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“Reconcile land system changes  
with planetary health”

## Towards rights-centered conservation for and by Indigenous Peoples and Local Communities: The case of Amazônia

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### Abstract

Drawing from extensive field research at multiple (sub)national jurisdictions and protected areas (PA) detecting resource access restrictions per strict forest protection in Amazônia, this article analyses means and processes for affected rightsholders to secure their access to resources. In this case, the main question addressed is: How can PA-affected rightsholders (re)gain collective access to livelihood-relevant resources? The findings reveal that resource co-management compromises between State and PA-affected non-State actors – in the case of the Trombetas River Biological Reserve’s Term of Compromise updated in 2024 – fall short in accounting for *Quilombolas* (i.e. traditional afrodescendents who are also covered by ILO Convention 169) right to resources; despite such right being formalized per Brazil’s constitution, particularly for their right to land. Moreover, access limitations can further be addressed and redressed (non)judicially, provided accessibility for affected rightsholders to file rights-infringement complaints via grievance redress mechanisms (GRM). Such access(ibility) depends on whether GRM are known to potential grievance-submitters and if they have established processes for enforcing and securing rights. In Brazil, (sub)national ombuds offices function as GRM at multiple administrative levels – *Ministério Público* (MP) – for all citizens in Brazil but do not yet effectively leverage self-determined operationalisation of resource rights by affected Indigenous Peoples and Local Communities, including *Quilombolas*. Despite the latter being aware of MP’s safeguarding rights responsibility, the MP is understaffed and affected rightsholders are often dependent on law offices with State-lawyers – *Defensoria Pública* – to support them free-of-charge in dealing with ‘legal language’ as well as entangled bureaucratic procedures to effectively secure respective rights. Further, *Quilombolas* live in and with forests in remote areas, which in Amazônia often implies prohibitive costs for affected rightsholders to cover boat transport from communities to ombuds offices in larger urban centers, which prevents them from conveying their complaints. Besides, State-lawyers are scarce and seldomly travel to communities. Finally, moving from rights-blind conservation not only to rights-based but also to rights-centered conservation calls for further institutionalizing grievance spaces and processes, and for facilitating access(ibility) to GRM if we are to inclusively address resource disputes in contested PAs in Brazil and elsewhere.

**Keywords:** (In)formal institutions, Afrodescendents, Indigenous Peoples, protected areas, resource and market access, rights-centered conservation, social-ecological systems

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