

Quilombola community of Alto da Serra do Mar: analysis of the term of agreement of use of territorial area superimposed with the State Park of Cunhambebe, Rio de Janeiro, Brazil

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The quilombola community of Alto da Serra do Mar, located in Rio Claro, in the state of Rio de Janeiro, has part of its traditional territory (Cameru area) superimposed on the Cunhambebe State Park. With the objective of avoiding conflicts over the management of this area and the inappropriate use of natural resources, a Term of Use Agreement of the overlapping area has been elaborated, with the supervision of the Federal Public Ministry, which counts with the participation of the Through its association, the National Institute of Colonization and Agrarian Reform (INCRA), responsible for the land regularization of the quilombola territory, and the State Institute of Environment (INEA), responsible for the Park.

The quilombola community is composed of 20 families that occupy a territory of 327,19 hectares, of two discontinuous land areas: Area 1 of housing and production which makes up most of the quilombola territory with 211,98 hectares, and should follow the standard procedure of Presidential Decree for expropriation and, later, titling of the quilombola community as a collective area, as directed by Decree 4887/2003; the Cameru's Area, used only for production (banana plantation and pasture), with 115,21 hectares, superimposed on the Park, and for this reason it will undergo another process and will not be challenged, being necessary the management Shared between the traditional community and the state environmental agency.

The Park, in turn, was created for State Decree né 41.358/2008 and, subsequently, to the formal request of the community quilombola petition made in 2006. The Park has approximately 38.053 hectares spread over three municipalities in the region and the Plano Is still under development.

The Quilombola Territories are categorized as Protected Areas in Brazilian legislation in the National Strategic Plan for Protected Areas - PNAP (Decree 5.758/2006). While the Cunhambebe State Park is defined as a conservation unit belonging to the integral protection group and governed by the National System of Conservation Units (SNUC-Law 9.885/2000). In both cases, it is the responsibility of the State and Brazilian society to contribute to the sustainable use of environmental resources, in the case of quilombola territories, and to the preservation of natural assets, in the case of the Park.

There are frequent cases of territorial overlap involving traditional communities and integral protection conservation units. For these situations, shared or participative management is seen as a solution, but there is a great difficulty for public policy makers and implementers to create mechanisms that help and guide this shared management, which have become a great challenge both in the academic and Within the competent government bodies.

The purpose of this project is to analyze the elaboration of this Term of Use Agreement, with a special focus on the solutions and restrictions presented for shared management and the conceptions and practices of rules of use of natural resources both for the quilombola community and For an environmental agency, believing that the research will contribute to subsidize new regulations of territorial and environmental management policies of the quilombolas territories in the country.