



Community loggers attempting to legalize traditional timber harvesting in the Brazilian Amazon: An endless path



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ABSTRACT

We conducted a case study to analyze the challenges experienced by small loggers in implementing a Community Forest Management (CFM) model demanded by external environmental agencies. The case study was undertaken within traditional communities located in Boa Vista do Ramos County, Amazonas State. With environmental issues surrounding tropical forest becoming increasingly disputed, traditional logging activities performed by locals came to be regarded as illegal. We believe that despite significant efforts to promote CFM initiatives, principally undertaken via public policy, small loggers have in fact had little success adapting to this new legal context. The results demonstrated that when small-scale loggers were supported by specific regulations and some external assistance they were able to collectivize their activities, forming the Community Association of Agricultural and Forest Products Harvesting (ACAF). After meeting challenges to strengthen their technical, social and managerial aspects, ACAF obtained environmental licenses and forest certification. However subsequent changes in forest policies lead to the termination of CFM-oriented regulations and ACAF weakened. Nevertheless, the social and human capital that had been developed in the collective ended up being successfully applied to other individual small-scale projects in the same region. We conclude that despite the community loggers' success in establishing a new and more sustainable way of working, they were not able to continue these activities within this new legal environment. The policies and laws that apply to CFM are more oriented to conservation goals than to meeting the demands of producers and contributing to their livelihoods.

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1. Introduction

The use of forest resources is a widespread and historic phenomenon amongst smallholders and traditional communities in Latin America (de Jong et al., 2010, p. 303). According to the Brazilian Presidential Decree, traditional communities are regarded as culturally different groups, which have their own forms of social organization, and which occupy and use territories and natural resources for their cultural, social, religious, ancestral and economic practices (Brazil, 2007a). In the lower Amazon, residents of these communities are known as “caboclos”. These communities have developed their value-systems after centuries of close contact with environment, from which they obtain both material resources that support their livelihood, and the sources of inspiration for their myths, legends and beliefs (Benchimol, 2009, p. 25). In certain communities small-scale logging is a historically important

livelihood, being the only source of income in some seasons (Jovicich et al., 2007). However, unregulated small-scale timber extraction can lead to over-exploitation of the local environment (Ayres, 1995, p. 67).

We contend that there are two main drivers that cause communities to seek legality; internal forest policy in Brazil and the various national and international interests that seek to reduce deforestation, protect biological diversity and mitigate climate change (Fearnside, 2013). These drivers do not act independently however, as these national and international interests can have an influence on Brazilian forest policy.

In Brazil, modern forest legislation began with Law 4.771 in 1965, which provides the general framework for forest laws (Bauch et al., 2009). Nevertheless, only after 1989 did the Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA²) officially request the submission of forest management plans from forest enterprises (Higuchi, 1994). Sustainable forest management and its principles and guidelines were officially defined in 1994 in Decree 1282. Following this Decree, various other directives were subsequently

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² IBAMA is linked to the Environment Ministry (MMA). Until 2006, when the decentralization process to sub-national levels of government began, it was responsible for licensing and supervising all the forest management plans.

Table 1
List of the main CFM regulations that directly or indirectly affected ACAF project.

Year	Level	Regulations	References
1998	Fed.	Decree 2.788: allows simplified community management.	Brazil (1998)
1998	Fed.	IN 04 IBAMA: regulates CFM.	IBAMA (1998); Carvalho et al. (2008)
2001	Fed.	IN 15 IBAMA: regulates businesses, individuals and CFM.	IBAMA (2001)
2002	Fed.	Environment Ministry NI 04: limits the CFM area required to access simplified regulations.	MMA (2002)
2003	State	Administrative measure 40/03: sets guidance for small scale forest management projects.	Kibler and da Silva (2008)
2006	Fed.	Law 11.284 (Public Forest Management Law): leads to the decentralization of forest management.*	Bauch et al. (2009); Pinto et al. (2011)
2006	Fed.	Decree 5.975: excluded in principle the possibility of presenting a simplified collective forest management plan.	Brazil (2007b)
2006	Fed.	Environment Ministry NI 05: consolidated the decree above, establishing detail that maintained the impossibility of simplified collective forest management.*	Brazil (2007b)
2009	Fed.	CONAMA Resolution: establishes guidelines for the sustainable forest management which all state institutions must comply.*	Carvalho et al. (2008)
2009	Fed.	CONAMA Resolution: establishes guidelines for the sustainable forest management which all state institutions must comply.*	MMA (2009)
2011	State	Resolution 07: consolidates the small scale forest management policy.*	Amazonas (2011)
2012	Fed.	Law 12.651 (New Forest Code): foresees the establishment of specific norms for CFM.*	Brazil (2012)

(Fed: Federal; IN: normative instruction; IBAMA: Brazilian Institute of the Environment and Renewable Resources; MMA: Environment Ministry; CONAMA: National Council for the Environment.)

The significance of asterisk is laws in force.

passed that affect forest management in the Brazilian Amazon (see Table 1).

Concurrently, in 1990 international efforts to reduce deforestation rates and conserve tropical forest biodiversity resulted in the Pilot Program to Conserve the Brazilian Rain Forest (PP-G7) (de Antoni, 2010; Fearnside, 2003). Within PP-G7 the project "Support for Sustainable Forest Management in the Amazon" (known as 'ProManejo') supported 46 projects relating to sustainable forest management, 14 of which were directly concerned with communities. ProManejo became the main program for developing community forest management in the Brazilian Amazon (IBAMA, 2007; Neto et al., 2011).

The United Nations Conference on Environment and Development (UNCED-92) was a key event for broadening the efforts to implement forest management (Mrosek et al., 2006). After UNCED numerous initiatives have invested in the promotion of CFM, with an approach that was strongly influenced by models for sustainable forest management that were conceived initially for commercial logging companies (Pacheco et al., 2008, p. 29; Pokorny and Johnson, 2008). Where traditional communities are concerned this approach can be considered an "introduced model", whereby forest management systems are developed outside of the community by governments, international agencies or local NGOs (Sunderlin, 2006).

With the ongoing implementation of various changes in forest policy, several small community loggers have found themselves increasingly marginalized and on course to be considered as illegal or clandestine loggers. As a consequence, these loggers are increasingly attempting to surmount the various barriers standing between them and legalization. This study aimed to analyze the challenges experienced by traditional communities in implementing the "introduced" CFM model demanded by environmental agencies. Is the introduced model feasible for small loggers that seek to carry out their work within the new legal context? We believe that despite significant efforts to enable CFM initiatives, undertaken through public policy, small loggers have achieved little success in adapting their work to this new legal context.

2. Methods

ACAF served as a case study which permitted an analysis of changes in a small-scale local timber industry during their search to legalize traditional logging activities. Choosing ACAF was due to an institutional relationship between our organization (the Federal Amazon Institute of Education, Science and Technology) and ACAF, we thus had the opportunity to closely monitor the development of the project. A contributory factor was that ACAF had been identified as a key pioneer project in Brazilian Amazon, and was one of the CFM projects to receive support from ProManejo (PP-G7).

ACAF is based in the "Menino Deus do Curuçá" community, situated on the banks of the Curuçá river, in Boa Vista do Ramos County, Amazonas State, Brazil. Between 2001 and 2007 we made 14 field trips to Boa Vista do Ramos. During those trips, the major data collection tool employed was Participant Observation (Bernard, 2006, p. 342). We were able to observe and record information about ACAF organization system and forest management practices in different stages: the definition and implementation of the forest management plan; the evaluation and adjustments required for forest certification; and the development of the project "Forest management through participative planning at the Curuçá river communities", which was funded by ProManejo.

During these field trips we conducted unstructured interviews with: (i) the three presidents of ACAF about their motivations, perspectives, concerns and strategies regarding differing aspects of CFM and of their earlier forestry practices; and (ii) the technical staff of the project regarding their perception of strengths, weaknesses, opportunities and threats to the project. We also employed a technique that we label "Forest Mediated Discourse" (FMD), whereby conversations, information exchanges, meetings and disputes between actors are conducted within the very same physical environment that they concern. In this study Forest Mediated Discourse occurred between both individuals and distinct groups, and took place during forest management activities or sometimes when simply walking in the forest. The technique brings a better comprehension of the natural environment as it currently exists, the knowledge of local actors, and the techniques involved in forest management. We employed this technique several times with ACAF members and technical staff during management practices, the certification process, and different training activities.

We also conducted a Documentary Research (Gil, 2008, p. 51) based on two sources of documents. The first was a review of laws, decrees and normative instructions that relate to sustainable forest management and CFM. The second was a review of documents shared with us by ACAF concerning their process of formalization, land-ownership regularization, environmental licensing and forest certification. Regarding ACAF we specifically analyzed: (i) social statute, internal regiment and meeting minutes; (ii) forest management plans; (iii) environmental licenses, transport authorization and timber product declarations of sale; (iv) forest certification reports and (v) reports of the projects established by the ProManejo.

2.1. Data analysis

In case studies we cannot always speak of a rigid scheme of analysis and interpretation of data (Gil, 2008, p. 175). As guiding principles and practices to qualitative analysis we used those presented by Tesch (1990, cited by Gil, 2008, p. 176). With regard to documentary research we rely on the concept of Interpretative Analysis (Bernard, 2006, p.

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