

# Marine protected areas and Blue Justice: the case of Tarituba, Paraty, Brazil



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Tarituba is a coastal community located in Paraty, southeastern Brazil. The community is home to Caiçara fishers of mixed heritage descendants of Portuguese, Africans, and Brazilian indigenous people. They have traditionally depended on natural resources for livelihoods, combining tourism, small-scale fishing and agriculture and, in the past, hunting (Diegues 2000).

Tarituba has approx. 450 residents of which 65 are small-scale fishers, of which 25 rely on fisheries for both local food security and income, and 40 for family consumption (Dias & Seixas 2019). The main fishing grounds of Tataruba fishers were incorporated into one of the most restrictive protected area categories in Brazilian law, the Tamoios Ecological Station, created by a Federal Decree in 1990 but only implemented in 2006. This category of protected area only allows for scientific research and environmental education (Government of Brazil 2000).

Since 2012, there have been discussions to implement a management tool (i.e., Commitment Term) to a marine protected area (MPA) to mitigate the socioeconomic issues caused by fishing restrictions to Tarituba fishers. This tool represents an opportunity to adapt the top-down implementation of a no-take zone to the local context as well as a challenge in dealing with upper levels decision-makers through an intricate process (Dias & Seixas 2019).

Photo: *Tarituba, seen from the sea Paraty, Brazil. 2014* ©Ana Carolina Esteves Dias

**Location:**  
Paraty, Brazil

**Ecosystem type:**  
Marine

**Main gear:**  
Gillnet, hook & line, seine net, surrounding net, traps, trawls

**Target species:**  
snook, white-shrimp, Atlantic sea bob shrip

**Vessel type:**  
canoe (paddle), small vessels (6-12m)

**No. of small-scale fishing vessels:**  
24

**No. of small-scale fishers:**  
65



*... even though Caiçara [fishers] have traditional rights to use local resources to sustain livelihoods under the National Traditional peoples' legislation (...), their rights are being withdrawn...*



## Justice in context

Types of justice:

- Distributive
- Social
- **Economic**
- **Market**
- **Infrastructure/wellbeing**
- **Regulatory**
- **Procedural**
- **Environmental**
- COVID-19 related

Tarituba's fishers argue that Tamoios MPA is imposing unfair restrictions that affect fishing livelihoods (Seixas et al. 2017). Fishers are not allowed to perform fisheries within the Tamoios MPA nor cross the area to access other grounds. The processes of creation and implementation of Tamoios MPA were top-down with no or minimal consultation of local communities (Lopes et al. 2013). Thus, even though Caiçara have traditional rights to use local resources to sustain livelihoods under the National Traditional peoples' legislation (Federal Decree 6,040/2007), their rights are being withdrawn.

The Commitment Term can be a useful tool to temporarily mitigate socioeconomic impacts to fishing communities. However, there are also relevant institutional obstacles for its implementation, including:

1. Divergence of opinions among protected area staff members regarding the legality of this tool;
2. Lack of transparency in the decisions made by upper level governance spheres (e.g., Federal Agency in charge of protected areas); and
3. Political instability of guidelines established by the Ministry of the Environment, with frequent changes of ministers in power.

Due to these issues, the approval and implementation of the Commitment term is weakening trust and enhancing fisher discouragement to enroll in participatory processes, both short- and long-term (Dias & Seixas 2019). This situation illustrates the disregard of socially marginalized groups in a developing country setting subjected to political instabilities and strict economic focus in detriment to social and environmental values (Dias & Ceballos-Concha 2019).

### Definition of small-scale fisheries (Fisheries and Aquaculture Law - Government of Brazil 2009)

Artisanal fisheries - practiced directly by a professional fisher, either autonomously or in a family economy regime, with fisher's own means of production or by means of a partnership contract, landed and may use small boats.

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... local small-scale fishers are losing their rights and sovereignty of their marine grounds to industrial development, the tourism sector, and other imposed activities...

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## Dealing with justice

Tarituba's fishers contested the imposed restrictions through various community responses and actions (Bavinck et al. 2017) that led to a formal demand in 2009 to the Federal Conservation Agency to allow small-scale fisheries inside Tamoios MPA (De Freitas 2014). As a result, the Federal Conservation Agency began elaborating a Term of Agreement with Tarituba fishers to regulate SSF in selected marine grounds close to the community. Regulations include the monitoring of Tarituba small-scale fisheries, which were designed through a participatory approach, mediated by researchers (Dias & Seixas 2019). Despite political instabilities that led to uncertainties regarding its approval, the Agreement was signed by the Conservation Agency in 2019 and the monitoring is still to be implemented. Despite some success towards blue justice, local small-scale fishers are losing their rights and sovereignty of their marine grounds to industrial development, the tourism sector, and other imposed activities.

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\*This case refers to the case study that was part of author's Master's Degree in Ecology (2015), Institute of Biology, University of Campinas, Brazil, supervised by Dr. Cristiana Seixas.

