



Expulsion of a fishing community from their traditional territory

What is it about?

The expulsion of a community from their traditional territory after having opted for an inadequate strategy to help them defend their land rights.

What problem emerged?

Since the end of the 1990s, dozens of families, who lived in the estuary of the river Sirinhaém were driven from their lands by the Trapiche sugar mill. In 2004 affected families sought help from the land rights organization CPT, who discovered that the legal criteria and preconditions for granting possession rights over lands of the Union (of the Brazilian state) to any person or entity (the sugar mill), were not met in the case of Trapiche. Therefore, CPT requested, that the possession rights of the mill would be cancelled and granted instead to the families who lived in the estuary. In doing so, CPT treated affected families as squatters and landholders, farmers and fishermen, who had the right to possession because they lived for decades on that land.

What has been the impact?

The Brazilian state did not withdraw the concession over land previously granted to the sugar mill, and the sugar mill, in turn, expelled all families living in the estuary. The Brazilian state did not enforce its own laws and it did not ensure the fundamental rights of the families to housing, land possession and food supply. At the same time, CPT was not able to understand and express the demands of the community in a way that would have supported them more effectively in the struggle of defending their territory.

KNOW-HOW₃₀₀₀

Learning from failure AT A GLANCE

Why did it happen?

- Developing a process focussed merely on the struggle for land and the right to possession was not enough: CPT did not understand the complexity of the community and of the struggle they were involved in. CPT did not only deal with squatters, landholders, farmers and fishermen, but with a traditional community, who is involved in a specific struggle.
- The struggle for land was merely a part of a broader struggle for their traditional territory: The struggle for their territory goes beyond the struggle for land and possession as it implies the struggle for their traditions, for their way of being, their way of production, their religions and beliefs, and the way they treat and interact with nature
- The struggle for their traditional territory implies a specific legal basis, which, in turn, requires a different strategy.

What are the key messages and lessons learned?

- It is important to remain open to new situations and to be able to reshape methodologies of assistance, while also remaining loyal to one's own principles
- It is important not to start right away from the first and most apparent demands, but to begin by understanding the community in order to be able to identify possibilities to overcome the problem.
- Accessing the mystic universe and getting to know the way of living of the communities in question, provides crucial elements for supporting them more effectively.

Who could be interested in the experience?

- Movements and communities involved in land right struggles
- Human Rights Organizations
- Nation states who tend to ignore the diversity within their population
- Church-based organizations who work with rural communities

HORIZONT₃₀₀₀

AUSTRIAN ORGANISATION
FOR DEVELOPMENT COOPERATION

Sector: Human Rights – Civil Society

Period: 2004-2010

Organisation: CPT (Comissão Pastoral da Terra)

Further material: <http://www.cptne2.org.br/>

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