

# SMALL-SCALE FISHERS' PARTICIPATION IN CONSULTATIVE COUNCILS OF PROTECTED AREAS IN THE SOUTHEASTERN COAST OF BRAZIL: CHALLENGES FOR PUBLIC PARTICIPATION

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## ABSTRACT

Despite the growing literature identifying factors leading to effective and successful participation, the academic field of evaluation of participatory mechanisms still needs empirical cases. In the municipality of Paraty (Rio de Janeiro State), SE Brazil, small-scale fishers from the community of Trindade participate directly, or are represented, in four consultative councils of protected areas (PAs), in which they struggle to maintain their traditional rights over fishing territories within PAs. This study aims to evaluate the exercise of participation by small-scale fishers and leaders of community-based organizations from Trindade, and other organizations representing them, in the Consultative Councils of the *Serra da Bocaina* National Park (SBNP) and *Bocaina* Mosaic (BM), a set of 29 PAs (including the SBNP). The evaluation was performed based on criteria from the public participation scholarship, such as representation, communication and transparency. Findings show that communication among participants during the meetings is unidirectional, hierarchical and controlled by the meetings' coordinators/facilitators – always PA managers. Fishers are represented in the sense that they participate in the meetings but they have no voice in decisions that affect them. Some decisions are just informed by the managers, without transparency about the processes which created them. Although the councils we analyzed are an accomplishment in the field of public participation in Brazil since the creation of the National System of Conservation Units in 2000, there are still numerous challenges. We provide some recommendations for the improvement of these councils as multi-stakeholder participation arenas.

**Key-words:** public participation, fisheries, conservation, co-management, Caiçara

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## INTRODUCTION

Citizen participation is a pillar of democracy (Arnstein 1969, Parkins and Mitchell 2005, Reed 2008), but to be effective it must guarantee voice to those holding less power in decision-making (Arnstein 1969, McCay and Jentoft 1996, Rowe and Frewer 2000). The success of public participation processes is related to transparency, trust and a sense of equality among participants, among other factors (e.g. Booth and Halseth 2011). While much has been done in the area of public participation, specifically in the development of participatory approaches in decision-making, the assessment of participatory processes is still in its early development and needs to be enriched with empirical studies (Fiorino 1990, Rowe and Frewer 2000, Diduck and Sinclair 2002, Webler and Tuler 2006, Cornwall 2008).

Consultative councils of Protected Areas (PAs) are public participation arenas that offer opportunities for improving both the relationships between natural resource users and government managers, and the decisions aiming at resource conservation inside these areas. To achieve effective participation, the government must devolve power to the stakeholder groups involved, like community-based organizations (CBOs) and NGOs.

Protected Areas in Brazil are regulated by two federal acts: the National System of Protected Areas (SNUC), established in 2000, and the Federal Decree 4340, proclaimed in 2002. According to the former, *Instituto Chico Mendes de Conservação da Biodiversidade* (ICMBio) is the Federal Environmental Agency in charge of managing protected areas.

In the municipality of Paraty (Rio de Janeiro State), in the southeastern coast of Brazil, small-scale fishers from the community of Trindade participate directly, or are represented, in four councils of protected areas, in which they struggle to maintain their traditional rights over fishing territories within PAs.

Our study aims to evaluate the exercise of participation by small-scale fishers and CBOs' leaders from Trindade, and other organizations representing them, in the Consultative Councils of the Serra da Bocaina National Park (SBNP) and Bocaina Mosaic (BM). The latter comprises a set of 29 PAs, including the SBNP.

## STUDY AREA AND METHODS

Paraty is located at Ilha Grande Bay region, in the southern coast of Rio de Janeiro State, Brazil. This region has been facing rapid social, economic and environmental changes since the 1970s. Its development has been shaped by tourism, fisheries, the implementation of protected areas and oil and gas enterprises. Those activities have affected the livelihoods of indigenous and traditional communities as the *Quilombola* and *Caiçara* people. The overlap of *Caiçara* traditional territories and protected areas has led to several conflicts among *Caiçara* communities and PAs managers due to restriction of access to, and use of natural resources in these areas since the mid-2000s. Some initiatives have emerged over the past decade in the region in order to deal with these conflicts, including the establishment of Protected Areas Councils as arenas for negotiation over natural resources use and management.

Trindade has about 1,000 inhabitants (Bussolotti et al. 2010), of which 32 to 60 are small-scale fishers (Begossi et al. 2009, Bussolotti et al. 2010, Hanazaki et al. 2013). The main

fishing technique in the community is the *cerco flutuante*, which is a floating trap net used by *Caiçaras*, introduced in Brazil by the Japanese in the beginning of the last century. Other fishing techniques include set gillnets, line and ripper jig (Begossi 2010). Fisheries in *Caiçara* communities are one source of livelihoods along with other activities such as tourism (Hanazaki et al. 2013). The dynamics of small-scale fishing along the Paraty coast have been changing in the last two decades due to tourism development and implementation of PAs.

The community of Trindade overlaps with two Protected Areas – Serra da Bocaina National Park (SBNP) and Cairuçú Environmental Protected Area, both belonging to the Bocaina Mosaic. The SBNP is a no-take protected area created to protect portions of the Atlantic Forest, including coastal and mountain landscapes. It was established in 1972, but it began to be implemented only in the mid-2000s. The marine portion of the Park overlaps with the most important fishing area of Trindade’s fishers (Araujo 2014). The Bocaina Mosaic (BM) was created in 2006 and congregates 29 protected areas including Indigenous Lands and *Quilombolas* Lands, most of them partially occupied by traditional and indigenous people (Araujo 2014). The mosaic constitutes a territorial management institution able to: (i) gather social-environmental information to management, (ii) integrate the Management Plans of the protected areas; (iii) monitor human uses in different landscapes and (iv) promote the dialogue of different stakeholders about conservation issues (Abirached 2011).

Data for this research was gathered in 2010 -2102 through direct observation of the meetings of the Consultative Councils of the Bocaina Mosaic (CC-BM) and Serra da Bocaina National Park (CC-SBNP), document analysis, and interviews with the head of the SBNP and three community leaders of Trindade. A qualitative analysis of the data was performed based on criteria from the public participation scholarship (Rowe and Frewer 2000), such as representation, communication and transparency.

## RESULTS

### Consultive Councils of Protected Areas

The Consultative Councils of the Bocaina Mosaic (CC-BM) and Serra da Bocaina National Park (CC-SBNP) were established in 2006 and 2010 respectively. They are consultative arenas without power for deliberation by their councilors. Their coordination is headed by managers of the Federal Environmental Agency in charge of PAs management, the *Instituto Chico Mendes de Conservação da Biodiversidade* (ICMBio). The councils are composed of an equal number of government organizations and members of the civil society, such as indigenous and traditional people, including *Quilombolas* and *Caiçaras*. The Councils’ meetings occur at least twice a year and are public events (i.e. people other than councilors may attend). The meetings should address issues such as the preparation of action plans with management proposals based on technical-scientific and traditional knowledge, conflict resolution and capacity building. In addition to the Council meetings, Working Groups and Thematic and Technical Chambers (i.e. advisory groups) can be formed to address specific issues. For example, the Thematic Chamber of Traditional Populations of the Bocaina Mosaic has been discussing the problems of the communities inside and around it. In the consultative Council of the SBNP, one of the priorities of the current officers is tourism planning in Trindade, within the protected area, in a partnership with a CBO that is led by local tourism boat-owners and fishers (Bahia et al. 2013).

## **Fishers' participation**

Participation of fishers and other stakeholders in the council meetings occurs by providing information, being consulted, and debating. In numerous occasions, community representatives requested that the councils address topics concerning the needs of traditional communities living in the area of the Bocaina Mosaic, specifically to (i) guarantee their tenure rights, including fishing areas; (ii) give jobs to young individuals from *Quilombola* and *Caiçara* communities in communication actions by the mosaic; (iii) build partnership between communities and managers to develop joint actions inside the mosaic; and (iv) build community capacity on environmental legislation and participatory management.

The role of the Forum of Traditional Communities (*Fórum das Comunidades Tradicionais do Litoral de São Paulo e Rio de Janeiro*) stands out in the consultative council of the Bocaina Mosaic because young leaders have been developing actions to claim for tenure rights and strengthening communication between different actors, as NGOs, Universities and the Public Prosecutor (*Ministério Público Federal*) to enhance negotiations between communities and PAs managers.

Communication among participants during the meetings is unidirectional, hierarchical and controlled by the meetings' coordinators/facilitators – always PA managers. Community members do not understand the rules governing the PAs and attribute this difficulty to the lack of access to information and little dialogue with managers.

Fishers are represented in the meetings but they have no voice in decisions that affect them. Some decisions (e.g. about enforcement of land-use restrictions) are just informed by the managers, without transparency. Participation in making "decisions" only regards operational issues of the meetings, such as approving the minutes, or setting the dates for further meetings. Fishers claim to participate in discussing fisheries management with the head of the SBNP, but this topic has not been addressed by the council.

In 2010, a participatory assessment of the sustainability of Trindade fisheries was conducted by a local NGO to support a fisheries agreement between SBNP and small-scale fishers in the scope of the the Mosaic's Council. The head of the PA did not legitimate this initiative because fisheries in Trindade were not a priority in the SBNP management agenda. Eventually, the final report of Trindade fisheries assessment was not acknowledged by the head of the SBNP and the council of the Mosaic did not take any action resulting from the assessment. This situation showed the limitations of the consultative nature of the Council, generated uncertainty among fishers, caused loss of confidence in the Mosaic's council and intensified the conflict between fishers and the National Park.

## **CONCLUDING REMARKS**

Although the councils we analyzed could be considered an accomplishment in the field of public participation in Brazil since the creation of the National System of Conservation Units in 2000, there are still numerous challenges. The coordination of the councils is centralized by PAs managers while communities and fishers' representatives call for more transparency and participation in decision-making regarding the management of their territories. The Traditional Communities Forum highlighted the need to address the resolution of conflicts

between managers and communities within traditional territories of the Bocaina Mosaic. Community members from Trindade assert that small-scale fisheries need to be addressed in Serra da Bocaina National Park management as part of *Caiçaras*' livelihoods and not just as an economic activity of resource exploitation. Managers denied to deal with fisheries management because it is a low impact activity not prioritized in the Park management plan, although in the future the activity will be restricted.

The exercise of participation within the Councils may either exacerbate the power asymmetries between the communities and the government due to the hierarchical decision-making by ICMBio, or lead to a rich process of collaborative management if managers give up some power and are willing to share responsibilities. The exercise of participation has much to progress in order to legitimize the voice of powerless groups, as in the case of *Caiçara* communities who contribute with their values and worldviews to the discussion of conservation issues, such as fisheries. Since both Councils are recent (less than ten years old) stakeholder participation should be considered an immature process that could transform into more deliberative forms through learning. Individual traits of the managers coordinating the councils will likely affect this potential transformation. Along 2010 the coordination of the Mosaic council changed from a more democratic group of managers to a more conservative one, showing how different individuals can lead citizen participation in different directions.

Fishers' participation in decision-making processes that affect their access to and use of the commons could be improved by: recognizing the divergent values among stakeholders (managers, members of other government agencies, fishers, NGOs, Universities); building common visions based on shared interests; improving the access to information about management decisions affecting the fishery; adopting conflict negotiation mechanisms; and creating initiatives for capacity building of the different stakeholder groups (Adger et al. 2005, Parkins and Mitchell 2005, Peterson 2011, Trimble et al. 2014).

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