

Papers

National Parks, tourism and governance: Reflections on tourism concessions in Brazil

Parques Nacionais, turismo e governança: Reflexões acerca das concessões dos serviços turísticos no Brasil

Parques Nacionales, turismo y gobernanza: Reflexiones acerca de las concesiones de los servicios turísticos en Brasil

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Keywords:

National Parks;
Management models;
Tourism;
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Abstract

The concession of tourist services in National Parks, based on public-private partnerships, is the primary mechanism for public use management of this category of conservation unit in Brazil. This model's option is justified by its sustainability potential, capable of converging conservationist and economic interests. This ability has been questioned, mainly regarding the possibilities of local communities' participation in management, an essential aspect of the proposal, aiming to be a governance benchmark. Through a bibliographic review, we reflect on how participatory processes are configured in the scope of the implementation and management of these concessions. The analyses revealed the prevalence of economic rationality in decision-making and great difficulties in considering socio-cultural values in management, including the resolution of land and social conflicts that occurred with the implementation of the parks themselves. Social participation is conceived in rhetorical terms or subordinately. Historical exclusion patterns are perpetuated under eco or sustainable qualifications under strong appeal to ecotourism but without real connections with the proposal. In this context, it is paramount to pay attention to the adoption of public policies effectively guided by a sense of ecotourism capable of promoting the integration of tourism with socio-cultural diversity, nature conservation, and opportunities for local governance development.

Palavras-chave:

Parques Nacionais;
Modelos de gestão;
Turismo;
Governança.

Resumo

A concessão dos serviços turísticos em Parques Nacionais, baseada em parcerias público-privadas, constitui o principal mecanismo da gestão do uso público desta categoria de unidade de conservação no Brasil. A opção pelo modelo é justificada por seu potencial de sustentabilidade, capaz de fazer convergir interesses conservacionistas e econômicos. Essa habilidade tem sido questionada, principalmente, no que tange às possibilidades de participação de comunidades locais na gestão, aspecto basilar da proposta, que pretende ser referência de governança. Nesse artigo, procurou-se através de revisão bibliográfica, refletir sobre como se configuram os processos participativos no âmbito da implementação e gestão dessas concessões. As análises identificam a prevalência da racionalidade econômica na tomada de decisão e grandes dificuldades em considerar os valores socioculturais na gestão, inclusive na resolução de conflitos fundiários e sociais ocorridos com a implementação dos próprios parques. A participação social é concebida em termos retóricos ou de forma subordinada. Os padrões históricos de exclusão perpetuam-se sob qualificativos de eco ou sustentável sob forte apelo ao ecoturismo, mas sem conexões reais com a proposta. Nesse quadro, é importante atentar para adoção de políticas públicas orientadas efetivamente por uma acepção de ecoturismo capaz de promover a integração do turismo à diversidade sociocultural, à conservação da natureza e de oportunidades para o desenvolvimento da governança local.

Palabras clave:

Parques Nacionales;
Modelos de gestión;
Turismo;
Gobernanza.

Resumen

Las concesiones de los servicios turísticos en los parques nacionales, basado en asociaciones público-privadas, constituye el principal mecanismo para la gestión del uso público en estos espacios protegidos en Brasil. La elección por dicho modelo se justifica por su potencial de sustentabilidad, capaz de converger intereses conservacionistas y económicos. Esta capacidad ha sido cuestionada,

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principalmente, con respecto a las posibilidades de participación de las comunidades locales en la gestión, aspecto fundamental de la propuesta, que pretende ser una referencia de gobernanza. En este artículo se intentó, a través de una revisión bibliográfica, reflexionar sobre cómo se configuran los procesos participativos en el ámbito de la implementación y gestión de estas concesiones. Los análisis identifican la preponderancia de la racionalidad económica en la toma de decisiones y la existencia de grandes dificultades en considerar los valores socioculturales en la gestión, inclusive en la resolución de conflictos agrarios y sociales ocurridos con la implementación de los propios parques. La participación social es concebida en términos retóricos o de forma subordinada. Los patrones históricos de exclusión se perpetúan bajo el ropaje de calificativo como “eco” o “sustentable”, en una intensa promoción del ecoturismo, pero sin conexiones reales con la propuesta. Ante tal escenario, es importante prestar atención a la adopción de políticas públicas orientadas efectivamente por una acepción del ecoturismo capaz de promover la integración del turismo a la diversidad sociocultural, a la conservación de la naturaleza y de oportunidades para el desarrollo de la gobernanza local.

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1 INTRODUCTION

In the global tourism scene, Brazil stands out for its natural attributes. According to reports presented at the World Economic Forum, in 2015 and 2017, the country ranks first in natural resources wealth and the number of recognized species (World Economic Forum, 2015; 2017). It has been pointed out as the leading destination for adventure tourism practices¹, especially in natural areas, and in 2019, it ranked second behind Mexico (World Economic Forum, 2019). Despite this crucial aspect, the documents mentioned above point to difficulties in the effective application of this potential, for the performance of tourism development depends on various factors related to the competitiveness and attractiveness of destinations, namely the development environment, political conditions, which includes indicators of sustainability, infrastructure, and quality of their cultural and natural attributes².

The Brazilian tourism potential is associated not only with the number of protected areas (PAs) but also the territorial extension that they cover and the natural and cultural resources desired by tourists. According to the Ministry of Environment (MMA)³, the country now has 2446 protected areas, designated Conservation Units (CUs), of which 334 are under federal public management, including 74 national parks (NP). These occupy about 268,000 km², covering the six terrestrial biomes recognized in the national territory (Caatinga, Cerrado, Atlantic Forest, Pampas, Pantanal, and Amazon), as well as the marine environment.

In this sense, CUs point to a significant opportunity for the sector's development in the country due to its ability to attract tourists, and the possibility of promoting tourism that can benefit populations typically excluded from such processes, as in the case of traditional communities living in the inlands or neighboring areas (Bartholo, Sansolo & Bursztyn, 2009).

In Brazil, the history of protected areas refers directly to the establishment of the first national parks in the 1930s (Drummond, 1997; Leuzinger, 2010; Diegues, 2001). Its relationship with tourism is not recent as the public use for recreational purposes was envisioned since the very beginning. However, by taking as a reference the United States model, characterized by excluding traditional populations and its preservationist ideology, it neglected the intrinsic socio-cultural values of the relationship between communities and natural areas, mainly benefiting "urban visitors" (Diegues, 2001, p. 41).

Although throughout the decades the environmental and consolidating policies of the PA have incorporated principles of sustainable development⁴, the institution of the *Sistema Nacional de Unidades de Conservação – SNUC* (Brazil, 2000), Law No. 9.985/2000, has become a political framework for the management and regulation of these areas. Considering the different CU categories, the system defines rules and guidelines that allow the public and private spheres to create, implement, and manage these units. These actions can systematize the mechanisms for

¹ Results of the survey prepared by the American portal US News & World Report, developed together with the University of Pennsylvania, found on the Ministry of the Environment's website. Retrieved November 22, 2016, from <http://www.mma.gov.br/areas-protegidas/unidades-de-conservacao>.

² The methodology for defining the tourism competitiveness index involves the evaluation of several indicators related to: the development environment (business, health, safety, human resources, and the job market); political (sectoral, opening to the international market, competitive prices, and environmental sustainability); structural capacity (infrastructure, transport, means of accommodation, and other services), and attractiveness and quality related to natural and cultural resources (World Economic Forum, 2019).

³ Source: CNUC / MMA. Retrieved December 12, 2019, from www.mma.gov.br/cadastro_uc.

⁴ Basic principles of sustainable development include social equity, ecological prudence, and economic efficiency (Brumatti, 2014).

regulating society's participation, aiming to enhance the relationship between the State, citizens, and the environment⁵. Among other objectives, the law states that the SNUC must also "favor conditions and promote environmental education and interpretation, recreation in contact with nature, and ecological tourism" (Brasil, 2000, art. 4º-XII).

The Brazilian State understands that the tourism practiced in PAs represents a strategic activity to create jobs, and boost professional qualification and income distribution to the populations living in these areas' surroundings. However, it also acknowledges the challenge in developing responsible tourism integrated to socio-cultural diversity, traditional knowledge, and biodiversity conservation (Brasil, 2006). Therefore, despite these potentialities, tourism development requires an environmental heritage management model that collaborates both for ecological and socio-cultural conservation and makes it possible to distribute the benefits associated with visitation, promoting the quality of life for current and future generations.

The alternative for tourism management prioritized by the federal government, mainly in the scope of National Parks, has been to establish institutional arrangements with the private sector through concessions to provide tourism alternatives and recreational services (Rodrigues & Abrucio, 2019). This measure is justified by the scarcity of human and budgetary resources⁶ (Santos, 2011) to meet the conditions necessary for the sustainable use of parks by tourism and the provision of quality services. From this measure, some questions emerge: How will the privatization of tourist services ensure participatory and sustainable management? How can this model, overcoming financial and administrative difficulties, effectively involve communities and promote the democratization of environmental heritage?⁷

Previous studies have shown limitations concerning tourism concessions in NP globally, pointing out several gaps and opportunities for a good performance regarding sustainable development. Criticisms of the concessions mainly concern local governments' ability to direct the process transparently and equitably in generating economic and social benefits, as well as meeting the main objective of protected areas, which is environmental conservation (Eagles, 2009; Wyman et al., 2011, Dinica, 2017). In Brazil, few studies investigate this model critically (Rodrigues 2009; Santos, 2011; Estima et al., 2014; Maciel, 2015; Botelho & Maciel, 2018, Botelho & Rodrigues, 2016; Rodrigues & Godoy, 2013; Rodrigues & Abrucio, 2019; Maranhão et al., 2018).

The performance of institutional arrangements and the environment created through their agreements also lead to behaviors and practices concerning a new reality, which requires different social actors to dialogue for decision making. In this sense, the sustainable development of tourism in protected areas involves much more than financial and administrative resources. For Leff (2000), as long as other principles (ecological, cultural) for the valorization and management of resources within another productive rationality are not explained and legitimated, the extraction of raw materials and the instrumental use of environmental services will continue to increase.

Based on the concepts of ecotourism and sustainable tourism development, this paper reflects on the community participation process in the management of national parks subject to tourism concessions. The discussion was grounded on by retracing the steps of the PAs creation, the concessions' political context in the parks, and the role played by governance in this trajectory.

First, the descriptive and exploratory research presents the historical and political context of implementing national parks in Brazil, elucidating aspects of communities and social actors' participatory process to manage these areas and public use. Second, considering the concepts of ecotourism and sustainable tourism development, it discusses forms of democratic participation in the development of the tourism sector and the importance of building a local governance space for public use in PAs. Finally, the rationality surrounding the delegation of tourist services to private companies in Brazilian parks is questioned, highlighting this model's implications, especially concerning democratic participation in environmental heritage management.

2 HISTORICAL AND POLITICAL CONTEXTUALIZATION OF THE IMPLEMENTATION OF BRAZILIAN NATIONAL PARKS.

The trajectory of the institution of protected areas in Brazil and its relationship with public tourist a recreational use

⁵ Narrative taken from the Ministry of the Environment's website. Retrieved November 22, 2016, from <http://www.mma.gov.br/areas-protegidas/unidades-de-conservacao>.

⁶ Arguments presented by the Ministry of the Environment in several meetings, as reported in articles on the Ministry's website. Retrieved from <http://www.icmbio.gov.br/portal/ultimas-noticias/20-geral/8069-mma-recebe-documento-with-priorities-for-ucs>. Retrieved from <http://www.icmbio.gov.br/portal/ultimas-noticias/20-geral/8569-ministro-anuncia-concessoes-em-parques>.

⁷ Questions from NGOs and environmentalists (Ilha, 2014) on the issue.

has a direct relationship with national parks creation, starting in 1937. The first parks were initially designed to fully protect their ecological attributes and scenic beauty, considering the opportunity to develop scientific research and visitation for recreational purposes⁸ (Drummond, Franco & Oliveira, 2010) under the possession and domain of the State. Thus, initially, the criteria for choosing the NP favored exceptional scenic beauty, access facilities, and the possibility of mass visitation, concentrated primarily in the south and southeast regions of the Brazilian coast (Diegues; 2001; Drummond, 1997; Leuzinger, 2010).

However, influenced by US models (e.g., Yellowstone Park, 1872), the first NP contributed to generating a series of political, economic, and social conflicts in the territory where they were established, besides favoring urban populations. That is because, according to Diegues (2001), the imported model, which carried the "myth of untouched nature" based on the preservationist ideology, guaranteed to the State the right to expropriate the land, neglecting the traditional communities that inhabited its interior and surroundings. In addition to considering practices related to their lifestyles as incompatible and illegal, and at the same time ensuring recreational use for urban populations. For the author, this scenario represented a vital loss of knowledge on the country's indigenous management systems of natural resources and Brazilian socio-cultural diversity.

Further on, this context is reinforced with the approval of the regulation on National Parks, through Decree No. 84.017/1979, formally establishing the role of this PA category as a space for recreational, educational, and scientific practices. It considers land legalization and expulsion of "squatters"⁹ as fundamental actions to guarantee the landscape's protection and ecological attributes (Diegues, 2001).

The issue of governance based on participatory and democratic processes within the scope of the consolidation of protected natural areas in Brazil gained significant space only from the new conceptions of development and the recognition of socio-environmental problems on a global scale. It is influenced by the emerging environmental movements in the most varied fields of science, politics, and economics (Brumatti, 2014). These paradigms reflected on the National Environment Policy (Law n° 6.938/1981) and the definition of Environment defined in the Federal Constitution of 1988¹⁰ (Brazil, 1988). As a result, the government expands efforts to create and expand PA categories based on a conservationist ideology (Drummond & Barros-Platiau, 2006), aiming to combine protecting environmental heritage with socioeconomic development.

Even with the expansion of PAs, the plurality of categories, and the tourists' interest, it was solely after the institution of the SNUC, in 2000, that the Conservation Units were officially regulated and systematized in two main groups: the Integral Protection Units, the case of the NP, admitting the indirect use of natural resources attributed to educational, recreational, and tourist activities; and the Units for Sustainable Use, in which the direct use of resources is permitted in line with the guarantee of ecological processes and the maintenance of biodiversity (Brasil, 2000). According to its guidelines – Art. 5, items III and IV – the system must ensure "the effective participation of local populations in the creation, implementation, and management of protected areas." It also must seek support and cooperation from non-governmental organizations, private organizations, and individuals to develop activities foreseen in the UC under their management (Brasil, 2000).

However, although the SNUC provides for the inclusion of local communities and allows the sustainable use of natural resources and extraction in some CU (e.g., Environmental Protection Area, Extractive Reserve, Sustainable Development Reserve), the constitutive legal bases of the NP have been maintained. The right to expropriate private areas and the restriction on the indirect use of natural resources remains. As the regulatory system points:

The National Park has the primary objective of preserving natural ecosystems of great ecological relevance and scenic beauty, making it possible to carry out scientific research and develop environmental education and interpretation activities, recreation in contact with nature, and ecological tourism.

§ 1 The National Park is under public possession and domain, and the private areas included in its limits will be expropriated, according to the law.

§ 2 Public visitation is subject to the rules and restrictions established in the Unit's Management Plan, the rules established by the body responsible for its administration, and those provided for in its by-laws.

(Brazil, 2000, art. 11. Translated.)

⁸ The first park created in Brazil, in 1896, was Parque da Cidade, in the municipality of São Paulo, under state jurisdiction. The first national parks were legally established based on the Forest Code of 1934, 60 years after the proposals of engineer André Rebouças, namely: Itatiaia, created in 1937 and previously recognized as a biological station, Iguaçu, and Serra dos Órgãos, created in 1939 (Drummond, Franco & Oliveira, 2010).

⁹ At that time, indigenous and traditional populations were considered squatters, based on the idea that no compatibility existed between these communities and biota protection (Diegues, 2001).

¹⁰ In its art. 225, the Federal Constitution states that "All have the right to an ecologically balanced environment, which is an asset of common use and essential to a healthy quality of life, and both the Government and the community have the duty to defend and preserve it for present and future generations" (Brasil, 1988).

Rocha, Drummond, and Ganem (2010) infer that the maintenance of this legislation, changes in the location criteria of the territories, the geographic dimension of the country, its social diversity, and primarily the lack of territorial ordering collaborate to limit the State's ability to control and manage the parks. This happens because in addition to the category of parks severely restricting the list of permitted productive activities, except for tourism regulated by the management plan and under a concession regime, the lack of land regularization weakens producers, owners, and residents. Those, in turn, can cause environmental conservation problems since once they are not compensated, they tend to exploit resources disorderly.

Decree No. 4340/2002 (Brazil, 2002) contributes significantly to improve the participatory process and decentralization in decision-making regarding the implementation and management of CUs. It establishes the need for public consultation, with the due indication of the beneficiary population and expected economic activities, and management plans that include measures to promote conservation integrated with neighboring communities' economic and social lives. It also defines the Advisory or Deliberative Councils. It should be made up of representatives of public bodies and civil society organizations on an equal basis, allowing the management of units to civil society organizations of public interest. Then, new governance instances for the protected areas in Brazil are instituted.

It adds, in its art. 25 (Brazil, 2002), that "it is granted exploration authorization of the products, by-products, or services inherent to the conservation units, according to the objectives of each category of unit." Furthermore, articles 28 and 29 announce that the authorization process for the commercial exploration of the above-mentioned products or services by an individual or legal entity must occur through public bidding and other rules prevailing and must be based on economic feasibility studies.

Such regulations were essential to promoting policies for greater integration of the private initiative to manage public services in CU, promoting tourism concessions to support visitation in parks. Although in 1999, the government had already signed its first concession contract in the Iguaçú National Park, it is only after 2008 that the State starts to invest concretely in these institutional arrangements (Rodrigues, 2009). This initiative is associated with MMA's efforts regarding the regulation of public use in PAs, such as the development of Diagnostics and Guidelines for visitation (Canto-Silva & Silva, 2017). However, it is primarily associated with the creation of the *Instituto Chico Mendes de Conservação da Biodiversidade* (ICMBio), Law No. 11.516/2007, which takes on the promotion of recreational, public use, and ecotourism programs, among other functions.

In 2008, a program called "Tourism in Parks" was launched, through an inter-ministerial action between MMA and the Ministry of Tourism (Mtur), aiming to structure and qualify visitation services through concession contracts with the private sector. It claimed that this process would also benefit the surrounding populations by training the workforce to meet the tourist demand, incentivizing handicraft production, and attributing greater visibility to its intangible heritage for entrepreneurs in the tourism sector (Rodrigues, 2009; Brasil, 2008).

Thus, the tourism concession in NP is signed as a management strategy for the public use of these areas, considering the deficit of financial and human resources, aiming to improve the capacity to provide tourist services¹¹ (Rocktaeschel, 2006). The delegation of tourist services to third parties in the NP may occur via authorizations and permissions¹² or even other instruments such as terms and agreements of cooperation and partnerships (Carillo & Catapan, 2016). However, the use of the legal instrument of concession is highlighted on the federal government's agenda and some states (Rodrigues & Abrucio, 2019).

We should note that tourism concessions are defined internationally as a license, lease, easement, or permission, granted by the public administration to one or more organizations: private companies, non-governmental organizations, traditional communities, or a combination of them (joint venture) to provide recreational and educational services within public areas, for a pre-established period (Spenceley et al., 2017), which happens through different legal instruments (concession, permission, authorization, lease).

However, in Brazil, concessions in CUs correspond exclusively to the form of delegation governed by the Public Service Concession Law (Law No. 8.987/95) and the Laws No. 11.079/2004 and 13.043/2014, which establish rules for bidding and contracting a public-private partnership (PPPs), envisaging for sponsored and administrative

¹¹ In general, the services refer to ticket collection, concierge control, food, accommodation in general, guiding visitors on trails, climbing, souvenir shops, among others (Rocktaeschel, 2006).

¹² Authorization represents a unilateral and precarious administrative act, whereby the public authority allows the private individual to operate a service that does not depend on bidding (Di Pietro, 2019). It is commonly granted for guiding visitors or tourist vessels (Botelho & Rodrigues, 2016; Canto-Silva & Silva, 2017). On the other hand, the permits deal with a unilaterally precarious and revocable contract by the granting authority (Braga, 2013).

concessions. Despite these possibilities, so far, the government uses a "common concession" that necessarily requires a bidding process designed for private legal corporations or a consortium of companies (for-profit corporations) involving projects of great economic scope for private investments (Rodrigues & Abrucio, 2019).

For Santos (2011), these institutional arrangements operate as an "environmental tourist PAC¹³ for NPs" by which the government provides the basic infrastructure (access roads, sanitation, technical training). The private sector invests in the construction and maintenance of the tourism facilities and equipment, thus engaging the surrounding populations in recreational and tourist activities and promoting environmental education. The increase in the unit's revenues would enable a better environmental quality, income generation, and employability, giving the public administrator the exclusive control, inspection, and monitoring functions of the park (Santos, 2011).

From this perspective, as of 2014, concessions are promoted under the structuring of the "Public-Private Environmental Partnerships" called PAPP project, with financial support from the Multilateral Investment Fund, from the Inter-American Development Bank, from the Socio-Environmental Fund of a national bank, *Caixa Econômica Federal*, and executive responsibility of the *Instituto Brasileiro de Administração Municipal* (IBAM, 2019; Rodrigues & Abrucio, 2019). Although the project aimed to expand the processes of visitation and socio-productive inclusion opportunities in PAs through different public-private partnerships (PPP) models, the main result was summarized, basically identifying the CUs that best suited the standard of "common concession." Such a project facilitated the process of implementing and expanding the tourism concessions¹⁴ (IBAM, 2019), but it does not seem to materialize the use of other institutional arrangements¹⁵ capable of involving other stakeholders under private for-profit corporations.

Currently, of the 74 national parks, seven have already signed concession contracts with private for-profit corporations. Among the oldest, they are Iguaçu NP (PR), Tijuca (RJ), Fernando de Noronha NP (PE), and Serra dos Órgãos NP (RJ), and among the most recent, the Chapada dos Veadeiros (GO), Pau Brasil (BA), and Itatiaia (RJ) NPs¹⁶. Although the promotion of this institutional arrangement is relatively recent in Brazil, it also mirrors international models (Rodrigues & Abrucio, 2019).

More recently, new institutional advances indicate opportunities for the use of PPP, namely the publication of Law No. 13.668/2018 (Brazil, 2018), which finally establishes the possibility of granting services, areas, or federal CU facilities to explore recreational activities provided for in the SNUC (art. 14-C), as well as the Decree No. 10.147/2019. The latest qualifies the Iguaçu, Lençóis Maranhenses (MA), and Jericoacoara (CE) NPs in the Presidency of the Republic's Investment Partnership Program (PPI), which is part of the National Privatization Program (NPP), for concession purposes. These instruments contribute not only to formalize concessions in CUs, which are not contemplated in the concessions generic law, but also to expand the opportunities for management and financing of the NP, with the provision of funding for actions to support conservation, protection, and management, in addition to the exploration of tourism services (Brazil, 2019).

Despite this institutional effort to bring different social actors closer to PA management, Brazilian national parks' development policies seem to be primarily concerned with administrative and financial difficulties. Besides that, exploring the potential related to tourism services, not highlighting effective solutions for the countless social and territorial conflicts that also influence these PA communities' management capacity (Silva Pimentel & Ribeiro, 2016; Vivacqua & Vieira, 2005).

That is because, in general, the use of this model of concessions as a strategy to make parks "profitable"¹⁷ through tourism praises the economic and market rationality of the PA imbued in the capitalist logic and neoliberal conservation, under the rhetoric of "win-win solutions"¹⁸ (Brockington & Duffy, 2010; Igoe & Brockington, 2007). That assumes for-profit corporations would be able to promote greater efficiency, responsiveness, and high quality for

¹³ PAC was a government program to accelerate the economic growth of the country.

¹⁴ Although Brazilian law grants tourism concessions via PPPs, involving private non-profit organizations and sponsored concessions, and SNUC, in its art. 30, grants shared management with Civil Society Organizations of Public Interest (*Organização da Sociedade Civil de Interesse Público* - OSCIP), in the case of public use management, these alternatives are still incipient (Rodrigues & Abrucio, 2019). There is only one cooperation agreement between ICMBio and Instituto Ekos, an NGO, to execute support services for public use at PARNA Cavernas do Peruaçu (MG). Available at: <https://www.icmbio.gov.br/portal/ultimas-noticias/20-geral/8589-sai-resultado-de-acordo-de-cooperacao-em-peruacu>.

¹⁵ The choices and their criteria are described in the documents: *Concessões: prioridades de execução 2016-2018* (ICMBio, 2016) and *Parques do Brasil: visitor é proteger! Estratégias de implementação da visitação em Unidades de Conservação Federais: prioridades de execução 2018-2020* (ICMBio, 2018). The latter document points to concession projects in eleven NP, of which three (Chapada dos Veadeiros, Pau Brasil, and Itatiaia) were consolidated.

¹⁶ Data obtained from the ICMBio website. Available at: <https://www.icmbio.gov.br/portal/concessao-de-servicos>.

¹⁷ Word used by Minister Sarney Filho at the 3rd Parks of Brazil, designed by Instituto Semeia, in Ibirapuera Park, in São Paulo, on Nov/24/2016. It was accessed at: <http://www.icmbio.gov.br/portal/ultimas-noticias/20-geral/8569-ministro-anuncia-concessoes-em-parques>. Accessed on January 25, 2017.

¹⁸ Tourists would benefit from improved quality of services and infrastructures. The government, from raising financial resources for conservation. Communities would benefit from employment and income opportunities, and companies would benefit from profits related to the sale of tourism products and services and improve their market image (Nyahunzvi, 2016).

the public use of PA (Thompson et al., 2014) via the (re)regulation process, which is the responsibility of the State (Castree, 2008).

However, several cases (Büscher & Dressler, 2012; Duffy, 2008, Nyahunzvi, 2016, Ojeda 2012), point out that these arrangements, instead of using decentralized governance to emphasize the nature local constructions by communities and lead to the "devolution" of control over resources, only offer "more of the same" (Duffy, 2008, p. 339), contributing to an ever-increasing engagement of these communities to the commercial and market logic, aimed at serving an elite or foreign visitors. In this sense, they can compromise the possibilities of integrated management with the local and traditional populations (Büscher & Dressler, 2012; Rodrigues & Godoy, 2013; Maciel, 2015), as well as the democratization of the public environmental heritage, harming some governance principles¹⁹ (Eagles, 2009) and sustainable tourism development, the basis of the proposed ecotourism for UC.

Once they are implemented based on a "top-down" policy, the consolidation of NP and public use pose a challenge on several levels, bearing in mind the compelling need for land regulation (Rocha; Drummond & Ganem, 2010), the consolidation of advisory councils, and even the implementation of management plans (Canto-Silva & Silva, 2017). Besides that, the regulation of the populations that still live within these areas is often omitted or neglected, totally or partially, by government agencies (Santos, 2011). Furthermore, using tourism concessions as the primary justification for the State's incapacities is assuming its neoliberal bias, which tends to depend on private investments to promote public use in PA. This, in turn, may compromise the public functions of parks (Rodrigues & Abrucio, 2019).

In this sense, considering the different norms, programs, and documents that guide the concessions in the NP, local communities' insertion in the decision-making process on managing natural resources, even as possible tourist services providers, does not appear clearly in the proposals and discourses. Such issues become relevant as the tourism concessions can reinforce processes of social exclusion and intensify social conflicts that, on the other hand, may compromise the effective management of Parks and even their public use (Ojeda, 2012).

There are cases of objections of tenders in Brazil's national marine parks of Abrolhos and Fernando de Noronha. They are presented by local representatives under the argument that the process did not interact with local communities. Some measures could affect the region's revenue generation because local traders could not compete (Clark, 2010). Besides, Gorini, Mendes, and Carvalho (2006) point out that the difficulties of strict application of this arrangement, in general, also stem from resistance from local populations, mainly from those who had already been operating tourist activities even without proper regulations, and from territory problems.

3 PROTECTED AREAS, TOURISM, AND GOVERNANCE.

The analysis of the trajectory of the implantation of national parks and their political, social, and environmental context raises the need to rethink the concepts of ecotourism and sustainability associated with these areas. Considered one of the main sectors of the global economy (World Tourism Organization, UNWTO, 2017), tourism also consists of a social phenomenon and, therefore, assumes important responsibilities to socioeconomic and cultural development in different regions. The United Nations (UN) declared 2017 the International Year of Sustainable Tourism for Development, recognizing the importance of international tourism to "promote a better understanding among peoples worldwide, leading to greater awareness of the rich heritage of different civilizations." It also recognizes their potential to contribute, directly or indirectly, to the 17 Sustainable Development Goals (SDGs) foreseen in Agenda 2030 (UNWTO, 2017)²⁰.

However, the document Transforming Tourism: The 2030 Agenda for Sustainable Development (Monshausen, 2016) maintains that the sector institutions involved, such as investors, governments, and the World Tourism Organization (WTO), still praise its economic capacity, whereas its adverse ecological and social effects remain limited to the realm of discussion. The sustainability perspective has opened paths for tourism planning and management to minimize negative impacts and the conception of new governance possibilities (Eagles, 2009). However, the political forces and certain discourses contribute to the reproduction of certain patterns of distribution of tourist

¹⁹ The main principles for good governance are: (1) legitimacy and voice (according to principles of public and democratic participation and consensual guidance); (2) direction (coherent strategic vision of a good governance and human development); (3) performance (principles of responsiveness, effectiveness and efficiency); (4) Accountability and transparency; and (5) fairness (equity and rule of law) (Graham, Amos, & Plumpre, 2003).

²⁰ The UN 2030 Agenda highlights the tourism sector in three of the goals related to global objectives: the development and implementation of policies capable of generating decent jobs and promoting and valuing local culture and products (goal 8.9), the guarantee of consumption patterns and sustainable production, through the development of tools to monitor the impacts of tourism (goal 12 b) and the sustainable use and conservation of seas and oceans, through the management of tourism in these environments (goal 14.7). Retrieved October 27, 2017, from <https://nacoesunidas.org/pos2015/agenda2030/>.

flows (North-South/Rich-Poor/Urban-Rural) and the benefits of tourism development (Mowforth & Munt, 2003; Büscher & Dressler, 2012; Ojeda, 2012).

The accelerated expansion of tourism, especially after 1950, has transformed the sector into an excellent driver of national and international economies by exploring a market related to people's enjoyment and leisure activities (Esteve, 1983). However, as a result of the capitalist system and influenced by globalization and market laws, just as the sector contributes to the generation of income, jobs, and appreciation of cultures and nature (Telfer & Sharpley, 2008), the destinations and mass consumption attractions promoted by the interests of certain groups also lead to the accumulation of wealth, segregation of spaces, environmental degradation, and labor exploitation (Mowforth & Munt, 2003; Brumatti, 2014). In this sense, the development of tourism in PA requires a careful and critical look.

The interest in places endowed with a particular scenic, natural, or cultural beauty has to do with the intense industrialization and development process of western societies, which has harmed humanity's quality of life (Ruschmann, 2001). Therefore, travel and leisure in natural areas would constitute a kind of return to nature, whose resources, including culture, come to represent the raw material for tourism, which appropriates these elements in the form of a product or service.

However, tourism has been introduced to global discussions on development (Brumatti, 2014), considering the disorderly use of territories associated with the mass tourism in PAs and the coercive forms of exploration sometimes employed to meet the needs of visitors, regardless of the disturbances that physical structures and recreational activities may cause (Weaver & Lawton, 2017), and sometimes to promote "ecotourism" in undeveloped countries aimed at foreign entrepreneurs and tourists (Mowforth & Munt, 2003). In 1995, the United Nations, together with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the WTO, developed the Sustainable Tourism concept. In 1996, the WTO with the World Travel and Tourism Council (WTTC) and the Earth Council began to emphasize the need to consolidate partnerships between the three sectors, public, private, and civil society, with the tourism issue (Rabinovici, 2011).

The WTO assumes that Sustainable Tourism is one that "meets the needs of tourists, companies, the environment, and the receiving communities, being able to manage the present and future economic, social, and environmental impacts" (UNEP; OMT, 2005, p.12). Its principles, therefore, involve: optimizing the use of natural resources and maintaining essential ecological processes; the socio-cultural respect of the receiving communities and the maintenance of cultural heritage and traditional values; and the long-term guarantee of economic operations, providing a fair distribution to the stakeholders involved. While Ecotourism can be defined as "responsible travel to natural areas that preserve the environment, sustain the well-being of the local population, and involve interpretation and education,"²¹ focusing on building a culture of cultural respect and environmental protection and on positive experiences for both visitors and the hosts.

However, the WTO recognizes that sustainable tourism has become confused with the term ecotourism, spread mainly in the 1980s, which consists of a market segment that develops from tourism and leisure activities in PAs (UNEP; OMT, 2005). Although its concept involves sustainability principles, it is questioned that, in many cases, the segment allows increasing the tourist's flow and the infrastructure installation in places that are "not yet explored." It happens without proper management of their impacts, failing to define visitation limits, and respect for the local population's ways of life²². In part, these limitations are associated not only with the untouched and wild nature myth involved in the creation of the first parks and reserves but with the elitist character of the concept and practice of "ecological tourism," promoted by European and North American markets for developing countries and peripheral regions (Diegues, 2001; Mowforth & Munt, 2003). This fact suggests the occurrence of not only economic but social and cultural conflicts, as spaces come to represent "must-see tourist spots," hence ruining local symbolic values (Brumatti, 2014).

In Brazil's case, in 1994, MMA defined the Guidelines for a National Ecotourism Policy²³, aimed to guide this segment's development primarily considering "the national parks' potential. It started the "Ecotourism Development Program in the Legal Amazon" (PROECOTUR), which contributed to a greater tourist awareness among different organizations. However, it proved inefficient in promoting greater articulation between local governance bodies

²¹ Concept used by the International Ecotourism Society (TIES). Retrieved from <https://ecotourism.org/what-is-ecotourism/>.

²² Studies by Costa and Miranda (2016); Bennett and Dearden (2014), and the WWF (2011) point out the weaknesses in carrying capacity research and social problems arising from ecotourism activities in protected areas.

²³ According to the document, ecotourism consists of "a segment of tourist activity that sustainably uses natural and cultural heritage, encourages its conservation and seeks the formation of an environmental awareness through the interpretation of the environment, promoting the well-being of the populations involved" (Brasil, 1994).

(Nóbrega, 2009), causing a series of uncertainties and frustrations, mainly regarding local populations (Farias, 2014).

Whether ecotourism, as a strategy for socioenvironmental development, aims to lead to the environmental awareness promoting quality of life and conservation of the PA, it is pertinent to consider respect for cultural diversity as a basis for maintaining biological diversity and democratic participation in territories management (Diegues, 2001). In this sense, the sustainable use of environmental and cultural heritage in NPs or other CUs should consider the use of endogenous resources – human, natural, infrastructure, and knowledge – also determined by the interests of local actors, who point to a new form of governance.

This form of governance can be conceived as more articulated and horizontal forms of coordination between the different social actors and between civil society and the State in the scope of decision-making. As OST warns (2004 *apud* Torre, 2010, p.110): [...] "Due to institutional innovations, actors are led to experimenting with new forms of public action and participation in decisions, progressively moving from the pyramid to the network." These changes are not mere details because what is at stake is the distribution of power implied in devices constituted from more democratic perspectives.

The community-based tourism experiences can exemplify some democratic institutional innovations in tourism management in protected areas²⁴. For Maldonado (2009, p. 31), this arrangement is a "business form based on the ownership and sustainable self-management of community patrimonial resources, according to the practices of cooperation and equity at work and in the distribution of the benefits generated by the provision of tourism services." Although it is based on the principles of sustainability and ecotourism, its main focus is the well-being and the generation of benefits for the host community (Bursztyn, Bartholo & Delamaro, 2009).

It is reasonable to understand these democratic social experiences in areas where the right to land and traditional production modes are, in part, legally guaranteed, and the instituted councils are deliberative, as in the case of the sustainable use CU category. However, in the context of NPs, as areas of integral protection with solely consultative councils, the challenge of governance is more significant. Botelho and Rodrigues (2016) point out that although there is a significant potential for the insertion of community initiatives in managing tourism in national parks, different arrangements for formalizing tourism services are still incipient in Brazil.

However, the opportunities for democratizing public use in PA are not limited to community-based tourism. Canto-Silva and Silva (2017) highlight the protagonist role of local tour guides. Besides adding value related to local knowledge and skills, they can directly benefit from public use's economic effects, breaking the exclusionary paradigms to a certain extent. Also, the regulatory Framework for Civil Society Organizations, called MROSC - Law No. 13.019/2014, offers new opportunities for cooperation between the public and private spheres to implement public interest projects.

However, the effectiveness of the governance process depends on respect for some principles, among them: legitimacy and voice in building consensus; the direction in identifying essential needs; performance, based on responsiveness; accountability or transparency; and social justice; all factors dependent on established power relations and decision making role assumptions (Graham, Amos & Plumtre, 2003). Any form of inefficiency in the governance process could reproduce the inequality of power within the governing bodies themselves. The areas best articulated among themselves and with the political and economic powers can obtain more advantages (Fernandes & Coriolano, 2015).

It is important to emphasize that governance is consolidated in the democratic political system, under the government or the people foundation. Thus, its construction requires citizen participation and expression to meet their needs and desires. The different types of governance are possible due to the complexity of the social, political, and economic organization descending from the globalization process and current information systems (Arns, 2009), which also influence the local level.

Therefore, we understand that there are different mechanisms of innovation for managing tourism in national parks based on communities' democratic participation in managing natural resources, requiring an ethical commitment from public and private organizations. Respect for the principles of sustainable development, whether in the consolidation of ecotourism, nature-based tourism, or community-based tourism in PAs, is paramount to ensure the participatory process and possibly attribute another quality to the destination and the elevation of its competitiveness.

²⁴ Bartholo; Sansolo and Bursztyn (2009) brings several discussions and community-based tourism experiences.

André Ilha's testimony²⁵ completes this thought.

There are many motivations that can lead a person to visit a park. A public use policy can only be considered successful if it considers and establishes differentiated strategies to meet the expectations of all possible segments of users: residents of the surroundings, adventure athletes, adventure, conventional, and religious tourists, as well as artists and students (Ilha, 2014, sn.).

The governance space and the learning process it sets up are paramount to meet PAs public use expectations. It happens especially when there is an intention to consolidate and integrate tourism development with socio-cultural diversity, traditional knowledge, and nature conservation.

4 IMPLICATIONS OF TOURISM CONCESSIONS IN BRAZILIAN NATIONAL PARKS

The context of tourism concessions in national parks in Brazil includes issues that retake constituent factors regarding the implantation of NPs, the democratization of public heritage, land tenure regulation, and, mainly, conflicts with the local and traditional communities. The governmental idea about the concessions in CUs collaborates to interpret that these problems would be secondary to the process. Its resolutions would come from an economic efficiency attributed to politics. However, would this efficiency be sufficient to minimize socio-environmental and territorial problems or even add greater value to the socio-cultural and environmental heritage?

The constitutive historical trajectory of Brazilian NPs and their public use points to recurrent processes of the resignation of traditional populations and their ways of life, which, in turn, signals greater challenges for the efficiency of a tourism concession policy in PAs. The excluding process, notoriously, hinders the aggregation of socio-cultural values intrinsic to these areas' consolidation and conservation (Diegues, 2001). Besides that, it challenges institutional arrangements for the consolidation of public use by touristic and recreational activities that do not reinforce local communities' exclusion from the management, governance, and socio-environmental conservation process.

Although concessions can be treated as a financially and economically feasible alternative for tourism management in NP (Spenceley et al., 2017), it is necessary to consider that their effectiveness is conditioned to governance structures. Those respond to social, political, and legal systems of a country or region (Eagles, 2009) and, therefore, it is contextual, besides depending on the fulfillment of the broader objectives of PAs, and should not, therefore, be exclusively guided by tourist demand (Eagles, 2014).

Generally, considering the studies addressing this topic in the Brazilian context, the weaknesses in the implementation of this management model are related to the need to strengthen public institutional capacities; the validation of the participation of local communities in decision-making; the improvement of the regulatory bases and formulation of contracts; the use of partnerships with different social actors and the potential of community-based tourism in PA; and, finally, the recognition of the public function of such spaces, to ensure more democratic access and enjoyment (Gorini, Mendes & Carvalho, 2006; Rodrigues & Godoy, 2013; Estima et al., 2014; Maciel, 2015; Botelho & Rodrigues, 2016; Botelho & Maciel, 2018; Maranhão et al., 2018; Rodrigues & Abrucio, 2019).

Gorini, Mendes, and Carvalho (2006) identified perturbations in the Iguazu National Park public-private relationships, such as unilateral changes to the contract due to lack of formal apparatus, and confirmed the existence of difficulties concerning the control and surveillance to curb extractive practices. Estima et al. (2014) found that the implementation of the concession at Fernando de Noronha NP has collaborated to improve infrastructure and tourist services by adopting more environmentally responsible measures and increasing the number of visitors and the use of local labor. However, it also implied in the insertion of another tax on environmental services, conflicts between social actors, and changes in the local economic dynamics. The study also found that even after the concessionaire began operating the services, the disseminated lack of understanding of the concession's purpose, which is interpreted as the privatization of public assets, persisted.

In the case of Tijuca NP, Maciel (2015) identifies that the concession of tourist services was the basis for excluding communities from the surrounding *favelas*, involving actions of oppression and repression of these communities. For Botelho and Maciel (2018), the Paineiras Complex in Tijuca NP becomes increasingly inaccessible to vulnerable social classes, both from the possibility of offering services and the perspective of consumption services. Besides conflicts with communities, in Serra dos Órgãos NP, there are conflicts between the public body itself and the private organization, given the breach of contractual rules and responsibilities of each party, which compromises the effectiveness of the model (Maranhão et al., 2018).

²⁵ André Ilha is the director of the Biodiversity and Protected Areas sector at the Instituto Estadual de Ambiente (Inea). Article posted on September 24, 2014, in the category Invited Columnists, O ECO Newspaper.

In this sense, as Rodrigues and Abrucio (2019) point out, the concessions in NP put two perspectives on the political agenda in vogue: "the viability of a "business" for the private sector and the promotion of access to a public good by society" (op cit., p. 117), where the integration of these purposes would depend on transparency, communication and social participation in the governance process. However, the authors' research has found that, so far, there has been a greater concern with the model efficiency to the detriment of transparency and participation.

Considering that foreign concessions models inspire Brazil, its implications aim to reproduce the developing countries' difficulties (Duffy, 2008; Buscher & Dressler, 2012; Ojeda, 2012; Nyahunzvi, 2016). In those countries, tourism is proposed as a local development economical alternative, and it directly benefits large companies and foreign investors. It is left to the populations to adjust to the demands created from private, business, and tourist needs, which go against public environmental heritage democratization.

Concessions may generate employment and income opportunities. However, restricting their efficiency to quantitative indicators would lead to an incomplete understanding of their capacity as a tool for improving the life quality and strengthening initiatives carried out by local communities (Botelho & Rodrigues, 2016) and the socio-cultural enhancement of these spaces. This perspective becomes more worrying given the policy expansion of both in terms of the objects bid and PA categories, considering the conflicts of interest and complexity involved in the consolidation process of the various CUs in Brazil.

For a country that still faces: difficulties in managing parks and other categories associated with land problems; rights regarding the use of natural resources; the legitimacy of governance spaces; and economic and social exclusion; as in the case of Brazil, it is questionable the efficiency of tourism concession model which have been adopted. The main reason is that, in the perspective of sustainability, or ecotourism itself, tourism development and its management models go beyond economic, financial, and meeting visitors' and the tourist market needs.

This perspective encourages tourism concessions to find ways to conceive public use in PAs integrated with the development of local productive arrangements, associated with traditional wisdom and knowledge, which transcends the usual economic rationality (Leff, 2000). Therefore, it is worth considering the use of these spaces for recreation, leisure, and educational activities, with a less commercial appeal (Botelho, 2018), as well as focusing on experience, establishing partnerships with small and medium local entrepreneurs (Botelho & Rodrigues, 2016), and, mainly, investment in social empowerment programs. Those programs would be such as, in addition to the qualification of services, producers and local and regional products (handicrafts, gastronomy, environmental drivers), the use of local knowledge and technologies for the management of resources related to environmental services, the formation of cooperation and learning networks, of individual and collective training.

It is believed that sustainable development and ecotourism in the NP, the "genuine" should summon all social actors to a sustainable construction joint effort. It should be supported by an "Environmental Rationality" (Leff, 2000) centered on the establishment of an "environmental ethics"; mobilizing social actors to carry out participatory management projects. This "environmental rationality" would strengthen the dispersal of power and economic decentralization based on the democratization of nature's appropriation by political life and the production processes. Therefore, there would be better opportunities for Brazilian national parks without being exclusively used for tourism and private companies. This reality is more consistent with the democratization of environmental heritage.

5 CONCLUSIONS

The model for granting tourist services in national parks instituted and promoted in Brazil has generated some controversies in the theoretical, practical, and scientific fields. The problem stems from the notion that the privatization of these spaces, through the delegation of services to private companies, would promote a better quality of products and services to the visitor. It would also contribute to supply shortages of human and financial resources for the management of PAs, and the conservation of natural resources and generate jobs and income for the local populations.

However, this idea exalts the economic rationality concerning the public use of CUs, where natural resources are interpreted as tourist attractions, sold as merchandise, consumed primarily by tourists, who become the focus of politics. Also, by granting the right to use the areas to large private companies, the possibility of management by local populations is intervened, neglecting, in part, the socio-cultural relations that signify and resignify these territories and direct economic benefits.

The institutionalization of a supposed "new governance" highlights a series of limits, signaling weaknesses in efficiently managing resources in these areas. The studies addressing different concession cases have not identified

local productive arrangements for the tourism sector that allow alternative work forms, except guiding services, as well as forms of obtaining subsistence resources, using technologies based on traditional knowledge and cultural, material, and immaterial valuation, which can be added to local products and services.

Therefore, this institutional arrangement for public use management does not seem to return to recurring problems of the CUs that actively interfere in their management's effectiveness. Land tenure regularization, the privatization of public spaces and human rights over environmental heritage, the effective participation of the communities that inhabit the surroundings of these areas, and conflict management seem to be solved when the parks become profitable by offering quality tourism products and services.

Reviewing the process of creating and implementing national parks; building a transparent and balanced governance space, minimizing territory, economic and social conflicts, and more accurate investigations about the implications of the tourism concession process are paramount for a critical analysis on the sustainable tourism development in protected areas and the conservation of the environmental heritage.

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