, the SNUC specifies that in a FLONA, “the permanence of traditional populations that inhabit it when it was created is *allowed*” (art. 17, § 2, emphasis added).

Although the objective is to make sustainable use compatible with conservation, FLONA “allows” the population to remain. That is like a school saying that it “allows” its structure to be used for educational purposes. The objective is something that is pursued, that is sought, not something that is “allowed.” This comparison makes it clear that the expectation is that sustainable use is preferably provided by people other than those who are “allowed.”

Final considerations

Throughout this article, we have sought to demonstrate how the initial intent of offering a concession for the FLONA Crepori was based on studies riddled with serious deficiencies and lacking the minimum technical rigor with regard to the social conditions of the unit, and, therefore, denying the integrity of traditionally occupied lands.

The findings of this study confirm the works cited that highlight the processes of forest concessions as a factor that causes negative impacts on traditional communities. At variance with authors like Ribeiro et al. (2017), Garcia et al. (2015) and Monteiro and Santana (2010), and given this effect, we infer it cannot be affirmed that the concession model is successful. In agreement with Nepomuceno (2017), Nepomuceno et al. (2019) and Affonso (2018), we understand the model of forest logging concessions as a vector for the expropriation of traditional peoples and communities.

In addition to the aforementioned bibliography, analysis of the case of the FLONA Crepori demonstrates how the bureaucratic procedures legally required for the tender of forest areas to logging companies, not only fails to guarantee rights, but can deny them, and can even make communities invisible by favoring the logging industry.

Through its historical recoveries, this work allows us to reflect on structural issues linked to the design of public policy on concessions as a whole. We understand that any policy that reflects on the destination of the forest must prioritize the recognition of the traditionally occupied territories in favor of the groups that live there, in compliance with that advocated by national and international legislation. This means conducting processes marked by effective interlocution with the representative bodies of the groups in question, including the preparation of reports and diagnoses that properly contemplate the traditional occupation of the territories.

Acknowledgements

We would like to thank Cândido Neto da Cunha for his criticisms of a first draft of this article.

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Submitted on: 28/05/2019

Accepted on: 26/06/2020

2020;23:e00542

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How to cite: GUERRERO, N.R.; TORRES, M.; NEPOMUCENO, I.T.R. Impacts of the Public Forest Management Law on traditionally occupied territories in Crepori National Forest. **Ambiente & Sociedade**. São Paulo, v. 23, p. 1-20, 2020.

Impactos da Lei de Gestão de Florestas Públicas a comunidades tradicionais na Flona do Crepori

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São Paulo. Vol. 23, 2020
Artigo Original

Resumo: O artigo enfoca impactos da Lei de Gestão de Florestas Públicas a territórios tradicionalmente ocupados, a partir do caso da Floresta Nacional do Crepori, no Pará. Em um resgate das origens das modalidades de áreas protegidas voltadas prioritariamente para exploração tecnologicizada, serão destacados elementos que as direcionam à exploração empresarial de recursos madeireiros, em detrimento dos direitos territoriais dos povos e comunidades tradicionais que porventura as ocupem. De forma complementar, o texto elucida mecanismos com que conta a lei para uma suposta garantia da integridade territorial dos ocupantes das unidades de conservação. Por fim, será apresentado o caso do Crepori, em que comunidades tradicionais foram invisibilizadas pelo plano de manejo. O artigo se apoia em uma análise qualitativa, baseada em dados secundários e primários, oriundos de incursão etnográfica. Os resultados ratificam trabalhos da área que apontam para os processos de concessões florestais como causa de impactos negativos às comunidades tradicionais.

Palavras-chave: Lei de Gestão de Florestas Públicas; povos e comunidades tradicionais; conflitos socioambientais; concessões florestais; Floresta Nacional do Crepori.

Como citar: GUERRERO, N.R.; TORRES, M.; NEPOMUCENO, I.T.R. Impactos da Lei de Gestão de Florestas Públicas a comunidades tradicionais na Flona do Crepori. *Ambiente & Sociedade*. São Paulo, v. 23, p. 1-20, 2020.

DOI: <http://dx.doi.org/10.1590/1809-4422asoc20190054r2vu2020L5AO>

Impactos de la Ley de Gestión de Bosques Públicos sobre territorios tradicionalmente ocupados en el Bosque Nacional del Crepori

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São Paulo. Vol. 23, 2020
Artículo original

Resumen: El artículo enfoca impactos de la Ley de Gestión de Bosques Públicos sobre territorios tradicionalmente ocupados, tomando como ejemplo el Bosque Nacional del Crepori, en Pará. A partir de un análisis retrospectivo de las áreas protegidas dirigidas de manera prioritaria a la explotación tecnológica, se destacarán elementos que las orientan a la explotación empresarial de recursos madereros, en detrimento de los derechos de pueblos y comunidades tradicionales. El texto también dilucida los mecanismos con que cuenta la ley para una supuesta garantía de la integridad territorial de los ocupantes de las unidades de conservación. Por último, se presentará el caso de Crepori, en que comunidades tradicionales fueron invisibilizadas por su plan de manejo. El artículo propone un análisis cualitativo, basado en datos secundarios y derivados de la incursión etnográfica. Los resultados apuntan para los procesos de concesiones forestales como un factor que causa impactos negativos en las comunidades tradicionales.

Palabras-clave: Ley de Gestión de Bosques Públicos; pueblos y comunidades tradicionales; conflictos socioambientales; concesiones forestales; Bosque Nacional del Crepori.

Como citar: GUERRERO, N.R.; TORRES, M.; NEPOMUCENO, I.T.R. Impactos de la Ley de Gestión de Bosques Públicos sobre territorios tradicionalmente ocupados en el Bosque Nacional del Crepori. *Ambiente & Sociedade*. São Paulo, v. 23, p. 1-20, 2020.

DOI: <http://dx.doi.org/10.1590/1809-4422asoc20190054r2vu2020L5AO>