

# Territorial Crossroads and Ongoing Management Processes Between Natural Protected Areas and Indigenous Lands in Acre, Brazil

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**Abstract:** The System of Natural Protected Areas of the State of Acre (SEANP) contemplates Protected Areas (classified into 12 categories) and Indigenous Lands as integrated components. Specially, if we realize that along the Brazilian-Peruvian border there are over 2000 ha of overlapped or combined areas of this sort. Having that in mind, it is mandatory that articulation occur between the different official institutions working on those protected areas. This article examines the 2018 and 2019 debates happening between public institutions and civil society about the territorial interactions within Indigenous Lands and Protected Areas in Acre. The SEANP encounters proposed activities have qualified and given visibility to those joined arrangement whereas it recognized dissensions, successful strategies, among other collective actions, as fundamental tools to be adapted and replicated in other contexts.

**Key words:** natural protected areas, indigenous lands, territorial crossroads

## 1. Introduction

Created by the State Law nº 1.426 of 2001, the State System of Natural Protected Areas of the State of Acre (Sistema Estadual de Áreas Naturais Protegidas (SEANP)) is composed by the combination of all State and Municipal Protected areas. According to this same Law, the State of Acre Federal Protected areas, and the Indigenous Lands are recognized by the SEANP regulations. The concept of Protected Areas is based on the previous Law no 9.985 from 2000, Decree no 4.340 from 2002 which condition the National System of Natural Protected areas of Brazil.

State Law nº 2.095/2008 was published to modify topics directly related to the System in relation to management and enforcement of Acre's Protected

areas actions adequacy. And adjoin to Article 14th, areas in which: II- Proprieties Legal Reserves; III- Permanent Protected Areas; and IV- Managed Forest Areas.

Even though the SEANP was divulged before the National Plan for Protected Areas (PNAP), nº 5.758 Decree from 2006, both of them agree in keeping in view the Protected areas (Federal, State, Municipal) and Indigenous Lands and make accessible the public policies and programs developed by the state government for those territories. Moreover, the National Policy for Territorial and Environmental Management of Indigenous Lands - PNGATI (Decree 7747 of 2002) engages with SEANP in the extent that it recognizes the articulation of FUNAI (National Indian Foundation) and Indigenous People in overlapped terrain with Protected areas.

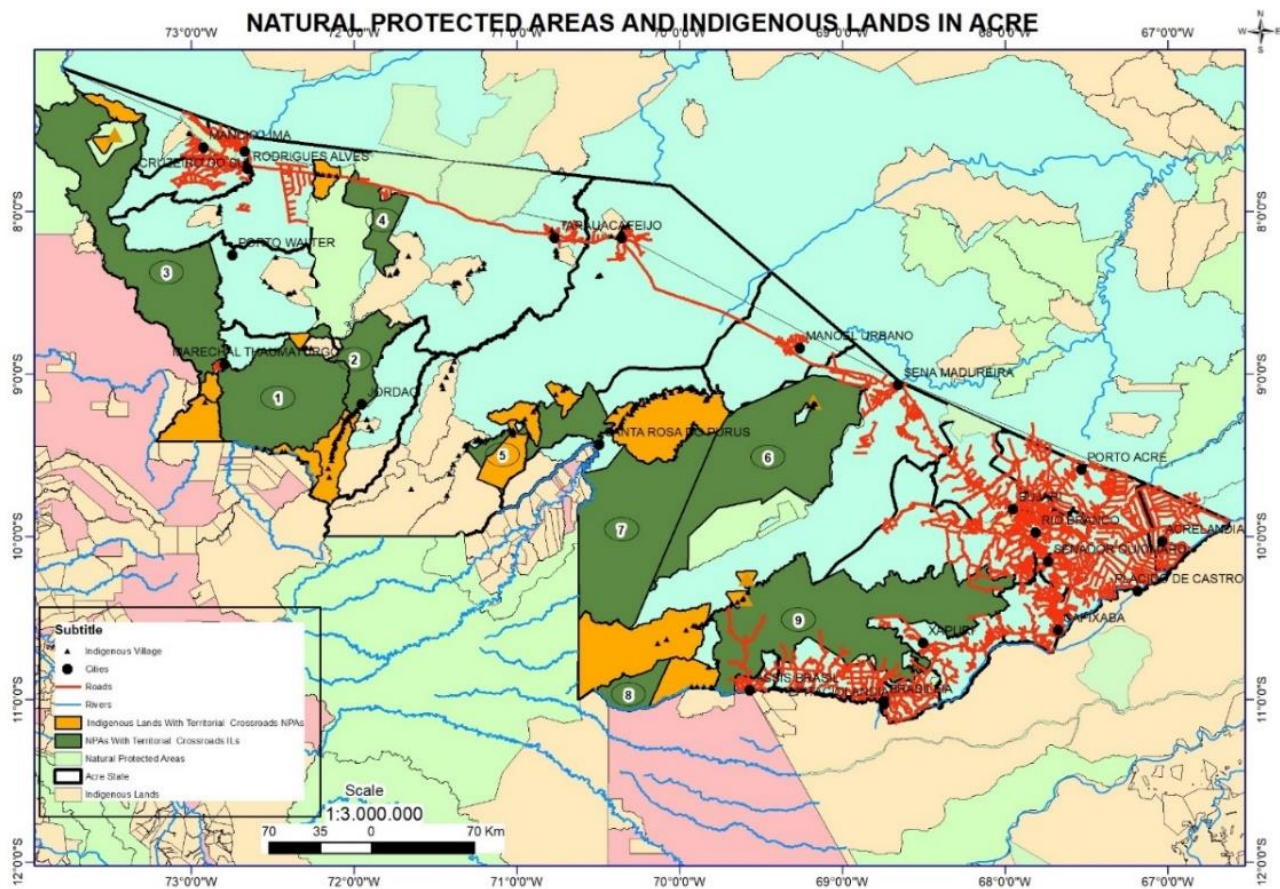
In 2019, 33.6% of Acre's territory was circumscribed by Protected Areas: three Integral Protected Areas (2 Federal and 1 State), nineteen

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Sustainable Use Areas (9 Federal, 8 State, 1 Municipal and 1 Private) and 14.55% of Acre's

territory for 36 Indigenous Lands used by 15 ethnic groups from three different linguistic families (Fig. 1).



**Fig. 1** Natural Protected Areas (green) and Indigenous lands (orange) in Acre and surroundings. ZEE-Ac.

Those areas sum up approximately 7.775.627 hectares (47.35% of Acre's territory) with a population estimated in 51 thousand dwellers and according to data from the National Space Research Institute, 212.439 ha was deforested in Acre [1] or, in other words, around 4.5% of those areas (3.5% of Protected areas and 1% of Indigenous Lands).

Insisting on the operation apparatus advocated by the SNUC, from the 22 Protected areas, 68% already posses Management Plans and 77% has already assembled their Management Boards. If we consider the nine State Protected areas, the numbers of Protected areas with Management Plans ready to go or in construction are 100% and eight Protected areas have established Management Boards.

30 from the 36 Acre's Indigenous Lands have

already discussed and elaborate their Territorial and Environmental Management Plans PGTIs. Around 70% of them were had support by the State and the others by the Acre non-governmental organization Pro-Indian Comission (CPI-Acre).

Inside Acre's territory, close to the international borders, 10 Protected areas adjoin 14 Indigenous Lands, whereas 4 of them partially overlay 6 Indigenous Areas. Accordingly, the interethnic and intercultural relations are contiguous for the populations of those territories and the demand for joined public policies and attention are mandatory.

If we departure from a legal standpoint, then, and taking into account Acre's public policies implementation between the years of 2016 to 2019, administrators have annually met to debate those

issues, elaborate strategic activities and exchange experiences in order to articulate actions and give materiality to the SEANP hand in hand with the state policies and organized institutions from civil society.

World Wildlife Fund WWF Brazil was the main financial and technical partner for the accomplishment of those meetings and Acre's Environmental Secretary together with its Regional Coordination 01 and 07 from the Chico Mendes Institute for Biodiversity Conservation and partnership with the Regional Coordinations of the National Indian Foundation. In the present article, we give emphasis to the 2018 and 2019 group activities results which described the territorial interactions between Protected areas and Indigenous Lands from the institutional perspective of the public managers from FUNAI, ICMBIO, SEMA, as well as from the Civil Society, such as is the case of CPI-AC.

The objective of this paper was to bring out an analysis of the territorial interactions between Protected areas and Indigenous Lands in the state of Acre, having as a standpoint the alignment and socialization of information from the long experience public managers and civil society have in enabling the ongoing management processes.

## **2. Material and Methods**

From the 22 Protected areas that are localized in the state of Acre, 10 are adjoined with Indigenous Lands, albeit 4 of them are partially overlaid with 6 more Indigenous Lands. Having said that, the study have concentrated in the following territorial interactions between Protected areas and Indigenous Lands:

- 1) Upper Juruá RESEX - Amônia River Arara, Breu River Kaxinawa/Ashaninka Indigenous Lands, Kuntanawa Indigenous Area
- 2) Upper Tarauacá RESEX - Jordão River Kaxinawa Indigenous Land and Isolated Indians;
- 3) Serra do Divisor National Park - Nawa Indigenous Area, Nukini Indigenous Land;

4) Riozinho da Liberdade RESEX - Campinas Katukina Indigenous Land;

5) Santa Rosa do Purus National Forest (FLONA) - Nova Olinda Kaxinawa, Igarapé do Pau Kulina, Jaminawa- Envira Indigenous Lands;

6) Cazumbá-Iracema RESEX - Jaminawa do rio Caeté Indigenous Area;

7) Chandless State Park - Upper Purus River, Mamoadate Indigenous Lands and Isolated Indians;

8) River Acre Ecological Station - Isolated Indians;

9) Chico Mendes RESEX - Mamoadate Indigenous Land, Manchineri of Guanabara Seringal Indigenous Area and Jaminawa of Guajará Indigenous Area;

10) Japiim Pentecoste Area of High Ecological Significance - Poyanawa Indigenous Land.

The debate about the public institutions and civil society role in superimposed or neighboring Protected Areas in the state of Acre, was carried out during the 2018 and 2019 SEANP encounters of managers in the Chandless State Park (Manoel Urbano Municipality), and Seringal Cachoeira Agroextractivist Settlement Project (Xapuri Municipality).

Departing from a collective analysis about the actual context of these territorial interactions and specific ways of action, FUNAI (Upper Purus and Juruá Regional Coordinations), SEMA (Technicians of the Ethnozoning and Natural Protected State System Areas), ICMBIO (Protected areas managers and Regional Coordination 07) and Acre's Pro-Indian Commission (CPI-AC) managers described their living experience with the thematic. In this sense, everyone was levelled in relation to the main problems population face and the status of ongoing institutional action in those areas, for the view of managers.

## **3. Results and Discussion**

Table 1 resums what was discussed in the SEANP encounters.

277 public managers from the 313 Federal Protected areas have answered to the diagnosis organized by the ICMBIO General Coordination of

Socio-environmental Management, Directorate of Socio-environmental Actions and Territorial Consolidation (COGOT) about the existing territorial interactions in the Protected areas. Data analysis in this realm indicates the existence of 185 federal protected areas interactions, being 132 in 94 Integral Protection

Protected areas and 53 in 44 Sustainable Use Protected areas. In Amazonia, this number correspond to 84 existing interactions in 107 Protected areas [2]. In relation to the Indigenous Lands overlay, in 2012 more than 60 cases were registered in 42 Brazilian Federal Protected areas [3].

**Table 2 Board resuming the relations and interactions between Protected areas and Indigenous Lands in Acre.**

Protected Areas	Indigenous Areas	2018	2019
Upper Juruá Resex	Apolima Arara (overlaid to Protected areas)	Indigenous Land Demarcation in advanced state	Continuous. Compensation concluded but still with 03 families waiting for compensation adjustments and with deposits already in court. Waiting second instance.
	Amônia River Ashaninka (Protected areas neighbor)	Ashaninka fight for Indigenous Land enlargement in Protected areas area	Claim for Land enlargement
	Breu River Kaxinawa Ashaninka (Protected areas neighbor)	Kaxinawa uses RESEX partially	Use of the Land but don't reclaim. Extractivists are members of the Association. Don't live in the Indigenous Land.
	Kuntanawa (overlaid to Protected areas)	Indigenous Land Demarcation Demand	Working the Management Plan with FUNAI supervision and SEMA support. On the process of formalization working group for identification of the area.
Upper Tarauacá Resex	Jordão river Kaxinawa (Protected areas neighbor)	Use Interaction	Interaction of use without conflict. Better articulation with compromise integration and partnerships between Indigenous Lands and the RESEX, supported by the Envira Protection Front and CPI Project. Joined activities performed by both territories.
	Isolated Indians		
Serra do Divisor National Park	Nawa (overlaid to Protected area)	Indigenous Land Demarcation in advanced state	Defined as non-advanced status considering the politics of non-demarcation assumed by the Federal Government. Despite of that, demarcation is still ongoing and PGTA is ready. Term of Commitment for joined effort between ICMBio, SEMA, FUNAI, Communities.
	Nukini (Protected area neighbor)	Nowadays, low risk of conflict but requires monitoring by ICMBio and FUNAI and dialogue with local people involved	Will to enlarge the Indigenous Land and want boundaries revision. Ethnic group reclaim its right but FUNAI doesn't manifest. 1° Nukini Festival and community relations with possibility of Living Agreement.
Riozinho da Liberdade Resex	Campinas Katukina (Protected area neighbor)	Indigenous Land and Protected areas neighboring	Indigenous complains to justice about illegal hunters invading their lands. Indication that members of the Campinas-Katukina Indigenous Land should be invited to compose the Council. Evidence shows that indigenous want to create another village inside the RESEX called "Vai e Vem".
Santa Rosa do Purus National Forest	Nova Olinda Kaxinawa (overlaid to Protected area)	Currently without administrator, this Flona is overlaid with various Indigenous Lands. Future managers may bare that in mind and continue to dialogue with Funai, communities and other pro-indigenous organizations	Flona overlay with 03 Indigenous Lands and the ICMBio can't avoid to see this specific situation.
	Igarapé do Pau Kulina (overlaid to Protected area)		
	Envira Jaminawa (overlaid to Protected area)		
	Upper Purus River (Protected area neighbor)		

**To be continued**

Table 2 continued

Protected Areas	Indigenous Areas	2018	2019
Cazumbá Iracema RESEX	Caeté Jaminawa Indigenous Area (inside the Protected area but area not overlaid)	Only use, without conflict. Two RESEX favorable sentences prove that indigenous occupation was going on since 2000, two years before the creation of the Unit but was not characterized as traditional land. However, Indigenous Area will continue to function in pacific consonance with the RESEX. Meetings between ICMBio, FUNAI and Caeté Jaminawa leadership already begun to discuss the collective accord of use of some of the Protected areas. But the area is still being studied by Funai.	RESEX was delimited in 2018 (demarcation and signaling). Nowadays, regular encounters and meetings occur between leaderships from the Indigenous Area and RESEX. Jaminawa Indigenous Area will be invited to take part on the RESEX Council. A meeting was scheduled for between August and September among leaderships of the two protected areas.
Chandless State Park	Upper Purus River Indigenous Land (Protected areas neighbor)	Conflicts between Upper Purus Indigenous people and Chandless residents.	The indigenous people have been on the park council since 2017 and discussions about use/management agreements between TI and UC residents began in 2015, 2016 and 2017, with no continuity of actions afterwards.
	Isolated Indians	Isolated Indigenous people temporarily use, and circulate in some areas.	As well as in ESEC AC, isolated indigenous people temporarily use, and circulate in some areas but not always the same. During 2014, a Diagnosis of those areas were made between SEMA and FUNAI.
River Acre Ecological Station	Isolated Indians	Isolated Indigenous people temporarily use, and circulate in some areas.	As well as in Chandless, isolated indigenous people temporarily use, and circulate in some areas but not always the same. During 2014, a Diagnosis of those areas were made between ICMBIO and FUNAI.
Chico Mendes RESEX	Mamoadate Indigenous Land (Protected areas neighbor)		Indigenous Land Identification Working Group formalization is initializing. Both indigenous groups families make use of the RESEX natural resources.
	Guajará Jaminawa Indigenous Area and Guanabara Machineri (Protected areas neighbor)		

In the state of Acre, neighboring or overlaid Indigenous Lands and Protected areas represents around 40% of the created or recognized areas, configuring a corridor of preserved areas connecting with one another extending also to the Peruvian border Protected Areas, assuming the form of a mosaic which totalize 8 million hectares of preserved forest.

In 70% of the cases, 9 Protected areas and 14 Indigenous Lands or Areas (Table 1), some sort of interaction exists between public institutions responsible for the areas or relevant projects from civil society across the borders.

Santa Rosa do Purus National Forest has more than 80% of its area overlaid with Indigenous Lands: Nova Olinda Kaxinawa, Igarapé do Pau Kulina and Jaminawa-Envira also performing the border with the Upper Purus Indigenous Land. Because, nowadays, this territory shows low levels of management implementation it has great attention from FUNAI and local communities use.

During July 2019, in the Assis Brasil region the Chico Mendes RESEX, Mamoadate Indigenous Land and two other Indigenous Area under study: Guanabara Machineri and Guajará Jaminawa, began to propose joined actions between extractivists, indigenous and

public institutions responsible for the Preserved Areas in the context of the Socioenvironmental Corridors, funded by Rainforest and the mediation of CPI Acre.

Beyond this initiative, Pro-Indian Commission have constantly supervised the work on the three Kaxinawa Indigenous Lands in the Jordão River and in Breu River in dialogue with the Upper Tarauacá RESEX administration and SEMA. Moreover, CPI has a continuous work of 10 year-advisor for the Amônia Ashaninka and more recently for the Upper Juruá RESEX.

Areas in which it is clearly possible to see joined action between public management institutions are: Cazumbá Iracema Resex and Caeté Jaminawa Indigenous Area; Chandless State Park and Upper Purus River Indigenous Land; Serra do Divisor National Park and Nawa Indigenous Area and Nukini Indigenous Land. Because of the dialogue between SEMA, FUNAI and ICMBIO, these places have had an ongoing discussion about use and management agreements.

Those agreements are supported by the ICMBIO IN 26 of 2012 which establishes the guidelines and regulates the procedures for elaboration, implementation and monitoring of the Commitment Declaration between the Chico Mendes Institute and traditional populations which resides in Protected areas where its presence is not allowed or are in discordance with the management instruments.

This instrument is seen as a victory, for its background, juridical and administrative security are one more institutional incentives about how those protected areas should be managed in dialogue with the communities already living there [4].

The Upper Juruá RESEX is the most emblematic in relation to other territorial interactions. This is so, because exist two cases of territorial claim inside its 506 thousand hectares: the Apolima Arara and the Kuntanawa. The first one, about 20 thousand hectares, are in an advanced demarcation process, already at the stage of compensating non-indigenous families living

in the area. In the Kuntanawa case, formalization process of the institutional working group for land identification still is in its FUNAI proceedings, but the demand is already in justice.

It is also important to highlight the use the Kaxinawa from the Breu River Kaxinawa/Ashaninka Indigenous Land have been doing in relation to the RESEX and a brief introduction about enlarging the limits of the Amônia River Ashaninka Indigenous Land. The Ashaninka are protagonists in discussing transnational politics and local communities integration (indigenous and extractivists) developed by the APIWTXA association bringing resources from the Amazon Fund between the years of 2015-2018.

The River Acre Ecological Station administration operates together with the indigenous people from the River Acre Headwaters Indigenous Land, giving support to the community for the project executions and planning. Also, institutionally, have acted together with FUNAI for the analysis of remains after isolated indigenous people appeared in the surrounding of the Protected areas in the year of 2014.

These examples shows that from the 9 analyzed Protected areas, 6 of them presented advances in the manner they conceive and manage their territory, amplifying its action also to the surroundings and overlaid areas. With that in mind, it's possible to observe that, gradually, the protected areas administrators realize the necessity of integrated and participative management, including the communities in the final decision, for reducing the problems of administration.

In the specific case of FUNAI, many partnerships in favor of the indigenous people have worked out, mainly because the protected areas level of implementation are benefited from the integrated actions of the Amazonia Protected Areas Program.

On the other side, the organized civil society begins to look to these actions amplifying their horizons about the landscape, be by the way of the NGOs, or by community actions, as the APIWTXA example shows.

The diagnosis just presented shows that there is a tendency, in Acre, carried on by the actors, to amplify their look towards the territory, evidencing a joint achievement among organizations and institutions respecting the rights of the population at issue. The first step towards achieving this have been the building of joint plans and agreements which recognize, in the first place, the traditional way of indigenous peoples and extractivists living in the territory.

#### **4. Conclusion**

Institutional assignments of institutions expose the limits an integrated managing for the actions require. On the contrary, transparency and the existence of communication channels must be prioritized if one want to share and legitimate knowledge and action.

Departing from the propose activity in the Acre SEANP encounters, this article recognized preliminary cases of conflict, successful strategies and other collective achievements aligned between managers, as a tool to qualify joint strategical actions which are happening on those territories and that can be replicated, with adaptations, to other social realities.

Taking into account Brazilian enormous distances and also the separation between institucional headquarters and its Amazonian branches, communication is often difficult making local partnerships less visible.

This theoretical exercise allowed us to systematize short-term events happening in those territories intending to make available to general public the different experiences assembled while supporting management processes.

We highlight, to conclude, that managers from these protected areas have suggested to include, in the next discussions, the settlement projects that may, as well, have relevant territorial interactions with them.

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