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## **Rights-based access for leaving no biodiverse area nor anyone behind: Deliberative protected-area councils in Amazônia**

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### **Abstract**

The Kunming-Montreal Global Biodiversity Framework (KMGBF) aims to expand protected areas (PAs) worldwide, a significant step towards harmonising with nature by 2050. Target 3 of the KMGBF aims to protect 30 % of lands and waters by 2030. However, establishing PAs calls for considering rights-based conservation, particularly for Indigenous Peoples (IPs) and local communities (quilombolas) in the Brazilian Amazon.

Given the self-reported limitations of resource access by marginalised forest reliant rural dwellers as well as the lack of an enabling institutional environment for reconciling biodiversity conservation and traditional livelihoods in the Brazilian Amazon, the main questions herein are: If/how do institutions (re)shape resource access by traditional communities in PA? How can access-implications be addressed or redressed?

Research focuses on the Trombetas River Biological Reserve (TRBR) and the Term of Compromise (TDC), a federal decree-based mechanism addressing conflicts between the Chico Mendes Institute for Biodiversity Conservation (ICMBio) and traditional populations over resource access. TDC's institution-based access implications on livelihood-relevant access to non-timber forest products (NTFPs) are analyzed. Mixed methods applied included a quantitative socioeconomic survey (n=185) and qualitative interviews focusing on quilombola households (n=89), participant observation. An own analytical framework and model combining access theory, institutions and (collective) property rights scholarship are developed and applied. The TDC formalizes Brazil nut access but unintentionally restricts it, affecting traditional livelihoods. The exogenously enacted TDC (through ICMBio) creates a monopsony by formally restricting access to resources and markets of PA-affected quilombola communities, while overwriting institutionalized and internalised customary norms which already regulated such livelihood-relevant access. Evidence-based options for addressing and redressing TDC access restrictions affecting quilombola communities include (i) land tenure security by titling Território Quilombola, recognising collective land tenure claim partially overlapping with TRBR; (ii) resource access through inclusive governance per PA co-management by quilombolas; (iii) co-creating an enabling institutional environment for PA-affected rightsholders to voice complaints and co-decide on access limitations by institutionalizing grievance and redress mechanisms in contested PAs. By distilling institution, determinants and processes of access towards rights-based access by traditional communities and IPs, this research intends to inform multi-scalar environmental governance towards a social-ecologically sound implementation of KMGBF Target 3.

**Keywords:** Access, indigenous people, local communities, livelihoods, New Biodiversity Plan, non-wood forest products, place- and rights-based management, protected areas, resource use rights, social-ecological tradeoffs