

TERRITORIES AND AREAS
CONSERVED BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES (ICCAS)
IN PORTUGAL

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Executive summary

We propose *baldios* as the key potential ICCAs in Portugal. These are communal lands located mostly in mountain areas in mainland Portugal, which historically were critical for the survival of mountain peoples and their connection with the mountains (*serras*) since immemorial times. One of the key events that disrupted the relationship between mountain peoples and the *serra* was the State afforestation of common lands. In the aftermath of the Carnation Revolution (April 1974) and the democratization of the State, these lands were restituted to the local communities of commoners (*Comunidades de Compartes*) that claimed them, enabling those commoners the right to self-administrate their lands. However, many mountain communities were already extinguished, depopulated, or urbanized through the expansion of nearby towns, creating memory and generation gaps in knowledge. Nowadays, *baldios* face many tensions and conflicts between communities of commoners, parish administrations and municipalities, other collective organizations of forest owners, industrial companies such as mining, tree plantations, wind parks and other economic uses that further disconnect the population from local uses and benefits of *baldios*. Additionally, wildfires recurrently devastate and transform the landscape of communal lands. However, the long history of *baldios* and the flexibility of the law constitute cultural and legal resources for creative ways of continuously translating *baldios* efforts to conserve forests and nature under community governance into local well-being, whenever the communities of commoners aim to pursuit the common good. Collaborative schemes for firefighting between the state and communities of commoners (*Sapadores florestais*) enabled for the first time the technical resources, human resources and equipment necessary for the communities of commoners to engage in forest administration.

Three potential ICCAs in Portugal are described: two well-documented cases, potential exemplary ICCAs (Vilarinho in *Serra da Lousã* and Ansiães in *Serra do Marão*) that are currently self-managing the *baldios* forests, and an example of a desired ICCA by a movement of commoners aiming to democratically reclaim *baldios* from the parish and State administrations (Serpins, *Serra da Lousã*).

In Portugal, *baldios* can contribute to effective, equitable and vital local governance of land, water, natural resources, conservation of nature and biological and cultural diversity, to food sovereignty and livelihoods, and the prevention/mitigation of natural disasters, in particular wildfires, whenever the local community is capable of mobilizing the *baldios* institutional framework to collaborate, and when necessary, to correct the abuses perpetrated by collective and private institutions that divert from the common good. Thus, one of the key recommendations is to facilitate legal support to groups of commoners that aim to revert the usurpation of the *baldios* institutions and lands, through corruption or crimes.

Baldios need to be rendered visible in official documents, best practices should be disseminated, the connection between local people and the land must be strengthened through non-timber forest products, and the generation gap on memory and knowledge has to be addressed through diverse forms of education and informal learning.

Sumário executivo

Propomos os baldios como as principais ICCAs potenciais em Portugal. Trata-se de terras comunais localizadas maioritariamente em zonas montanhosas de Portugal Continental, que historicamente foram críticas para a sobrevivência dos povos *serranos* e para a sua ligação com a *serra*, desde tempos imemoriais. Um dos eventos-chave que rompeu a relação entre os povos *serranos* e a *serra* foi a arborização estatal de terras comuns. No rescaldo da Revolução dos Cravos (abril de 1974) e da democratização do Estado, essas terras foram restituídas às *Comunidades de Compartes* que as reivindicaram, permitindo-lhes o direito de autoadministrar as suas terras. No entanto, muitas comunidades *serranas* já tinham sido extintas aquando da lei dos baldios, despovoadas ou urbanizadas com a expansão de cidades próximas, criando lacunas de memória e no conhecimento intergeracional. Hoje em dia, os baldios enfrentam muitas tensões e conflitos entre *Comunidades de Compartes*, juntas de freguesia e municípios, outras organizações coletivas de proprietários florestais, empresas industriais como mineração, plantações de árvores, parques eólicos e outros usos económicos que desconectam ainda mais a população dos usos e benefícios locais de baldios. Além disso, incêndios florestais devastam e transformam recorrentemente a paisagem das terras comunais. No entanto, a longa história dos baldios e a flexibilidade da lei constituem recursos culturais e legais para formas criativas de traduzir continuamente os esforços dos baldios para conservar as florestas e a natureza sob governança comunitária em bem-estar local, sempre que as *Comunidades de Compartes* visem perseguir o bem comum. Esquemas colaborativos de combate a incêndios entre o estado e as *Comunidades de Compartes* (*Sapadores florestais*) possibilitaram pela primeira vez os recursos técnicos, humanos e equipamentos necessários para que as *Comunidades de Compartes* se envolvessem na administração florestal.

São descritas três potenciais ICCAs em Portugal: dois casos bem documentados, potenciais ICCAs exemplares (Vilarinho na *Serra* da Lousã e Ansiães na *Serra* do Marão) que estão atualmente a autogerir as florestas de baldios e um exemplo de uma ICCA desejada por um movimento de *Compartes* que visa a recuperação democrática dos baldios da atual delegação de competências na Junta de Freguesia e regime de associação com o Estado (Serpins, *Serra* da Lousã).

Em Portugal, os baldios podem contribuir para uma governação local eficaz, equitativa e vital do solo, da água, dos recursos naturais, da conservação da natureza e da diversidade biológica e cultural, para a soberania alimentar e meios de subsistência e para a prevenção/mitigação dos desastres naturais, em particular incêndios florestais, sempre que a comunidade local seja capaz de mobilizar o quadro institucional dos baldios para colaborar, e quando necessário, para corrigir os abusos perpetrados por instituições coletivas e privadas que se desviem do bem comum. Assim, uma das principais recomendações é facilitar o apoio jurídico a grupos de *Compartes* que visem reverter a usurpação de instituições e terras baldias, através de corrupção ou crimes.

Os baldios precisam de ser tornados visíveis em documentos oficiais, as boas práticas devem ser disseminadas, a conexão entre as populações locais e a terra fortalecida por produtos florestais não madeireiros e a lacuna de intergeracional de memória e conhecimento deve ser abordada por meio de diversas formas de educação e aprendizagem informais.

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Introduction

The current report aims to inquire the potential ICCAs in Portugal, to characterize them briefly, present the threats they face and the opportunities for their strengthening and flourishing.

Well-defined ICCAs rely on three characteristics:

1. There is a close and deep connection between a territory, area or species' habitat and an indigenous people or local community. This relationship may be rooted in history, social and cultural identity, spirituality and/or people's reliance on the area for their material and/or non-material wellbeing.
2. The custodian people or community makes and enforces decisions about the territory, area, or species' habitat through a functioning governance institution.
3. The governance decisions and management efforts of the concerned people or community contribute to conservation of nature (ecosystems, habitats, species, etc.), as well as to their own wellbeing.

Although ICCAs systems of governance can be extremely diverse, the ICCA definition suggests that they cannot dispense the existence of a self-identified group of people (community) that is, or desires to be, connected to a place or places. Throughout time, such bonds can be severed, eroded or changed. Thus, ICCAs can be:

Disrupted – the ICCA previously had all three characteristics, but some are currently not fully present because of disturbances that can still be reversed or counteracted;

Desired – the ICCA has the potential to develop all three characteristics, but it does not have a history of having achieved them before.

Portugal is the oldest nation state on the Iberian Peninsula and one of the oldest in Europe¹, with its borders mostly unchanged since 1249, with an official language (Portuguese) and one regional language recognized (Mirandês, in Terra de Miranda). It has two autonomous regions with regional governments, the Atlantic archipelagos of the Azores and Madeira². Along the process of state formation, self-governments were erased or subsumed within the nation state. Although people developed traditional practices to make a living from land and sea species, governance was enacted by state administrations, frequently, municipalities and parishes. As one example, we present the case of seaweeds (box 1).

¹ <https://en.wikipedia.org/wiki/Portugal>

² Unless specified, this report concerns mainland Portugal

Thus, the engagement of local peoples on natural resource management concerning fisheries, mollusks and other marine species typically concerns the strengthening of local participation in governance systems and the recognition of local forms of knowledge and practices³.

Box 1 – Seaweed collection (apanha do sargaço)

Sargaços (different species of brown seaweeds) were extensively collected from May to late September mainly on the coastal beaches of North Portugal, up the Douro river, to fertilize the farming fields, by farmers or landless people. It constituted “an intelligent form of agro-maritime economy”, partially overlapping farming and fishing activities, with important economic and sociological aspects (Oliveira et al., 2020).

Sargaços were considered a communal good, and its collection was open to the people habiting on parishes with customary usufruct rights. The farmers only dispensed them in areas where they had abundant brushes for animal bedding and fertilizer.

Sargaços mode and time of collection was permitted and regulated by *fortalezas*, *capitanias*, the church and religious orders, and municipalities, that could impose severe fines for cutting and ripping off the seaweeds directly from rocks outside the legal season, to allow the sustainability of the resource. Restrictions also existed in some places concerning the collection of sargaços on sundays and holidays, time of the day and night, dressing codes and interdictions to women (Cabral, 2005). Conflicts between religious communities, municipalities and local people are considerably documented (Cabral, 2020).

The collection of sargaços constituted a set of traditional practices and technologies with deep cultural implications, including instruments, techniques, clothes, costumes and architectonic constructions.

Nowadays, the practice is mostly discontinued, supplanted by chemical fertilizers. There was an unsuccessful application to UNESCO in 2009 to establish the collection of sargaços as intangible cultural heritage of humanity⁴.

Currently, studies are taking place to reuse seaweeds as a natural fertilizer in circular economies (Pereira et al., 2020).

Documentary:

<https://arquivos.rtp.pt/conteudos/o-sargaceiro-da-apulia/>

³ As examples, we indicate the project MarGov – Collaborative governance of marine protected areas (<https://www.wteamup.com/margov>); the works of Neilson et al. (2012) and Neilson and São Marcos (2018) on traditional fisheries in Azores, and the doctoral thesis of Coelho (2020) on the governance of clam collection on coastal systems, estuaries and lagoons in Portugal.

⁴ <https://expresso.pt/feeds/lusa/lusaactualidade/apulia-apanha-do-sargaco-candidata-a-patrimonio-oral-e-imaterial-da-unesco=f527052>

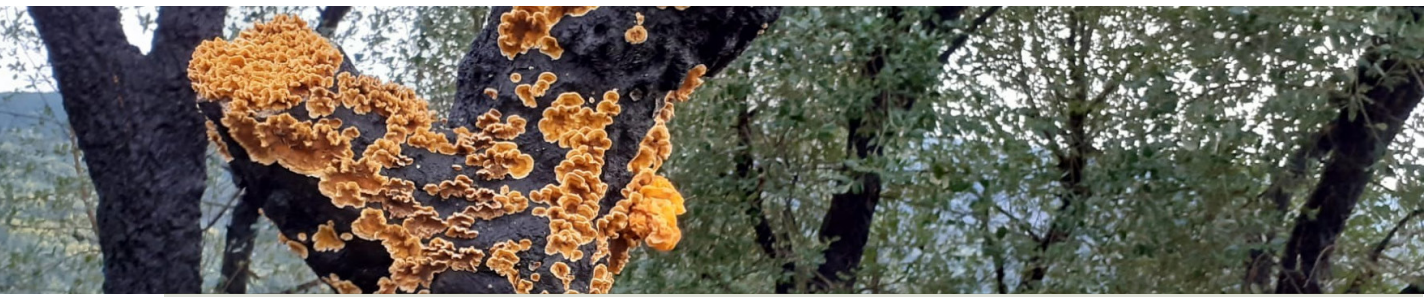
However, the process of state formation in the mountains areas (*serras*⁵) took place more recently, in the beginning of the 20th century. The fate of the communal forms of government in the *serras* are deeply connected with key events of the latest century, namely the fascist Estado Novo (“new state”), the transition to a democratic state in the aftermath of the Carnation Revolution in April of 1974, and the subsequent processes of neoliberal decentralization. These communal forms of government came to be legally known as *baldios* (Box 3).

Baldios as potential ICCAs

In the *serras* of north and central Portugal⁶, agro-silvo-pastoral systems enabled life at the mountain villages, combining small private plots intensively cultivated (*Minifúndio*) with the communal access to open forests and shrublands for 1) grazing; 2) collection of shrubs to fertilize the fields and animal bedding and 3) firewood to supply household needs. Communal lands were also important to collect building materials such as stone and gravel, wild plants and mushrooms, and provided a land reserve for the settlement of new households. These lands were important for the poor and landless, allowing them to make a living from a few heads of cattle or making charcoal to sell at the nearest towns.

While communal lands belonged to the people since immemorial times, disputes with local administrations were frequent. These could alienate the lands for revenues and infrastructures, and where relevant for negotiating political power with other state administrations and the richest town members and entrepreneurs, resulting in appeals of the people to the Royal Court (Nunes and Feijó, 1990).

At the beginning of the 20th century, the central state aims to solve the problem of *Incultos* – unproductive and uncultivated lands. The proposed solution to the problem was the afforestation of the commons, which had a tremendous effect on state formation and the mountain people (Brouwer, 1995).



⁵ The term *serras* is culturally and historically used to refer to the mountain areas in Portugal.

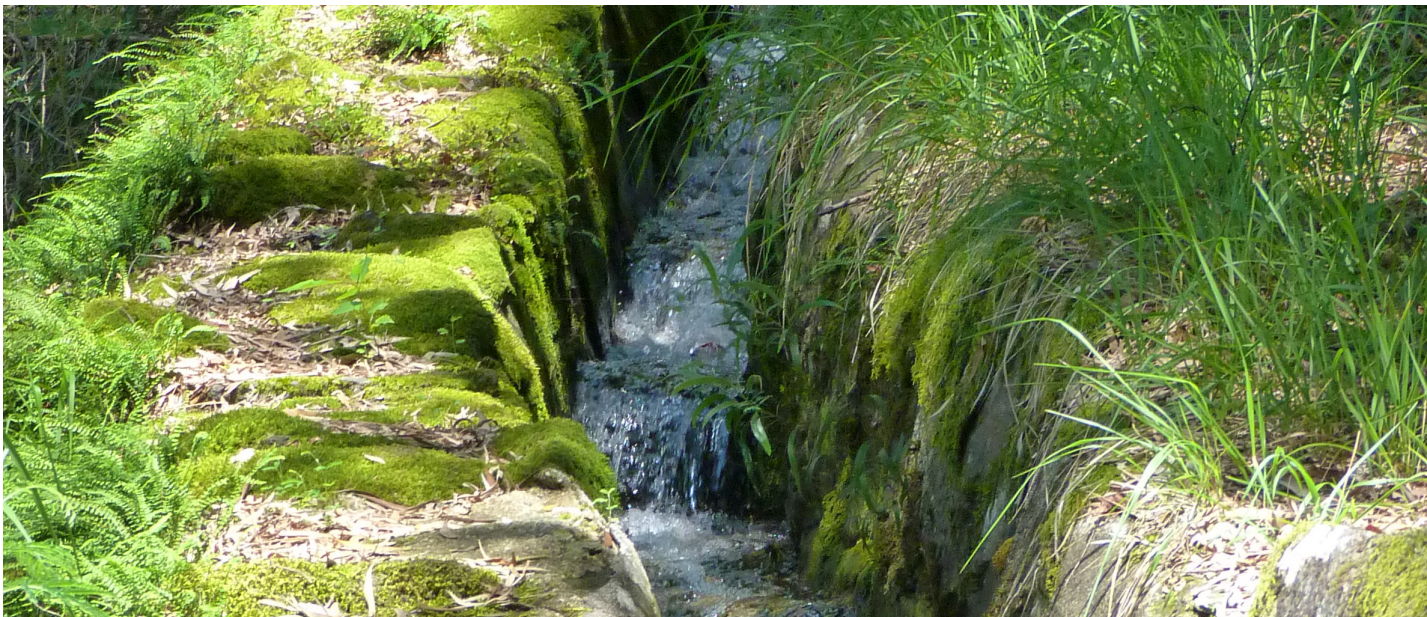
⁶ There are a few *baldios* in the mountains of South Portugal. The situation of Madeira and Azores differs from mainland Portugal, but culminated in fully subsuming local participation at the moment, apart from the notable case of Ilha do Corvo (Soares, 2013; Fraga, 2017).

The bound between mountain people and the *serras*

There are numerous references to the close and deep connection between mountain people (*serranos* and *serranas*⁷) and the *serras* (Box 2 – *serranos e serranas* as wolves and boors). Thus, the projects of compulsive afforestation by the central state forest services were occasionally met with resistance.

Mountain people were dispossessed from communal lands under the forest law - Regime Florestal (Rego and Skulska, 2019). The forest services established forest perimeters (Perímetros Florestais) delimiting the communal areas to be afforested, forbidding grazing and the collection of brushes by the commoners, thus rendering the life of the subsistence villagers impossible.

Occasionally, the afforestation was accompanied by violent acts, enforced by military troops against women and the elderly (Carvalho, 1911). During this period and the subsequent years, villages were extinguished, due to massive waves of emigration. Some were drafted to fight the colonial war (Guerra Colonial, 1961-1974). The extinction of local peoples in the villages is well documented, in some cases to the last inhabitants, that with the “end of the world”⁸ suffered violent deaths, homicides and suicides (Monteiro, 1985).



⁷ This is the frequent designation of the people that populated the *serras* in terms of its cultural sense of belonging.

⁸ The end of the world (*O fim do mundo*) was a film directed by João Mário Grilo (1992) that narrates the end of the last villagers of the schist villages (Aldeias de Xisto), now fully recovered for touristic purposes, depopulated or occupied by new settlers.

Box 2 – *serranos e serranas* as wolves and boors

The deep and close connection of the people and the *serra* and how *serranos* and *serranas* were seen by town dwellers is described in the literature as follows:

“Arborize the mountains and be sure that they are going to mess dangerously with the ethos of *serrano*. (...) Notice that *serra* is *serra*, not a jungle. The inhabitant's soul was generated from these petrified hills and trails full of lumps. (...) The cliffs are the anchor of their own feeling. (...) take away the mountain and where there was only rock, wonder, mirage, plant the trees, and you will have made another man. Evidently worse. I hear the human machine is thousands of years old. Must have. Well taking it apart, converting it into another, is a dangerous task.” (When the wolves howl, Aquilino Ribeiro, 2011 (first published on 1958), p. 43-46)

“He believes (pp. 176-183), that the afforestation in the *Serra da Lousã* should be seen as an expression of how the urban population of Lousã perceived the people and landscape of the *serra*. These town dwellers felt only contempt for the people living in the surrounding mountains.

They confused the mountain population with wolves; believed that these people, dirty from charcoal, low, with their round faces and their little eyes, seemed a type of mongols; and that in all that blackness, their mouths seemed to bleed, their teeth to radiate with ferocity, and their eyes to flash infernal thunderbolts. The children fled from them; and even many grown-ups lacked the courage to face them. (Quotations on p. 178)”

At the end of the nineteenth century, this urban image of the *serra* and its population changed. The city dwellers were no longer dependent upon firewood and charcoal and, thus, began to look at the mountains in a new way. In the past, these inaccessible mountains, the domain of shepherds and charcoal-makers, had worked as a barrier between them and Lisbon. Now, they should be turned into a tourist resort:

The *Serra*, for centuries that immense barrier to the natural and full expansion of Lousã, is nowadays with the modern means of communication and its forest and development of tourism a large and legitimate hope of the Lousanians. She, who, correctly speaking, closed us [the Lousanians, RB] off from the south, has today the task to compensate us for the harm she has done to us. (...)

This redefinition of the mountains from a constraint into a resource, was connected to a revaluation of the people living on them. In 1932, the "mongoloid" of the nineteenth century had turned into a little boy-shepherd, rustic, curly hair, his breast naked, a crook in his hand, - in the afternoon, in order to gather his cattle, masterly he blows the horn, of which Pan, when he retreated definitively to the mythological mists, must have lost the original somewhere here in the mountains. (...)

The urban people created a romantic image of the inhabitants of the *serra*. Instead of being considered dangerous wild creatures, they became inoffensive, primitive illiterates who needed to be civilized and educated. Forest management became an instrument of civilization.” (Roland Brouwer, 1995 on Monteiro, 1985)

“This past still influences today’s attitudes. The inhabitants of Parada de Pinhão see the people from Balsa and Vale de Agodim as ‘uncivilized boors’ and treat them as such. As the villagers put it: “In the eyes of the people from Parada de Pinhão, we are even less than the dogs that they keep to guard their farms” (interview 21 October 1990).” (Roland Brouwer, 1999).

Currently, the distribution and aging index of the population in Portugal and baldios areas are presented in figure 1.

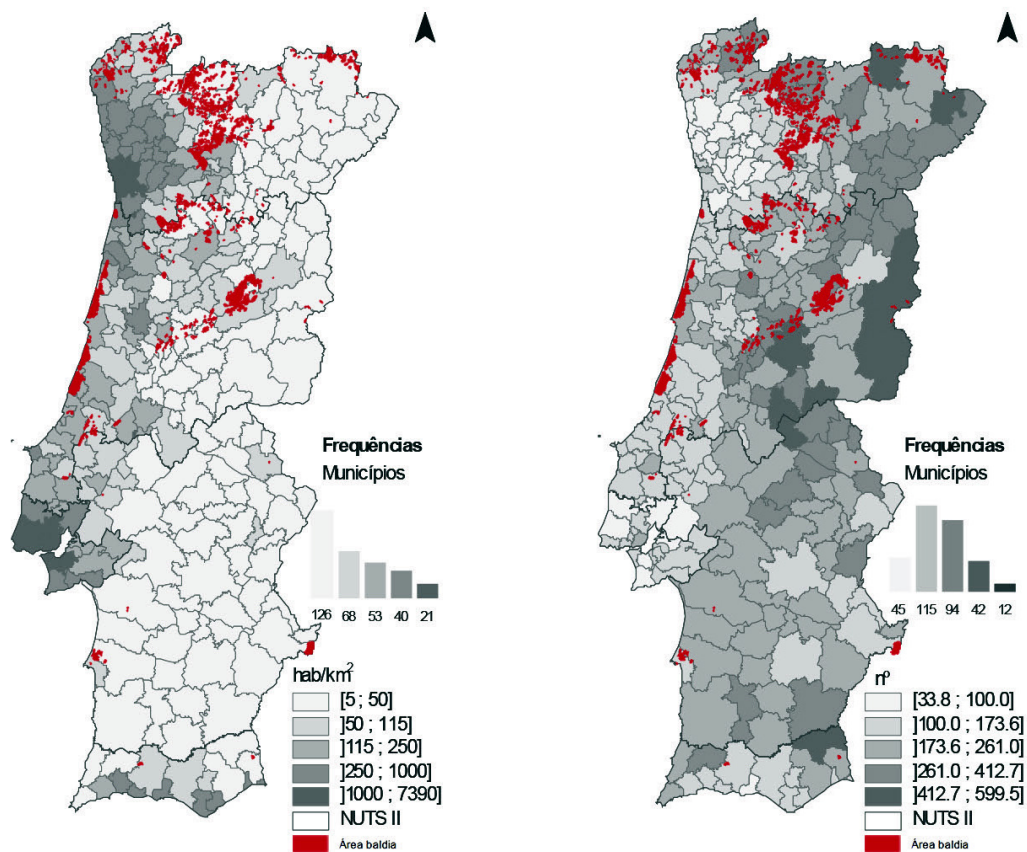


Figure 1. Distribution of the population across Portugal with population density (left) and aging index (right) overlapped with the map of *baldios*. Data source: Censos 2011 (provisional data) of the National Institute of Statistics (INE) and distribution map of *baldios* in mainland Portugal from the National Federation of *Baldios* – BALADI. (Taken from Serra et al. (2018). *Escolas Comunitárias COMUNIX*. Centro de Estudos Sociais da Universidade de Coimbra). A more detailed map of the distribution of *baldios* is exhibited in figure 2.

The *baldios* territory and its resources

Ironically, the *baldios* territory came to be known and preserved through the forest perimeters (figure 2), where the majority of the documented *baldios* are located. The State owns 60 forest properties, one of the lowest proportion of public forests in the world (Pinho et al., 2012).

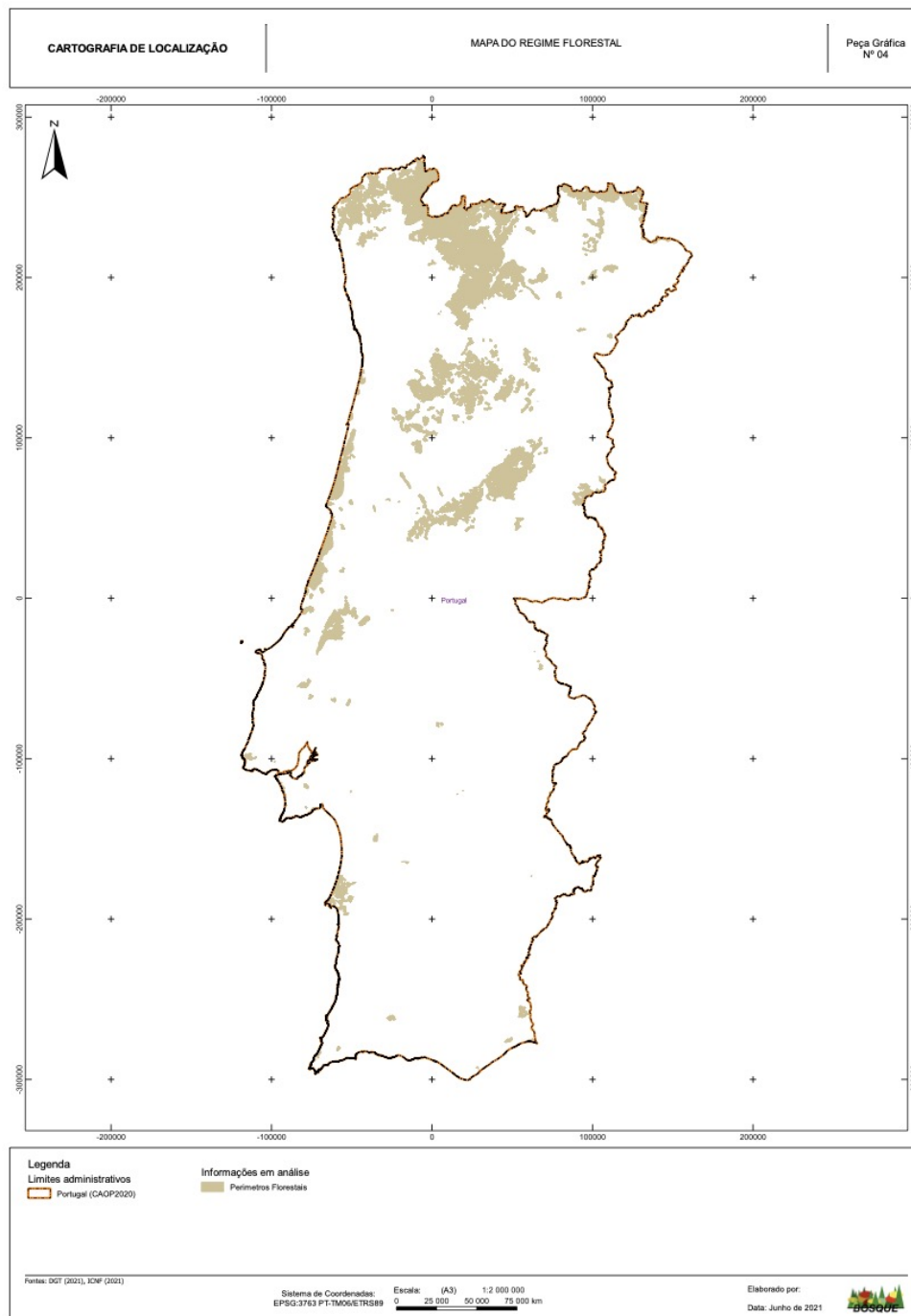


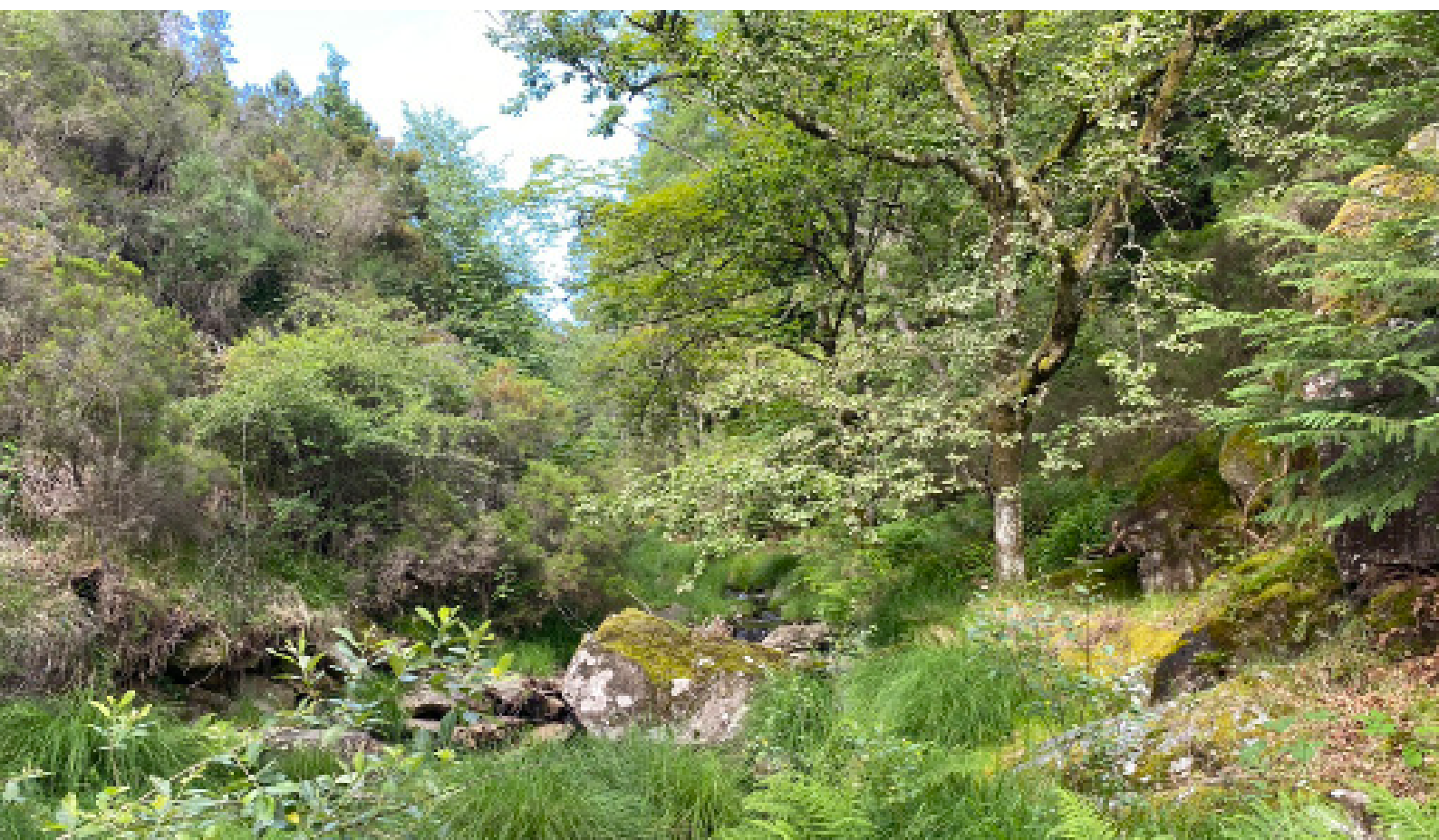
Figure 2. Map of the forest perimeters (*baldios* and public land) in mainland Portugal (2021 data).

The remaining communal lands were either divided and individually appropriated, appropriated by the parishes and municipalities, or undocumented. Typically, communal lands were not registered, as its use by different populations was established by customary usufruct rules.

Baldios occupy roughly 500.000 hectares, about half of the mountain area of Portugal. In 2017, there were 1156 *baldios* units registered in the Forestry Services Database⁹ (Skulska et al., 2021). The area of a *baldios* unit ranges from 2.8 ha (*Baldio de Estadela*, Braga district) to 5349 ha (*baldio de São Pedro*, Guarda district). The average size is 414 ha in North Portugal and 508 ha in Central Portugal (Skulska, 2020).

Over 90% of the conservation and protected areas are located on *baldios*. These are also recurrently affected by wildfires with dramatic consequences, both in terms of human lives and infrastructures, and in terms of the vegetation cover, that favor the proliferation of fire-prone species as invasive species (figure 3). For a detailed case study on the devastating consequences of wildfires on *baldios*, consult Amaral and Gomes (2013).

The key tree species and resources of *baldios* are indicated on figures 4 and 5, respectively. *Baldios* territory have several resources of industrial interest, such as mining, stone extraction, water springs, tree plantations, autochthonous vegetation, protected habitats and wind parks, while functioning as a reservoir for biodiversity.



⁹ Currently designated as ICNF – Instituto da Conservação da Natureza e das Florestas.

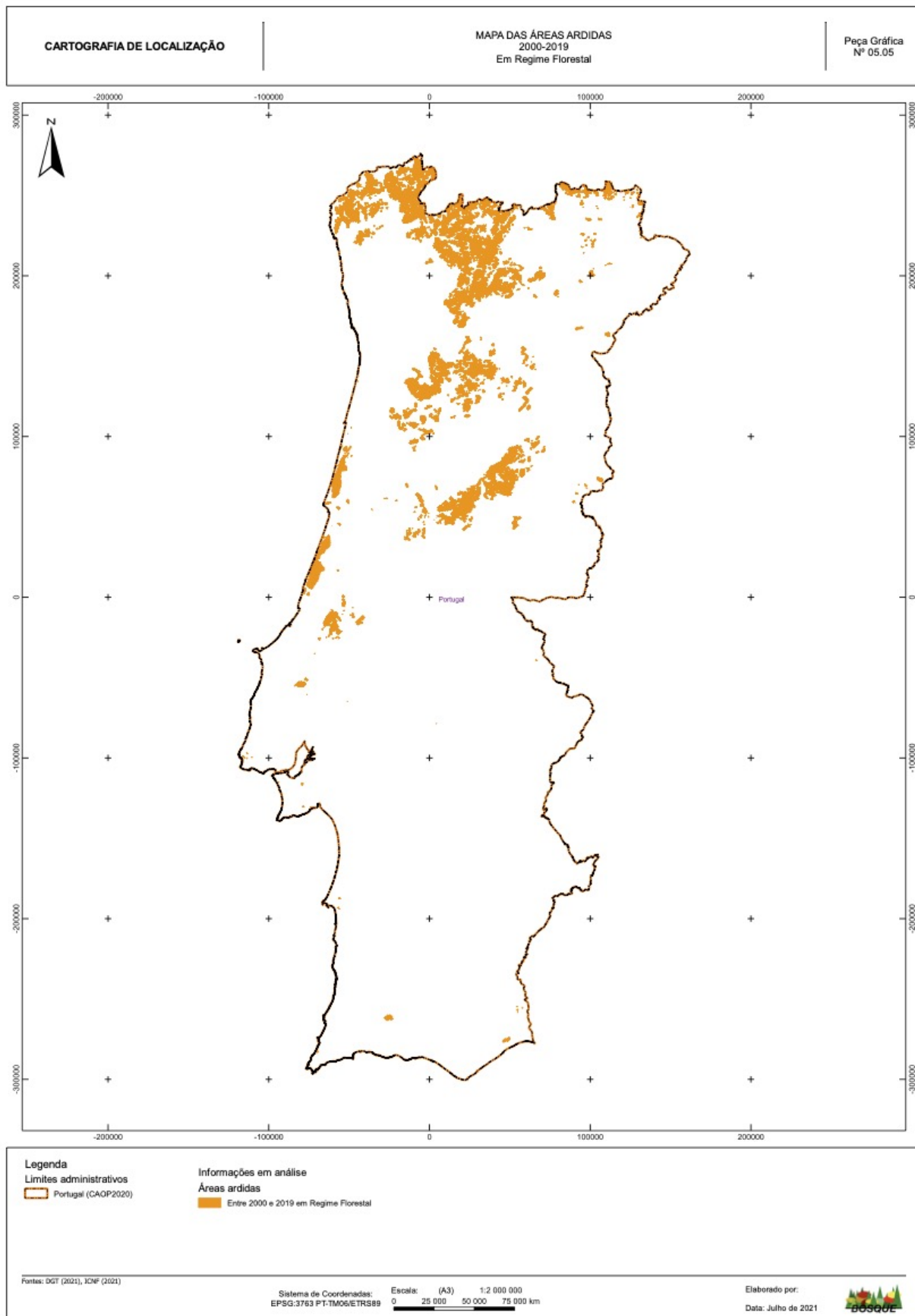
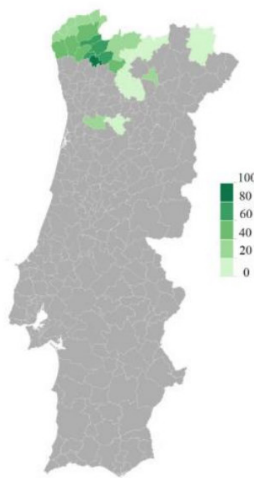


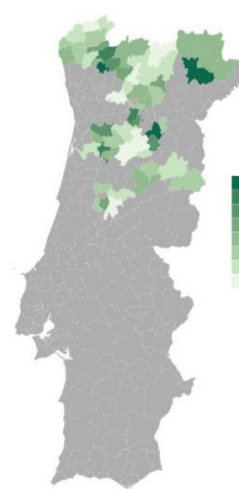
Figure 3. Wildfires documented in *baldios* between 2000 and 2020.



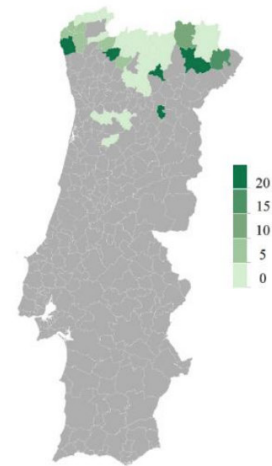
a) *Quercus robur*



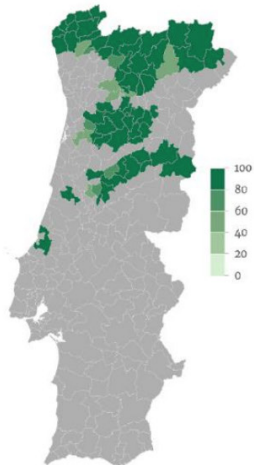
b) *Quercus pyrenaica*



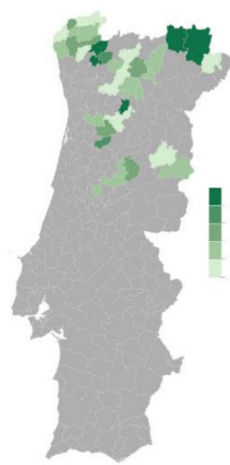
c) *Quercus suber*



d) *Pinus pinaster*



e) *Castanea sativa*



f) *Eucalyptus globulus*

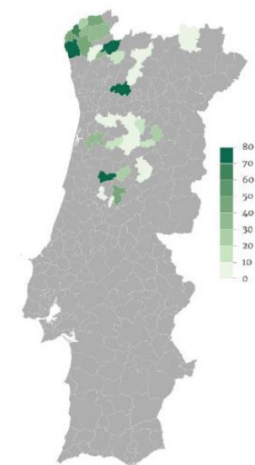


Figure 4. Percentage of species occupation in municipalities where *baldios* are located: *Quercus robur* (a), *Quercus pyrenaica* (b), *Quercus suber* (c), *Pinus pinaster* (d), *Castanea sativa* (e) and *Eucalyptus globulus* (f) (adapted from Skulska, 2020, with author permission).

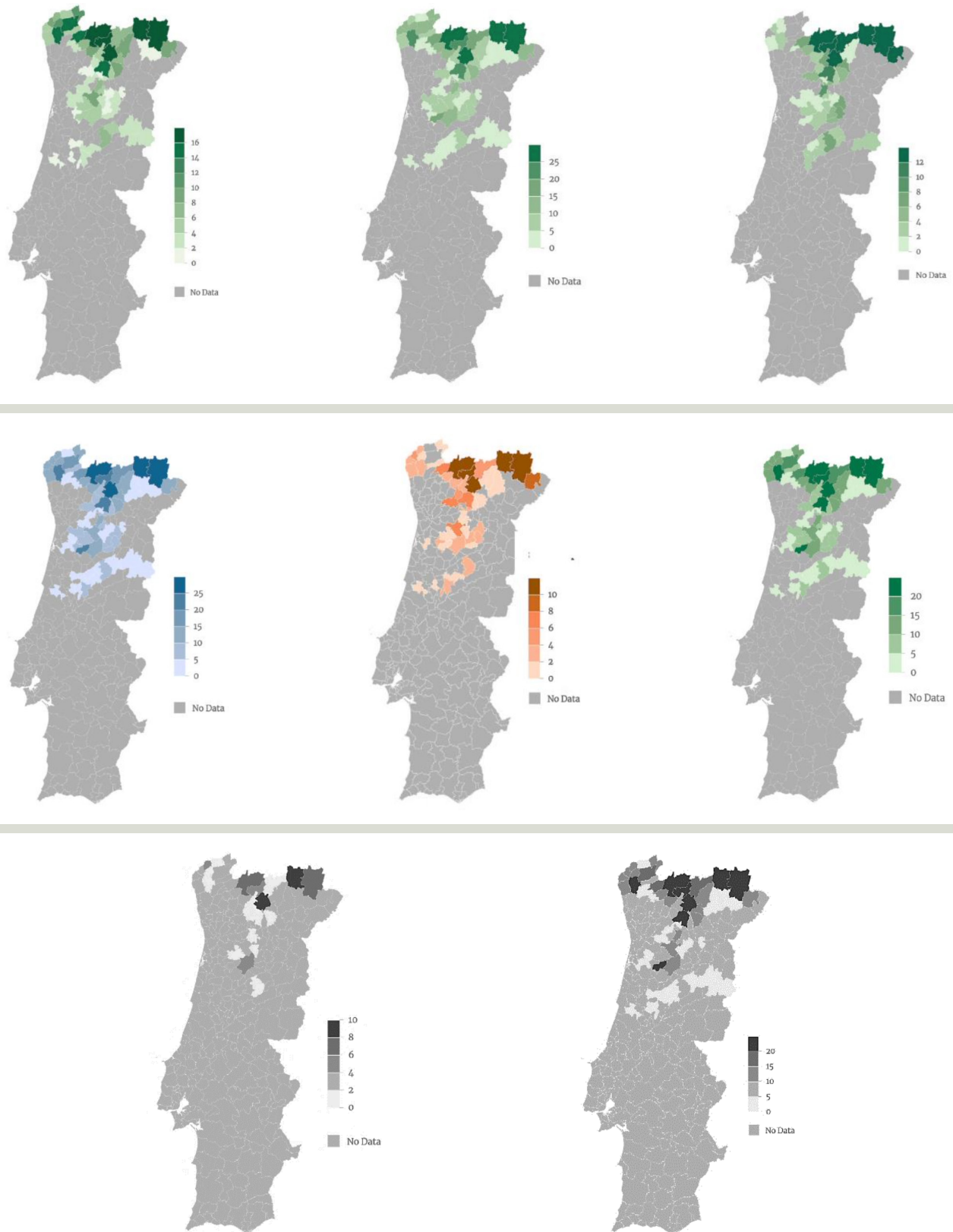


Figure 5. Distribution of key resources and non-forest activities in municipalities where *baldios* are located: upper row, left) pastures; upper row, middle) hunting activities; upper row, right) wild mushrooms activities; middle row, left) fishing activities; middle row, middle) apiculture; middle row, right) leisure and recreation; lower row, left) stone extraction; lower row, right) wind parks (adapted from Skulska, 2020, with author permission).

Governance schemes of *baldios*

On the aftermath of the Carnation democratic revolution, the *baldios* law (see box 3 – what’s in a name? *Baldios*, for etymology and other historical and local terms) was one of the first to be drafted (Decreto-Lei 39/76), intended to restore the historical injustice perpetrated by the central state against the mountain peoples, by restituting the communal lands administered by the forest services to the local communities that claimed them¹⁰.

Box 3 - What in a name? *Baldios*

“What’s in a Name? The Significance of a Signifier

The legal term for communal land differs from the term used by the general population. Whereas the population speaks of *monte*, lawyers and administrators use the word *baldio*. In Portuguese the word *baldio* literally means ‘naked’ or ‘uncultivated’ and is etymologically akin to the Arabic word *baladi* or to be bald (...).

The use of a word meaning ‘uncultivated’ for common property is connected to a confusion of the use of a certain area and its property status. Communal land is equated with waste land. This conflation of communal and waste land is misleading. Historical evidence indicates that the qualification of the commons as waste land, suggesting that the land was unused and, hence, available for other forms of exploitation and for other users, was incorrect. The commons served as pastures and were also used as outfields from which farmers collected the brush they used to fertilize their cultivated infields (...). According to 1985 statistics, 70% of all uncultivated grounds (approximately one million ha) are privately owned; whereas, as a result of State afforestation efforts, 75% of the *baldios* (circa 380,000 ha) are actually covered by forests! Apparently, the legal status of land cannot be deduced from ecology and vegetation.

The use of the term *baldio* in law has a specific significance. It expresses the legislators’ or the State’s perspective on these areas: they were waste lands, without any use or utility, and hence available for reclamation. Thus the use of this concept coincided with the State’s ambition to develop these lands through reclamation for agriculture or for forestry.” Roland Brouwer (1999)

¹⁰ The relationship between *baldios* and the Forest Services has been troubled ever since, as the Forest Services had difficulties on transiting between an authoritarian model to a collaborative model (Brouwer, 1993).

The law granted for the first time in history the right of local communities to self-govern these lands, by organizing democratically – through a commoners’ assembly and elected organs (see table 1 for the *baldios* laws and decrees across time). It settles *baldios* as inalienable and indivisible. The commoners’ assembly can elect a managing council and a fiscal commission.

Table 1. Laws and decrees of *baldios* across time.

Decreto-Lei n.º 39/76, de 19 de Janeiro	https://dre.tretas.org/dre/101679/decreto-lei-39-76-de-19-de-janeiro
Decreto Lei n.º 40/76 de 19 de Janeiro	Complementar
Lei n.º 68/93, de 04 de Setembro	http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=618&tabela=lei_velhas&nverso=1&so_miolo=
Lei N.º 89/97, de 30 de Junho	http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=619&tabela=leis&ficha=1&pagina=1&so_miolo=
Lei n.º 72/2014, de 2 de Fevereiro	http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=2215&tabela=leis&ficha=1&pagina=1&so_miolo=
Retificação n.º 46/2014, de 29 de Outubro	http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=2228&tabela=leis&ficha=1&pagina=1&so_miolo=
Lei n.º 75/2017, de 17 de Agosto	http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=2746&tabela=leis&ficha=1&pagina=1&so_miolo=

COMPLEMENTARY LEGISLATION

Decreto-Lei n.º 165/2015 de 17 de agosto
<https://dre.pt/application/conteudo/70025057>

The law proposes an organization and decision-making through direct democracy open to all the commoners, and in its current form (Law 75/2017) defines as commoners (*Compartes*) all the citizens residing in the area with customary usufruct rights, granting the commoners assembly (*Assembleia de compartes*) the power to attribute commoner status to non-resident citizens, which own forest and agricultural land in the area engaging in agro-silvo-pastoral activities, or socially connected to the local community (article 7).

The law also states that *baldios* are outside of juridical commerce (see Box 4 – *baldios* outside juridical commerce). They lack legal personality (article 4). Local communities are included in the cooperative and social sector of ownership of means of production (b) of n. 4 of article 82 of the Portuguese Constitution). *Baldios* are a place where economic activities can occur, however, local communities are not community-based companies: they have a communal nature, can set the ways in which *baldios* can be used and its regulations on legal terms and local uses and customs, and for accounting purposes, are considered as a non-profit entity.

Box 4 - *baldios* outside juridical commerce

Baldios are outside the juridical commerce – cannot be appropriated by third parties (article 6 of the 75/2017 law). Local communities of commoners cannot distribute revenues among its members (article 14). The revenues obtained through the exploration of the *baldios* natural resources must be invested on its economic valorization and for benefit of the local community, including cultural, social or other collective ends deliberated by the commoners' assembly. Forest revenues must be reinvested on forests. The administration work of the elected commoners is not remunerated. Local communities enjoy all the benefits, fiscal exemptions and reductions applicable to collective persons of public utility (article 16). Local communities of commoners can, however, hire workers and consultants, such as lawyers, forest engineers and forest brigades, alienate land and concession the *baldio* to private economic agents.

Baldios functioned as a reservoir of land to sustain future communities of settlers that may come and live to the area (Amaral and Gomes, 2013). However, the current law allows its full extinction within a period of 15 years if the commoners stop its use and administration, entitling the parish administration (Junta de Freguesia) to use them directly and extinguish them if unclaimed by the commoners, with the lands integrated in the public dominium of the parish (see box 5 – legal ways of extinguishing *baldios*).

Box 5 – Legal ways of extinguishing *baldios*

Baldios can be legally extinguished (articles 38 and 40):

- by deliberation of the community of commoners;
- expropriation;
- alienation;
- extinction by unjustified abandonment, at request of the parish administrations.

Many *baldios* can be extinguished by illegal forms of take-over, if the abuses and crimes are not legally contested or reverted.

One law, different modalities

The *baldios* law is quite flexible and allows the commoners assembly to delegate administrative powers on 1) parishes (Juntas de Freguesia) and municipalities; 2) state administrations related to the resource in question (table 1 and box 6 - how can communities of commoners reclaim the *baldios* from parishes and state administrations). As aforementioned, the *baldios* law also allows the Junta de Freguesia to administrate the *baldios* when the commoners are not formally organized (*utilização precária*). Additionally, the *baldios* can be used by third parties (private economic agents) through land concessions (*cessão de exploração*), either to groups of commoners or industrial agents, for periods up to 20 years, that can be prorogued for successive periods of 20 years up to a maximum of 80 years, particularly relevant for industrial forest uses.

Table 1 - Baldios registered in the Forestry Services database in 2017 by modality of administration (adapted from Iryna Skulska (2020), with author permission)

Administration modalities of <i>baldios</i>	2017	
	units	%
Managing council/commoner's assembly in association with state administration	586	50
Exclusively by the managing council/commoners' assembly	241	21
Parish council (with or without commoners' assembly) in association with the state administration	250	21,6
Exclusively by the Parish Council with or without commoners' assembly	79	7
Exclusively by state forest administration	4	0,4
Total	1160	100

Additionally, local communities can also aggregate or fuse, different *baldios* can also associate (*agrupamento de baldios*) and integrate associations and cooperatives among themselves with other entities of the cooperative and social sector of the ownership of means of production.

Box 6 – how can communities of commoners reclaim the *baldios* from parishes and state administrations

Although the commoners can delegate administration powers in parishes, municipalities or state administrations, they can democratically and legally revert these processes, which can be slow and costly in case of conflict.

However, under the current law, if the communities of commoners wish to end the association with the state forest services, they should communicate their intention to the state administration, and the regime of association is formalized within a period of 3 months, unless other time frame is specified by agreement of both parties.

If the *baldios* have not been claimed by the local communities, restitution is enacted immediately once the commoners organize in an assembly, and the revenues resulting from forest administration, in case they exist, are also restituted.

The flexibility of the law allows distinct local actors to relate – communities of commoners and other local groups of people, such as family-based companies, cooperatives and cultural and social collectives such as local associations and solidarity institutions; local administrative powers (parishes and municipalities) and regional and central state forest services; industrial companies. The commoners, as local citizens, are also parishioners, and can be entrepreneurs, or cooperants, or landowners.

The social worlds created by different maps and laws partially but not fully overlap, that is, the community of commoners may comprehend part of the parishioners but not its totality, as customary usufruct rights are related with the place, not with the administrative limits of the parishes, that change over time. Conversely, people that may not be parishioners as do not vote for the parish administration, as they formally reside in another parish, may be commoners as they have lands where they engage in agro-silvo-pastoral activities.



In summary:

- *Baldios* are communal lands, legally entitling a given local community of commoners in time to govern them, which may be temporarily extinct, not organized and/or delegate the competences of govern and management in the local administration and/or the forest services.
- *Baldios* are a local governance institution, legitimated by past bonds between the people and the territory, restored to overcome acts of historical injustice and dispossession of mountain communities. They can contribute to the conservation of nature, as they can manage agrarian, forest and pastoral landscapes. Thus, they can potentially fulfill the criteria for ICCAs.
- The large majority of them can be framed as disrupted or desired ICCAs, as many are legally or illegally occupied by local administrative powers or organizations without any interest in preserving a secular tradition, grossly disregarding local dynamics, which are honored by their legitimate holders, the commoners.

Two key challenges for the commoners are 1) to re-create communal bounds among very different people and 2) affirm their legitimacy to administrate *baldios* lands towards diverse local institutions. Currently, mountain peoples are composed by fragments of the “old world” – people still connected to traditional logics of life in the *serras*, and/or “new commoners” – new settlers, moving in from other municipalities, regions and countries.

Local forms of governance can be potential ICCAs if they contribute to the formation of communities that can self-identify with the concept and aim to reclaim or restore the *baldios* integral socio-ecological functions. Given the long history of state-formation Portugal, the frontier between private, public and communal, and between the local groups of people and institutions, can easily become blurred as box 7 demonstrates (box 7 – *baldios*, more than a name-tag?)

Box 7 - *Baldios*, more than a name-tag?

Roland Brouwer (1999), in his paper “Changing name tags – a legal anthropological approach to communal lands in Portugal”, describes how the complexity of *baldios* history intertwine with the complexities of local power, sense of belonging and political representation, and national history. It describes the case of a man that returns from the Colonial War to his hometown in the aftermath of the Carnation Revolution, located in a hamlet (Balsa) of the parish of Vila Verde adjacent to another parish, Parada do Pinhão. The man requests permission to Parada do Pinhão to cut a few pines that grew

spontaneously on the *baldio* of the hamlet to rebuilt the roof of its house. Permission was granted and later denied, in detriment of the parish of Parada do Pinhão selling the timber to raise funds for rebuilding the church chapel that serves the two parishes, which received broad support from the population. However, the denial to provide pines to particulars and other acts the of parish of Parada do Pinhão were considered abusive by the hamlet inhabitants of the of parish of Vila Verde, which requested the intervention of their parish council, “because they thought that it would be the right institution to defend the land against further intrusions.” (p. 17). However, the parish of Vila Verde was not eager to pursue the action. The hamlet inhabitants felt betrayed by their own representatives, and shift strategy to claim the commons, by organizing the commoners under the *baldios* law to win a case court against Parada do Pinhão, immediately dissolving afterwards to delegate *baldios* administration in the parish of Vila Verde.

The case brings to life many “phantoms of the past” and old forms of administration, historical roots that left social marks across time. One of this roots was that the hamlets have been single farms, with their inhabitants fully dependents on juridical and administrative systems of the town – “uncivilized boors” (see box 2).

This case elucidates how the territory and its subjects are intertwined, and *baldios* add as a local governance institution among others, with the potential to be used as “name tags”. Without enlarging the framework of common property rights, the author claims it is impossible to understand the meaningful relationship between people, the governance institutions and the territory.

Other collective mountain institutions

As stated previously, half of the mountains in Portugal are common lands – *baldios*. The other half are owned by thousands of small land owners. This was the result of the *Minifúndios* and *baldios* divided and individually appropriated over time. With the decline of agriculture and the agro-silvo-pastoral systems, many of these lands became afforested, either by invasive species that proliferate with fire, or by monoculture plantations of pine or eucalyptus that eventually become abandoned, or natural regeneration of cork oaks and other oaks (Serra et al., 2017). Thus, parallel to the *baldios* structure where property has the largest dimensions, other collective organizations were promoted top-down, in some cases, concurrent with the *baldios*. These are forest-based associative schemes, such as associations of small forest owners and producers (organizações de proprietários florestais - OPFs), and ZIFs - zones of forest intervention – that aggregate lands under new juridical forms with ZIF Management Entities (Forest Associations/Associations of Farmers and Technical Companies) to increase the forest area for better management¹¹. These structures can subsume or incorporate *baldios*, taking advantage of situations where commoners are not organized (see Figure 5 for a map of the ZIFs and box 8 – what is the difference between community forestry and other types of private forestry).

¹¹ For the evolution of the ZIFs as a model and State role on its promotion, consult Marques (2011) and Pinho and Mateus (2019). For the constitution of OPFs, see Feliciano (2012).

Box 8 – what is the difference between community forestry and other types of private forestry?

The project SCRAM – Crises, risk management and new socio-ecological arrangements for forests: a perspective from science and technology studies (2010-2013) dedicated one of the chapters of its final report on how to distinguish community forestry from other types of forestry (García-Barrios et al., 2013). The key differences are summarized in table 2.

Table 2.

Five criteria of classification to distinguish four types of property: Communal (C), Family-based (F), Corporative (Corp) and Cooperative (Coop). The / exemplifies the evolutionary tendency in modern society (adapted from García-Barrios et al., 2013).

Type	Goal	Ownership	Functionality	Dominant form of cooperation	Relationship with the resource
C	Common good	Multifamiliar	Multifunctional	Substantive	Radicative
F	Common/ family good	Familiar	Multifunctional/ Unifunctional	Substantive/ Strategic	Radicative/ Erradicative
Corp	Profit	Multifamiliar	Unifunctional	Strategic	Erradicative
Coop	Profit per worker	Multifamiliar	Unifunctional/ Substantive	Strategic/ Substantive	Erradicative/ Radicative

The primary goal of community forestry is common good, not profit. It is multifunctional and with a substantive dominant form of cooperation, that is, is oriented to form the values of its members, while strategic forms of cooperation are focused on the creation of goods that can be individually appropriated outside a framework of internal valorization. Cooperative forms of organization, if centered on the human and moral progress and solidarity of its workers, can converge to similar goals. The relationship of the resource is radlicative when contributes to the improvement of a place and its species, and eradictive when it extracts resources from a place. Without these criteria, essential for the creation of a community deeply connected with a territory and its species, forestry can become detached from common good and become an industrial activity profit-oriented, regardless of its collective nature.

We can observe similar tensions in collective institutions for water management - *Regadios*. The construction of many water systems was carried by state administrations¹², used by *associações de regantes e beneficiários*. The maintenance of the *levadas* is usually performed by parishes or municipalities. In sum, the communal dimension and logics are being push, pulled and transformed either on local public affairs, or on private affairs. Thus, the survival of the communal logics must ensue new translations in order to be meaningful, and more than a discursive “name tag” used in disputes over the most legitimate forms to govern the land, among other collective entities that may compete or collaborate in land management, including volunteer organizations aiming nature conservation (box 9 – *baldios*, a land for landless nature organizations?).



We also highlight the existence of a particular collective institution that although poorly known, shares many similarities with *baldios*: *montes aforados*. These are “collective persons of private right”, with a distinct historical origin than *baldios* (they are related with *forais*). For a detailed situation of *montes aforados* and also for differences in the governance of *baldios* located at the National Park of Peneda-Gerês, consult the doctoral thesis of Ana Luísa Luz (2018).

¹² For an inventory of *Regadios* built by state initiative, consult: <https://sir.dgadr.gov.pt/send/8-regadio/413-inventario-dos-Regadios-de-iniciativa-estatal-no-continente-construidos-em-construcao-e-potenciais>.

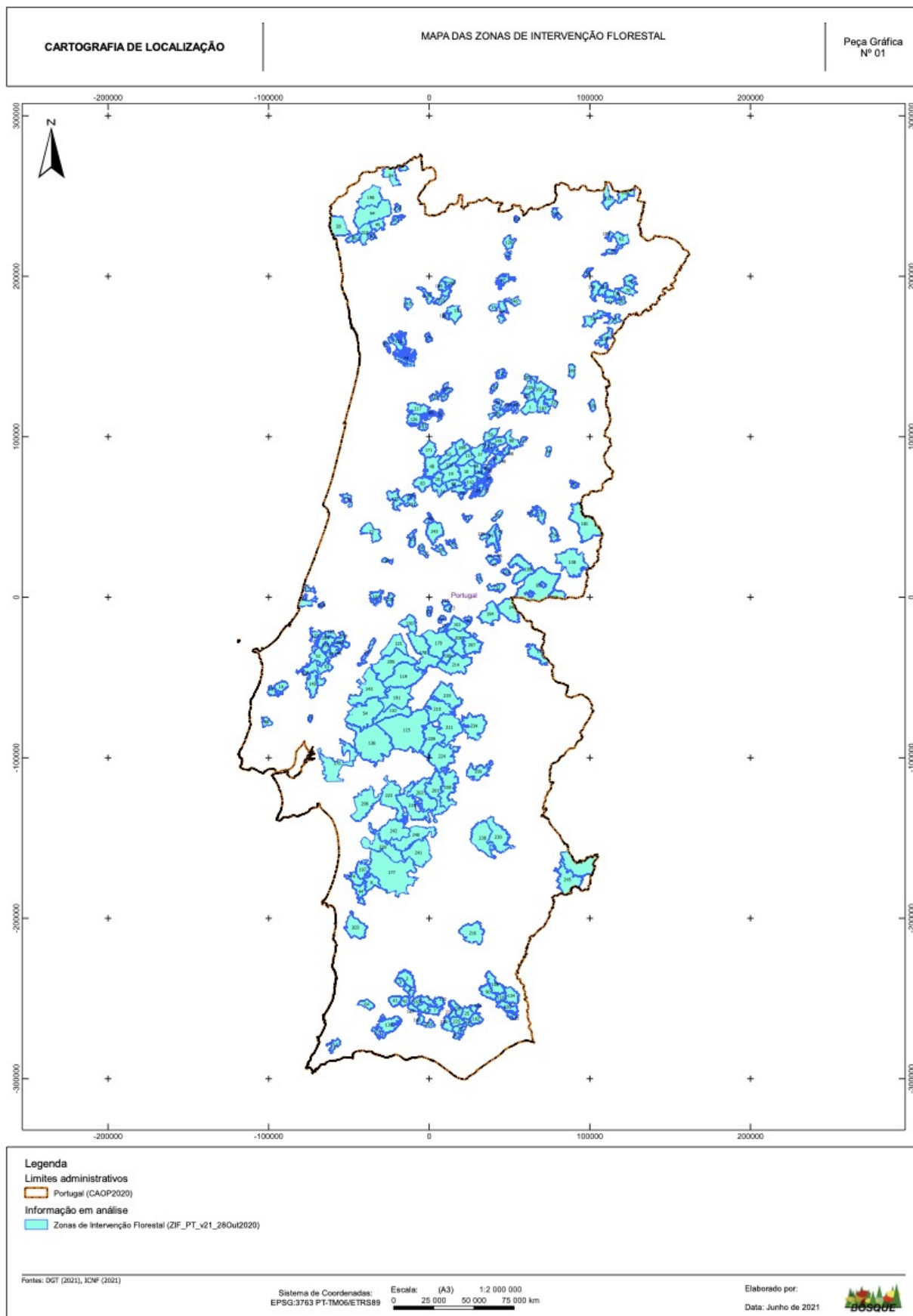


Figure 6. Map of the national distribution of ZIFs – Forest Intervention Zones.

Box 9 – *baldios*, a land for landless nature organizations?

The *baldios* are attractive for diverse volunteer organizations that operate under social responsibility schemes and for non-profit associations for management and conservation of nature, that search land to enact volunteer plantations after wildfires, control of invasive species and ecotourism. *Baldios* are chosen by these entities as they can be easily made available for these purposes by parishes and municipalities that frequently lack monitoring processes and the continuity of restorative actions. As a result, many of these activities are unsuccessful through time, work “for the photography” and the accomplishment of discrete actions through funding schemes, and can overlap and/or create conflicts with local communities and their plans.

Contributions of *baldios* for natural conservation and social wellbeing

The struggle against wildfires

Vilarinho, one *baldio* that may qualify as an emblematic ICCA (see page 25), won a legal claim to end the regime of association with the state. The problem was the decline of the capacity of state management to intervene timely and address forest problems, such as the proliferation of invasive species, the removal of fallen wood, the maintenance of forest roads and other infrastructures for firefighting, such as water tanks. The decline of the capacity of the forest services is related to new public management schemes and the bureaucratization of the services, sustained through the collaboration with private landowners, including *baldios*, to support fire brigades (*equipas de Sapadores florestais*). This collaborative scheme for fire management enabled some communities of commoners the human and technical resources needed for forest management. With the support of forest engineers working in close collaboration with the National Federation of *Baldios* – BALADI¹³, some communities felt capacitated to end the regime of association with the state and initiate self-management. Nevertheless, for detached local inhabitants, local forest management can be indistinguishable from the work of any other forest association or collective organization. Apart from forest workers, forest management may not suffice for people to connect with the territory again, as forests may be inaccessible or impractical to visit due to altitude or poor roads, placing them more suitable for touristic or adventure attractions. Translation requires using forest goods for social goods (see box 9 – translations for socially meaningful commons).

¹³ <https://www.baladi.pt/>

Box 10 - Translations for socially meaningful commons

As José Lana Berasain (2008) proposes, the historical commons did not involve equity, but the commons after the Liberal Revolution became synonymous with equitable uses.

“Metaphorically, they came to be regarded as the bread of the poor” and “the notion of equilibrium was replaced by the notion of equity under capitalism” (p. 186).

In order to achieve such translations in a context where few people directly use the *baldios* goods, communities of commoners, often engage in activities such as permission to cultivate plots; offer firewood and wood materials for schools and other local institutions; co-fund local solidarity institutions that provide support to the most vulnerable members of the community, the elderly, the youngest and the socially and economically vulnerable.

Additionally, other translations can take place in *baldios*. In mountain areas, regionalism was particularly strong, and the importance of local improvement (*melhoramento*) was deeply engrained (Rocha-Trindade, 1986). *Baldios* often fund local improvements such as the restoration of fountains, roads and paths, chapels and cemeteries, and the installation of infrastructures for community and social wellbeing at zero cost.

In the aftermath of the Carnation Revolution, former revolutionary military, people engaged in self-management productive experiences, syndicalism and/or communism became involved in the restitution of *baldios*, as these were an opportunity to materialize ambitions of social change and community wellbeing.

Baldios and direct democracy

The governance of *baldios* is based on direct democracy – one person, one vote. Thus, once the communities of commoners are organized, and the commoners’ assemblies take place, the people can express their voice and vote directly, which they cannot do in other decision-making forums such as the parishes, based on representative democracy. Thus, *baldios* are a potential way to resist against the actions of external and internal agents that divert from the common good, namely, the case of mining, eucalyptus monoculture plantations, installation of wind parks, and others, either by refusing these activities or by negotiating fairer contracts and compensations for environmental damages, including the monitoring of their activities, and the conditions of workers. Through direct democracy, the commoners’ assembly can counteract forms of local corruption, as they can destitute all the managing institutions of *baldios*, including managing councils and the delegation of competences in other entities. They can stop deforestation projects, land concessions and infrastructures. Such form of local control of the territory by citizens provides a unique way for citizen participation (Serra et al., 2018). Participation on *baldios* assemblies is typically asymmetrical over time, and one must not be fast to interpret the silences as a disinterest about territorial matters, as assemblies can become highly participated in case of conflict (Serra, 2021).

Baldios and social and solidarity economy

Baldios typically contribute for community wellbeing and social and solidarity economy in ways described in box 9 – translations for socially meaningful commons. *Baldios* can offer locally a buffer to global economic crises and the demise of the welfare state.

Baldios, one collective institution among many cooperating or competing for the common good

One must understand that a local community precedes its institutions, at the same time that is being formed by them. Lively local people are constantly integrating disparate sets of information and logics of concurrent institutions. *Baldios* are one among other private and public collective institutions that people can integrate. Thus, commoners are also citizens, land(less) and/or cattle owners, household residents and caretakers of elders and children. As social functions and logics were broken and set apart by different institutions, the *baldios* can relate with diverse institutions and support some of the functions previously recognized in the past, acting as a potential counter-force to integrate communal logics.

New *baldios* emerging?

While “old” *baldios* struggle to keep its integrity, new dynamics take place in the territory by new settlers that move away from the cities in search for low cost, more sustainable, autonomous and healthier ways of live. The forest is critical for the success of such endeavors, as it can protect or contribute to fires that devastate lands and households, protect water springs, and provide a refuge for animal life. Thus, environmental problems and the forest can sparkle the emergence of communal logics. This was the case of the *Baldio* of Ameixieira Cales e Currais on *Serra da Freita* (Arouca), with a reforestation Project initiated after the 2016 wildfires¹⁴, in collaboration with two associations, a local association integrated by commoners (Materia Prima¹⁵) and an association that organizes volunteer work (Movimento Gaio¹⁶).

It is also the case of commoning initiatives that occur outside the *baldios* institutional framework. Forest Awakening project in the Benfeita village, *Serra do Açor*, organize several activities related with the celebration and recovery of the forest¹⁷. Additionally,

¹⁴ <https://www.100milarvores.pt/2019/03/baldios-da-ameixieira-cada-vez-mais-nativos.html>

¹⁵ <https://www.facebook.com/materiaprimafreita>

¹⁶ <https://www.facebook.com/movimentogaio>

¹⁷ <http://awakenedlifeproject.org/#>

emergent communities can buy land intended for communal uses – the use of a well-defined community of trustees that organize in eco-villages (Esteves, 2017).

Other situation was sparked by the catastrophic forest fires of 2017, where a cork oak forest stopped the fire for consuming a village¹⁸. In two cases, the villagers created a ZPA – a protection zone for the village, where land owners voluntarily enabled their lands to create a forest belt of “firefighter trees” for the purpose of defense for wildfires¹⁹.

Two potential emblematic ICCAs

Two of the most emblematic *baldios* in Portugal are the Community of commoners of the places of the extinguished parish of Vilarinho, Lousã (Comunidade de *Compartes* dos *baldios* dos lugares da extinta freguesia de Vilarinho, Lousã²⁰) and the Community of commoners of *baldios* of Ansiães (Comunidade de *Compartes* dos *baldios* de Ansiães²¹), extensively documented in the literature (about Vilarinho, see Serra et al., 2013; Serra et al., 2016; Serra and Ferreira, 2017; Serra et al., 2017; Serra et al., 2018; about Ansiães, see Miranda, 2016; Nieto-Romero et al. 2019; Quinn et al., 2019) and two documentaries²².

They fulfill the three criteria of ICCA in the following ways:

1. Close and deep connection between a territory, area or species’ habitat and an indigenous people or local community. This relationship may be rooted in history, social and cultural identity, spirituality and/or people’s reliance on the area for their material and/or non-material wellbeing.

The local communities reclaimed their *baldios* in the aftermath of the Carnation Revolution. They have kept the memory of past connection to the territory alive through local narrators, and participate regularly in encounters of the National Federation of *Baldios* (BALADI). In Ansiães, through the collaboration with the PhD student Marta Nieto-Romero, an affective map (Quinn et al., 2019) was created for the culturally significant sites of the *baldio* (figure 7).

¹⁸ <https://sol.sapo.pt/artigo/573471/ferraria-de-sao-joao-a-aldeia-salva-pelos-sobreiros>

¹⁹ <https://aldeiasdoxisto.pt/artigo/5129>; <https://jornaleconomico.sapo.pt/noticias/pedrogao-grande-aldeia-de-casal-de-sao-simao-avanca-com-zona-de-protecao-contra-incendios-189196>; <https://www.dn.pt/lusa/pedrogao-grande-aldeia-que-criou-zona-de-protecao-diz-que-projeto-esta-em-risco-11013022.html>

²⁰ <http://www.baldiosvilarinho-lsa.pt/>

²¹ <https://maraominhaserra.wordpress.com/quem-somos/>

²² Vilarinho figures as one of the cases in *En todas as mans* (<https://dianatoucedo.com/projects/en-todas-as-mans-2/>) and Ansiães is documented on *Marão minha serra* (<https://maraominhaserra.wordpress.com/o-documentario-ca-no-marao-mandam-os-que-ca-estao/>)

2. The custodian people or community makes and enforces decisions about the territory, area, or species' habitat through a functioning governance institution.

Vilarinho and Ansiães have claimed the self-management of the territory and its forests. They are organized in a commoners' assembly, an executive managing council and fiscal council, as required by law, and follow all the legal requirements and procedures for effective governance.

3. The governance decisions and management efforts of the concerned people or community contribute to conservation of nature (ecosystems, habitats, species, etc.), as well as to their own wellbeing.

Vilarinho and Ansiães effectively engage in forest management, thus increasing its resilience to wildfires, protecting a refuge for wildlife, protect water springs, manage invasive species and prevent their proliferation. They provide wood, firewood and income support for co-funding local associations related with solidarity, cultural and recreational activities. In the case of Ansiães, the *baldios* also support grazing (figure 8).

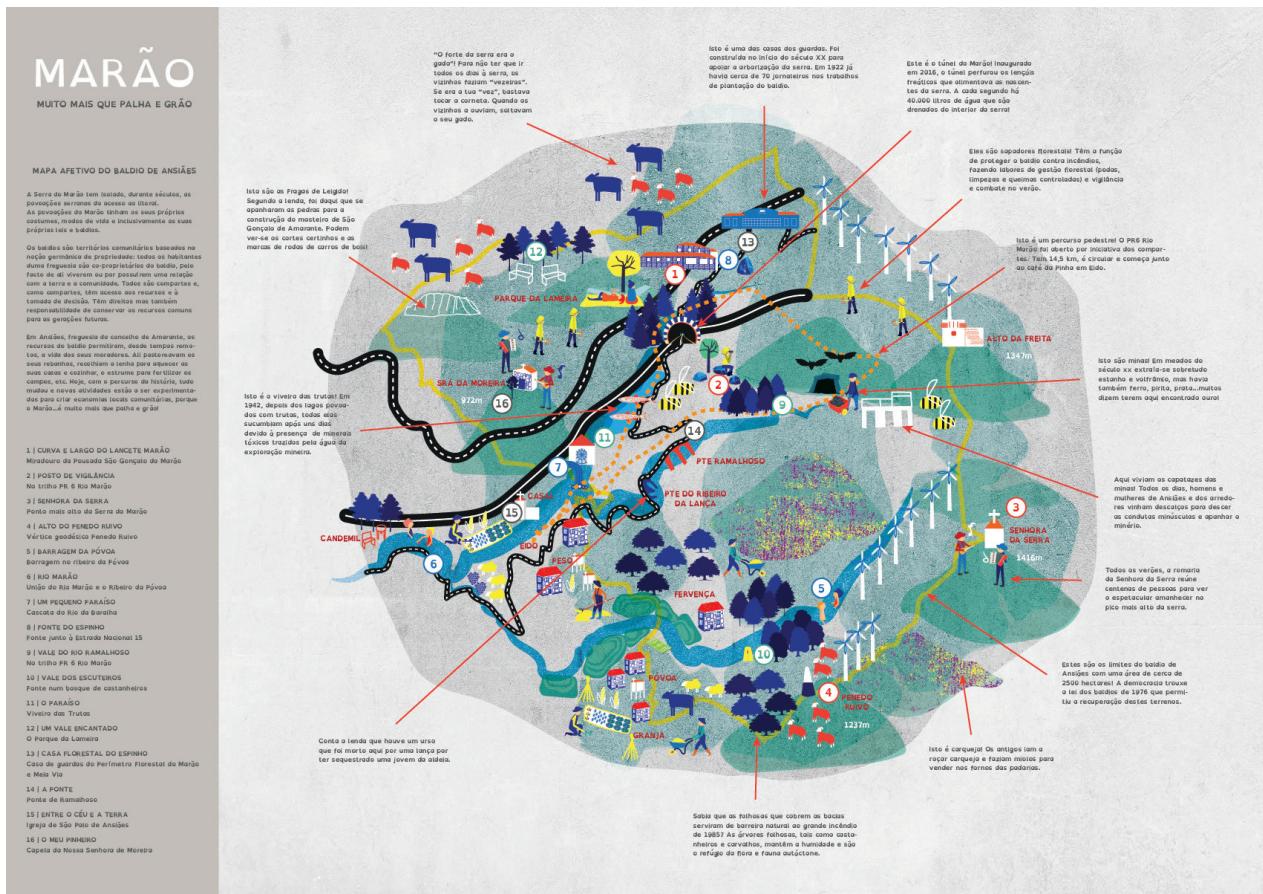


Figure 7. Affective map of the baldio of Ansiães (provided by Marta Nieto-Romero).



Figure 8. Goats grazing on *baldio* of Ansiães (photography by Marta Nieto-Romero).

Serpins, a potential desired ICCA

The Serpins case is also detailed in the literature, as it is the first site where the communal lands were violently submitted to the forest regime against the will of the population in 1909, prior the Republic (Brouwer, 1995; Carvalho, 1911; Monteiro, 1985; Santos, 1911). It currently delegates the executive competences on the Junta de Freguesia, that opposes the realization of commoners' assemblies, arguing that representative democracy is a more legitimate form to administer the *baldios* revenues²³ (Serra, 2021; Serra and Allegretti, 2020). The majority of its *baldios* (Sobral, Braçal and Cabeça Gorda) are administered in association with the State, although Serpins as also *baldios* administered directly by the Junta de Freguesia, not cartographed (such as *baldios* of Boavista, Levegadas, Terra da Gaga, Fonte Fria and Vale da Ursa). Recently, there is a movement of commoners aiming to restore the democratic procedures of governance, composed by a mixture of *serranos* and *serranas*, and new settlers from other places and countries, for the conservation and development of the *baldios* of Serpins (Movimento pela Conservação e Desenvolvimento dos *Baldios* de Serpins - MCDDBS²⁴ (figure 9).

²³ <https://www.dn.pt/lusa/provedoria-de-justica-critica-gestao-de-baldios-na-lousa-e-admite-atos-invalidos-9153265.html>;

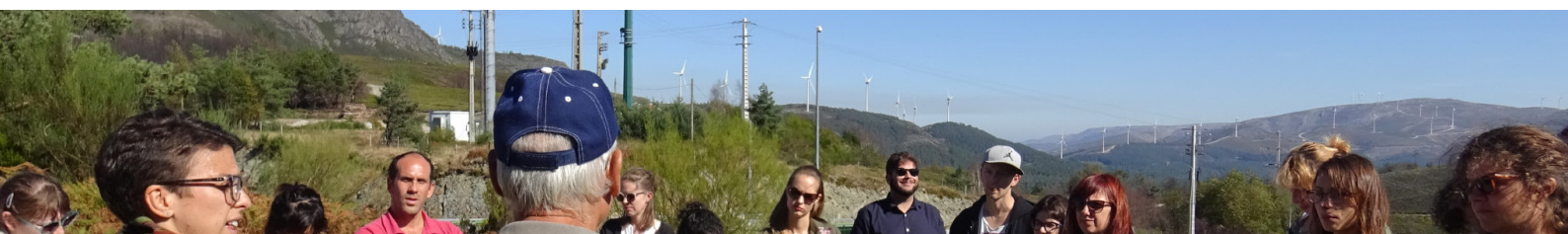
²⁴ <https://trevim.pt/2020/10/08/abaixo-assinado-de-movimento-serpinense-contesta-competencia-da-junta-na-gestao-dos-baldios/>; <https://trevim.pt/2021/05/06/baldios-de-serpins-com-novos-orgaos-sociais/>; <https://www.facebook.com/BaldiosDeSerpins>



Figure 9. Commoners of the Movimento pela Conservação e Desenvolvimento dos *Baldios* de Serpins (MCDBS) in search for land marks and knowledge about their territory in January, 2020 (photography by Rita Serra).

Future proposals and conclusions

Due to its particularities, distinct authors that over time declared the “death” of *baldios*, claiming its institution and governance rules approximate a situation of severe communal erosion (Lopes et al., 2013). In this report, we propose a new light to understand *baldios* also as a very flexible and potentially meaningful institution, capable to address simultaneously citizen participation, environmental protection and prompt diverse local economies, including rural, social and solidarity economies.



We highlight the following needs to strength the baldios in Portugal, in order for more baldios to meet the ICCAs criteria:

1 - Close and deep connection between a territory, area or species' habitat and an indigenous people or local community. This relationship may be rooted in history, social and cultural identity, spirituality and/or people's reliance on the area for their material and/or non-material wellbeing.

- Document stories of commoners and increase the visibility of cases over the past and present importance of baldios for the local people (organisations of local communities in Portugal, the academic community, cultural associations);

- Explore the potential of non-timber forest products and local agroforest uses that can connect the local people with the baldios, such as the knowledge on local biodiversity and its uses, supply of firewood resulting from silviculture actions that create woodlands and revival of products that fell on disuse, such as acorns and other forest fruits for human consumption (organisations of local communities in Portugal, agrarian and forest technical schools, the academic community, environmental organisations and international organisations);

- Strength the educational role of commoners through the connection with local public schools, forest schools and outside activities on the forest, fires, environmental problems, community forest governance, intergeneration solidarity and connection between the elderly and the children (public and forest schools with local communities in Portugal, academic outreach, environmental and international organisations);

2 - The custodian people or community makes and enforces decisions about the territory, area, or species' habitat through a functioning governance institution.

- Facilitate legal support to groups of commoners that aim to revert the usurpation of the baldios institutions and lands, through corruption or crimes (Public Prosecution Service - PPS) and relevant entities to defend the democratic legality and the Constitution, public organisations of local communities in Portugal, international organisations);

- Increase the visibility of the communal lands in administrative maps, national strategies for forestry, biodiversity and related concerns, such as certification of forest products, officially requiring the consent of the local communities of commoners to engage in industrial activities (government, environmental organisations and international organisations);

- Perform studies about participation in the governance of *baldios* (academic community, organizations for the promotion of participative forms of democracy);

- Identify and disseminate virtuous forms of collaboration between different governmental and communal institutions in an international context (parishes and municipalities, academic communities and international organizations);

3 - The governance decisions and management efforts of the concerned people or community contribute to conservation of nature (ecosystems, habitats, species, etc.), as well as to their own wellbeing.

- Increase visibility over the maintenance work relevant for providing refuge for biodiversity held by local communities through their services or practices (organisations of local communities in Portugal, environmental organisations and international organisations);

- Articulate academic and volunteer work to reinforce communal work for relevant management activities (organisations of local communities in Portugal, environmental organisations and international organisations);

- Support the motivation and strengthening of ICCAs in Portugal through mutual learning and pairing with other success cases in a national and international environment (organisations of local communities in Portugal, international organisations, associations for the local development).

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1. Connection between a territory and a local community:

- Document stories about the past and present importance of baldios for the local people
- Explore the potential of non-timber forest products and local agroforest uses to reconnect people with the baldios
- Strengthen the educational role of commoners through schools, environmental activities and intergenerational solidarity

2. Community governance institutions:

- Facilitate legal support to commoners aiming to revert illegal usurpation of baldios institutions and land
- Increase visibility of the communal lands in administrative maps, documents and policies including FPIC (Free, Prior and Informed Consent)
- Study about participation in the governance of baldios
- Document and disseminate virtuous forms of collaboration between governmental and communal institutions

3. Nature conservation and livelihoods:

- Increase visibility of the services and practices of communities positive for nature
- Articulate academic and volunteer work to reinforce communal management
- Support the motivation and strengthening of ICCAs in Portugal through mutual learning with other success cases in a national and international environment



TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES (ICCA) IN PORTUGAL

Source: Serra, R & J. Gama Amaral 2021. Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCA) in Portugal.

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