

221 - ENVIRONMENTAL AND PUBLIC POLICY IN VILLAGE REFLECTIONS GUARANI KRUKUTU - SAO PAULO / SP

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INTRODUCTION

Life in society is complex, because various interests involved, especially when social groups are very different in its historical, cultural, religious and political. And the differences in dispute. To allow coexistence, conflicts need to be managed. To manage the conflicts there are two ways: by coercion or the creation of policies that allow discussion and thus the solution or alleviating the problems (SAMPAIO, 2003)

For many years the ways to manage conflicts with indigenous groups get along through coercion. Today is seeking solutions through policies that address the needs of groups in general, but not always reflect what they really need, and these groups are still at risk.

The case of Village Krukutu is no different from other areas of Brazil. The village is situated in the metropolitan region of Sao Paulo, in the southern city of Sao Paulo, the Administrative District (55) Parelheiros, the neighborhood Dam. Much of the area of the village is on the banks of the Billings Reservoir. From the center of Sao Paulo (Cathedral Square) to the village is about 50 km (SLOPE, 2000). The Village covers an area of 26 ha and was approved by the Federal Decree 94222/87.

Although there are three other villages in São Paulo. The choice of this village for the study was due to the fact that it is situated in a very important environmental stronghold, is housed in a protected area to the Springs, is the Banks of the Billings Reservoir, a major supplier of water to the city, Besides being part of the Parque Estadual da Serra do Mar, the Environmental Protection Area (APA) Capivari-monkeys, the Biosphere Reserve of the Atlantic and also part of the Biosphere Reserve of the Green Belt of the City of Sao Paulo

Another important point for this choice was that of the existing villages in the capital of Sao Paulo, formed by ethnic Mbya is in the Village Krukutu they become more visible environmental policies and commitment of prayers in the practice of tradition, and that this village, we can see the greater chance of maintaining traditions, by their own environmental characteristics, the formation of nuclear families, the rituals that are still outstanding and because there are many programs and projects related to the practice of environmental public policies.

And therefore objectives of this work, a study on the Environmental Public Policies in Brazil, in São Paulo and São Paulo, and the reality of these policies in the Village Guarani Krukutu.

ORIGIN AND CHARACTERIZATION

It is clear that the human being at the beginning of the century, does not value or respect nature, as with the indigenous and other earliest human civilizations. For the awareness of environmental problems could actually be real, created a series of actions, including public policies are socio-environmental.

It is understood by the public policy set of economic, social, environmental and implemented by the government (whether at the federal, state or municipal), together or not with civil society, to meet specific social groups (Silva, 2000) . You could say that public policy-oriented government programs, and for this the first step in developing a public policy is to identify problems and their causes so that from there to establish goals, programs and projects that will meet the search for solutions to the identified problems (BUCCI, 2002).

The environmental public policies must necessarily be in line with social policy, since environmental issues are included throughout the policies of social welfare (Lerner, 2006)

The role of the state is crucial, according to Walter Rosenbaum quoted Lerner. It's up to him to identify and define the problem and the means of action, giving priority to environmental issues on the public agenda, deciding on the allocation of costs and trade-offs acceptable to achieve better environmental quality.

But environmental issues and policies were tied to them for a long time, both in Sao Paulo, and Brazil in general, seen as responsible for delays in the licensing process, contributing to developmental delay and preventing the implementation ventures (COELHO, 2007)

Some tools are important for the regulation of activities on ecosystems. These instruments are: licensing, environmental compensation to the Terms of Adjustment of Conduct and to a lesser extent, environmental fines.

The legal instruments are needed, all the activities that have an influence on Brazilian ecosystems are, or at least should, get your license. Within this context, two major developments that have direct influence on the study area, the Village Guarani Krukutu and obtained approval for its implementation. Through this fact in 2009, these projects are performing their tasks on schedule in the Terms of Adjustment of Conduct (TAC).

The projects, which are present in their daily lives and in their Nhandereko are: The Project FURNAS - Power Plants S / A-transmission line 750 KV Itaberá - Tijuco Black III and the Ring Road Project Mario Covas - Trecho Sul

Shares invasive nature still occur, even though the village in areas that theoretically could not be affected with new developments like these.

Before the implementation of the measures of protection claimed by the communities established in the Terms of Adjustment of Conduct (TACs), which states that FURNAS defray the operational work and severance costs relating to the procedures of settlement of indigenous lands, not just Village Krukutu as Villages also Tenondé-pora and Jaragua, a new development of large and disastrous dimensions, the construction of the Mario Covas Ring Road - Southern Section, surprised the Guarani Indians and pledged further their traditional areas of occupation (SLOPE, 2006).

In this context, is a Guarani village Krukutu in a watershed area, with its riparian, inside one of the most endangered ecosystems - the Atlantic with a population extremely fragile - the Mbya. Note that any intervention in the area must be extremely well planned and that projects for this should be studied very well with the community in question

THE NATIONAL ENVIRONMENTAL POLICIES

The national legal bases that have influence over the area of the village and the indigenous group, are initiated by the National System of Conservation Units SNUC, which streamlines the situation of these areas and modify the issue of older models that do not require permanent communities conservation units. In the current system is anticipated that the discussions be held with the communities, and ensure compliance with its cultural aspects. In the theoretical and legal situation that should happen, but unfortunately much of what is described does not occur in practice everyday in the village.

Aspects of National Policy on Biodiversity have direct action in the area studied by the fact that this policy sets a priority the following points, according to Lerner, 2006:

(i) knowledge of biodiversity, (ii) the conservation of biodiversity, (iii) sustainable use of biodiversity components, (iv) monitoring, evaluation, prevention and mitigation of impacts on biodiversity and (v) access to genetic resources and associated traditional knowledge and benefit sharing.

(ii) You can see those items that the indigenous question is always present in policy, especially since they are present in areas of biodiversity conservation.

(iii) Kukutu The village has a representative for the discussions of biodiversity, that representative shows that, at least at some point, it accomplished what was required by law, the representative in 2008 was the leader Mark Tupa.

(iv) In the specific case of indigenous groups is currently a major problem that is the question of indigenous lands, which in many cases, such as the Village Krukutu in the conservation areas are superimposed on indigenous lands. In this case for any discussion about this one should be taken into account three legal provisions: The Forest Code, the National System of Protected Areas and the National Protected Areas.

(v) Indigenous Lands (IT) in relation to these areas are linked to the Forest Code, but as provided in the National Protected Areas - PNAP that defines protected areas as "geographically defined areas, the regulation and administration promote the protection, conservation, recovery and sustainable use of biodiversity and the equitable sharing of benefits include, as a priority conservation areas, Indigenous Lands and Territories Quilombo ", they are also linked to it, ie, these devices end up completing legal themselves.

THE NATIONAL SYSTEM OF PROTECTED AREAS - SNUC AND SPACE KRUKUTU VILLAGE

According to the National System, the area occupied by the village is an area of Environmental Protection - Municipal APA, thus it is considered, according to Article 14 a group of Sustainable Use Units, the Law on Environmental Protection Area, is an extensive area in general, with some degree of human occupation, with its attributes abiotic, biotic, aesthetic or cultural especially important for the quality of life and well-being of human populations, and its basic objectives to protect biological diversity, regulate the process of settlement and ensure the sustainable use of natural resources. According to the first paragraph, the Environmental Protection Area consists of public lands or private.

The items listed in the law provide for indigenous communities and their integrity is not dependent on the care process, ie, they have acquired rights in the places where they are, the law itself, which is paramount to all others, should be several types of programs and projects encouraged by the government to ensure its integrity as a culture and as a group threatened by urban pressures.

So according to the law, the village has a continuing support and also to expand its current boundaries as is the desire of the Guarani people.

But even so, the group is at risk when their social integrity is not respected as that provided by existing policies.

THE SPACE WITHIN THE VILLAGE AREA OF THE WATERSHED PROTECTION.

According to Law 9433 of 08 January 1997, which is called the Water Act establishes the National Policy of Water Resources. This law makes it clear that one of the grounds on which it is based is to have the basin as the territorial unit for implementation of the National Water Resources and the performance of the National Water Resources Management.

Public policies on issues of water are directed to the processes of Agenda 21, the National System of Water Resources and São Paulo System of Water Resources.

Krukutu The Village is in a protected area and in the Springs area of the village there are 07 springs, all in excellent condition, making the place a very important point with regard to issues of maintenance and preservation of these water bodies These springs supply the Billings Reservoir.

State Law 9866 of 1997 established the State Policy on Protection and Restoration of Water Sources and brought a new concept for the management of water supplies. Rescued the need for planning as a way to induce proper use to maintain water quality; ordered to predictions about the mandatory actions of environmental sanitation, and determined the co-responsibility of the state, municipalities and civil society organizations in monitoring and control of these sources. The site occupancy of the village belongs to the Basin Basin - Billings Tamanduateí, and that is owned by Basin Upper Tietê, according to the Management System of Water Resources, State of Sao Paulo. These two basins have a fundamental role in the supply of water for the metropolitan region of Sao Paulo.

The village is located in an area of the first category, which means that its uses are permitted only for: leisure, recreation, and construction works for the protection of water sources, the control of flow, flood control works and small (pontoons fishing harbors and small). It is interesting that this particular law is not an item for the indigenous or traditional communities that do not normally live in these areas.

SPACE BILLINGS RESERVOIR AND THE VILLAGE KRUKUTU

The village lies on the banks of the Billings Reservoir, an important factor for the maintenance of the community of the village.

Water and how it is used by people is considered a very important factor in the culture Mbya for this group to water is fundamental to life and be near a body of water, especially in a place of many springs, such as the Village Krukutu is what allows the site to become a tekoa for the development of nhandereko. And the Billings Reservoir has a role in this process.

In the whole process of occupation of areas of the Reservoir, although the growth of the city of Sao Paulo and the lack of collection and sewage treatment led to increased pollution of the Tiete and its tributaries which, in turn, began to undermine the quality of water of the Billings Reservoir.

In this context, the Village Krukutu was gradually taking up space on the banks of this important reservoir, but unlike the whole process occupying the village preserves key areas of Atlantic forest preserves the springs that are part of the basin of Billings and maintain the integrity of the margins thus avoiding the silting process so common by the occupation of non-indigenous communities. Maintenance of Indigenous lands is of paramount importance for the preservation of this reservoir in

2008 that still has the dual function of generating power for the plant Henry Borden and meet part of the metropolitan region of Sao Paulo, the largest urban center in Brazil.

In this regard, in 2003, has created the Program for Forestry in the Atlantic, carried out jointly by the National Biosphere Reserve of the Atlantic and the SOS Atlantic Forest Foundation, in partnership with the Ministry of the Environment and a number of regional institutions.

PARQUE ESTADUAL DA SERRA DO MAR AND ITS INTERFACE WITH THE VILLAGE KRUKUTU

Created by State Decree No. 10.251, dated 30 August 1977, the State Park of Serra do Mar (PESM) was incorporated into a number of State reserves that already existed. State Decree No. 13,313 of 06 March 1979, said areas of the municipality of Ubatuba to its previous limit near the border with the State of Rio de Janeiro, this protected area overlaps in part to the Parque Nacional Serra da Mountains.

Representing the largest Conservation Unit of the State of Sao Paulo, and has the largest area of forests in the area of Atlantic Forest, State Park of Serra do Mar, has an area of 315,390 hectares. It is administered by the Forestry Institute. It has several associated ecosystems, contributing to the maintenance of biological diversity, constitute one of the last gene banks of wild flora and fauna of the State of Sao Paulo.

There Guarani indigenous communities within the park area they are: Village Boa Vista, in Ubatuba, Rio Silveira in San Sebastian and Rio Branco in Itanhaém. Although the village Krukutu is not within the limits of the State Park, is close to Curucutu Division, which gives it a character of the buffer zone of the Park.

The Curucutu Division, is located at the southern tip of Sao Paulo, highly urbanized area, and represents one of the few areas of the Atlantic, as well as other protected areas included in this ecosystem faces problems of deforestation, poaching and invasion. It is located also within the limits of the APA Capivari Monos and not an urbanized area. The extent possible, the review carried out by forestry police to prevent the actions of predation (CAMPOS et al, 2008).

Finally there is a conservation area, which was established by the municipality of Sao Paulo, enabling the discussion and research to create a municipal environmental policy in which the village is entered, the APA - Capivari-monkeys.

ENVIRONMENTAL PROTECTION AREA - CAPIVARI-MONOS

On 09 June 2001, the Municipal Law No. 13,136, was the creation of the Environmental Protection Area Municipal Capivari-Monos - APA Capivari-monkeys, and appears in São Paulo, as a proposal for integrated management, based on a network of exchange between different social actors in the region around the idea of growth coupled with environmental conservation (SILVA, 2007).

It should be noted that as the Village Krukutu, the area of APA Capivari-Monos have an interface with other conservation areas, they are: The Park of the Serra do Mar (forming a buffer area of the park), the Protected Area to the Springs (strategic reserve of water for the metropolis) and Biosphere Reserve of the Green Belt of the City of São Paulo - RBCVSP (Jacintho, 2003).

APA Municipal Capivari-Monos have the basic purposes in accordance with Article 3 of Law 13 136: to protect biodiversity, protect water resources and the remnants of the Atlantic, to protect the archaeological and cultural heritage, improving the quality of life of the people, maintain the rural character of the region, prevent the advancement of urban occupation in the protected area (SAO PAULO-SP, 2001).

It is important to verify the presence of representatives of indigenous communities Mbya that are part of the management board of the APA, but stopped by the same problems found in the river basin sub-committees, the remoteness of where the meetings take place on being close to or even Indians in the village are able to participate, otherwise they should be brought to the meeting venue.

CONCLUSION

Even though the Village in important conservation units (UC), and each having its policies for the preservation and maintenance of traditional peoples, and with the principles of maintaining the livelihood of these people, today the village community can be seen in serious environmental problems, health, social. Yet communities retain their nhandereko (lifestyle). It is up to public policies on environmental issues meet with his role as an integrator and manager of conflict, which is not seen in the area.

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ENVIRONMENTAL AND PUBLIC POLICY IN VILLAGE REFLECTIONS GUARANI KRUKUTU - SAO PAULO / SP SUMMARY

Krukutu The village is situated in the metropolitan region of Sao Paulo in the south of the county in the District Administrative Parelheiros in the neighborhood Dam. Much of the area of the village is on the banks of the Billings Reservoir, an important area of preservation of water sources. And therefore objectives of this work, a study on the Environmental Public Policies in Brazil, in São Paulo and São Paulo, and the reality of these policies in the Village Guarani Krukutu. Even though the Village in important conservation units (UC), and each having its policies for the preservation and maintenance of traditional peoples, and with the principles of maintaining the livelihood of these people, today the village community can be seen in serious environmental problems, health, social. Yet communities retain their nhandereko (lifestyle). It is up to public policies on environmental issues meet with his role as an integrator and manager of conflict, which is not seen in the area. integrator and manager of conflict, which is not seen in the area.

KEY-WORDS: public policies, guarani, Krukutu

ENVIRONNEMENT ET LA POLITIQUE PUBLIQUE AU VILLAGE RÉFLEXIONS GUARANI KRUKUTU - SAO PAULO / SP

SOMMAIRE

Krukutu Le village est situé dans la région métropolitaine de Sao Paulo, dans le sud du comté de la Parelheiros administratif de district dans le quartier du Dam. Une grande partie de la zone du village est situé sur les rives du réservoir Billings, un domaine important de la préservation des sources d'eau. Et donc des objectifs de ce travail, une étude sur les politiques publiques environnementales au Brésil, à São Paulo et São Paulo, et la réalité de ces politiques dans la Krukutu Guarani Village. Même si le village dans des unités importantes de conservation (UC), et ayant chacune ses politiques pour la préservation et l'entretien des peuples traditionnels, et avec les principes du maintien de la subsistance de ces gens, aujourd'hui, la communauté villageoise peut être vu dans les problèmes environnementaux graves, santé, social. Pourtant, les collectivités conservent leur nhandereko (mode de vie). Il appartient aux politiques publiques sur les questions environnementales rencontrer son rôle d'intégrateur et de gestionnaire de conflit, ce qui n'est pas vu dans la région. intégrateur et gestionnaire de conflit, ce qui n'est pas vu dans la région.

MOTS-CLÉS: les politiques publiques, Guarani, Krukutu

MEDIO AMBIENTE Y POLÍTICA PÚBLICA EN REFLEXIONES ALDEA GUARANI KRUKUTU - SÃO PAULO / SP RESUMEN

Krukutu El pueblo está situado en la región metropolitana de Sao Paulo en el sur del condado en el Parelheiros Administrativo de Distrito en el barrio de la presa. Gran parte de la zona de la aldea está en las orillas del embalse de Billings, un área importante de la preservación de las fuentes de agua. Y por lo tanto los objetivos de este trabajo, un estudio sobre las políticas públicas ambientales en Brasil, en São Paulo y São Paulo, y la realidad de estas políticas en el Krukutu Pueblo Guarani. A pesar de la Villa en las unidades de conservación (UC), y cada uno tiene sus políticas para la preservación y mantenimiento de los pueblos tradicionales, y con los principios de mantenimiento de las condiciones de vida de estas personas, hoy la comunidad de la aldea puede verse en graves problemas ambientales, de salud, sociales. Sin embargo, las comunidades conservan su nhandereko (estilo de vida). Corresponde a las políticas públicas en temas ambientales cumplir con su papel como integrador y gestor de los conflictos, que no se ve en la zona. integrador y gestor de los conflictos, que no se ve en la zona.

PALABRAS CLAVE: políticas públicas, el guaraní, Krukutu

POLÍTICAS PÚBLICAS AMBIENTAIS E REFLEXOS NA ALDEIA GUARANI KRUKUTU – SÃO PAULO/SP RESUMO

A aldeia Krukutu está situada na região metropolitana de São Paulo, na zona sul do município no Distrito Administrativo de Parelheiros, no bairro Barragem. Grande parte da área da aldeia está às margens do Reservatório Billings, importante área de preservação de mananciais. Sendo, portanto objetivos do presente trabalho, realizar um estudo sobre as Políticas Públicas Ambientais existentes no Brasil, no estado de São Paulo e no Município de São Paulo e verificar a realidade destas políticas na Aldeia Guarani Krukutu. Mesmo estando a Aldeia em importantes Unidades de Conservação (UC), e cada uma delas tendo suas políticas de preservação e manutenção das populações tradicionais, e tendo como princípios a manutenção do modo de vida destas populações, na atualidade a comunidade da aldeia se vê em sérios problemas ambientais, de saúde, sociais. Mesmo assim as comunidades mantêm o seu nhandereko (modo de vida). Cabe às políticas públicas voltadas para as questões ambientais cumprirem com seu papel como integrador e gerenciador dos conflitos, o que não é visto na área.

PALAVRAS-CHAVE: políticas públicas, guarani, Krukutu

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