

Why should Congress reject the Project that will increase deforestation in the Amazon? A technical note from civil society organizations rejecting Bill No. 8,107/2017

1 What is the Bill

At the end of 2016, in a political bargain with the National Congress, the government of president Michel Temer proposed Provisional Measure (PM) 756, which reduces the National Forest (Flona) of Jamanxim, in Pará, designated for the sustainable multiple use of forest resources and for scientific research. The justification was to regularize long-time occupants but, in practice, it would also serve to accommodate large-scale land invaders in the Conservation Unit. The PM was amended during its process in the Legislative branch, resulting in the transformation of 486 thousand hectares of the Flona into an Environmental Protection Area (APA). This change stirred great reaction from Brazilian society and the international community. An APA is the most flexible Conservation Unit category for land use, enabling the inclusion of private properties and farming activities, and the change would increase the risk of further deforestation in the region. Fortunately, PM 756 did not thrive. In a political act prior to president Temer's trip to Norway - largest financier of Amazonian conservation – the PM was vetoed.

The veto generated numerous protests in the region under the influence of the Jamanxim Flona. IBAMA cars were burned down, highways were blocked and there were protests in the cities. The government's only response was to reward the invaders: the Presidency issued a Bill (No. 8,107/2017)¹ which resumes the proposal to reduce the Flona. This time, the area to be moved to the APA category is even larger. Whereas in the Provisional Measure, the reduction was 305 thousand hectares, the Bill proposes 354 thousand hectares.

Once the processing of the project is initiated, it could, as was the case with PM 756, be fully modified to maximize the illegal occupancy of public lands in the region and substantially increase deforestation.

The reduction of the Jamanxim Flona is part of a broader strategy of dismantling the National System of Conservation Units, Snuc, and environmental legislation as a whole. According to the publication Conservation Units under Risk produced by WWF-Brazil², the protected areas are undergoing a dismantling promoted by the Federal Government, National Congress, and the Legislative Assemblies. Including the Jamanxim Flona reduction, about 80,000 square kilometers in federal and state protected areas are threatened by reduction or change of category - such as transforming Flonas or National Parks (categories of greater protection) into APAs (category of lower protection).

¹ Bill available in Portuguese at: <http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=2145333>

² WWF, 2017. *Unidades de Conservação sob risco*. Available in Portuguese at: http://d3nehc6yl9qzo4.cloudfront.net/downloads/dossiebrasil_v9_2.pdf

2 Who are the beneficiaries

The change in boundaries would not only benefit long-time squatter occupations, but especially large-scale illegal occupants, who corruptly occupied the area. According to ICMBio, 67% of the occupants of the Flona arrived during or after the creation process. In order to contemplate the occupations established before the creation of Flona, it would be necessary to set aside an area of only 77 thousand hectares³, which is five times smaller than the 354 thousand hectares proposed by Temer.

The region is historically marked by *grileiros*, illegal land-grabbers. One of the *grileiros* who would benefit from the creation of the APA was the target of “Operation Castanheira”, an investigation conducted by the Federal Public Prosecutor’s Office, Ibama, and the Federal Police in 2014.

The justification that the reduction of the area would benefit small-scale producers is not accurate. The average area disputed by the Flona occupants is 1,700 hectares, that is to say, nearly 23 times larger than a lot (of 75 hectares) that would represent a property for small-scale agriculture in the region.

3 What are the negative impacts

3.1 Deforestation and emissions

Jamanxim Flona was the most deforested Conservation Unit between 2012 and 2015⁴. By mid-2017, nearly 12% of its original area had already been converted. Instead of resolving the conflicts and pursuing the objective of conservation of the area - as stated in the justification of the Bill -, there will be more deforestation and aggravation of agrarian conflicts.

A study⁵ by the NGO Amazon Institute of Man and the Environment (Imazon) evaluated deforestation in 10 Conservation Units five years before and after degazetting. The result showed that, after changing the limits, deforestation in the areas was 1,116% higher than in the portions that remained protected. A projection of NGO Institute of Environmental Research of the Amazon (IPAM), shows that the situation will not be different in the new Jamanxim APA. The analysis shows that deforestation in the region could more than double by 2030, with an extra deforestation of 138 thousand hectares (Figure 1) and an emission of 67 million tons of carbon dioxide⁶.

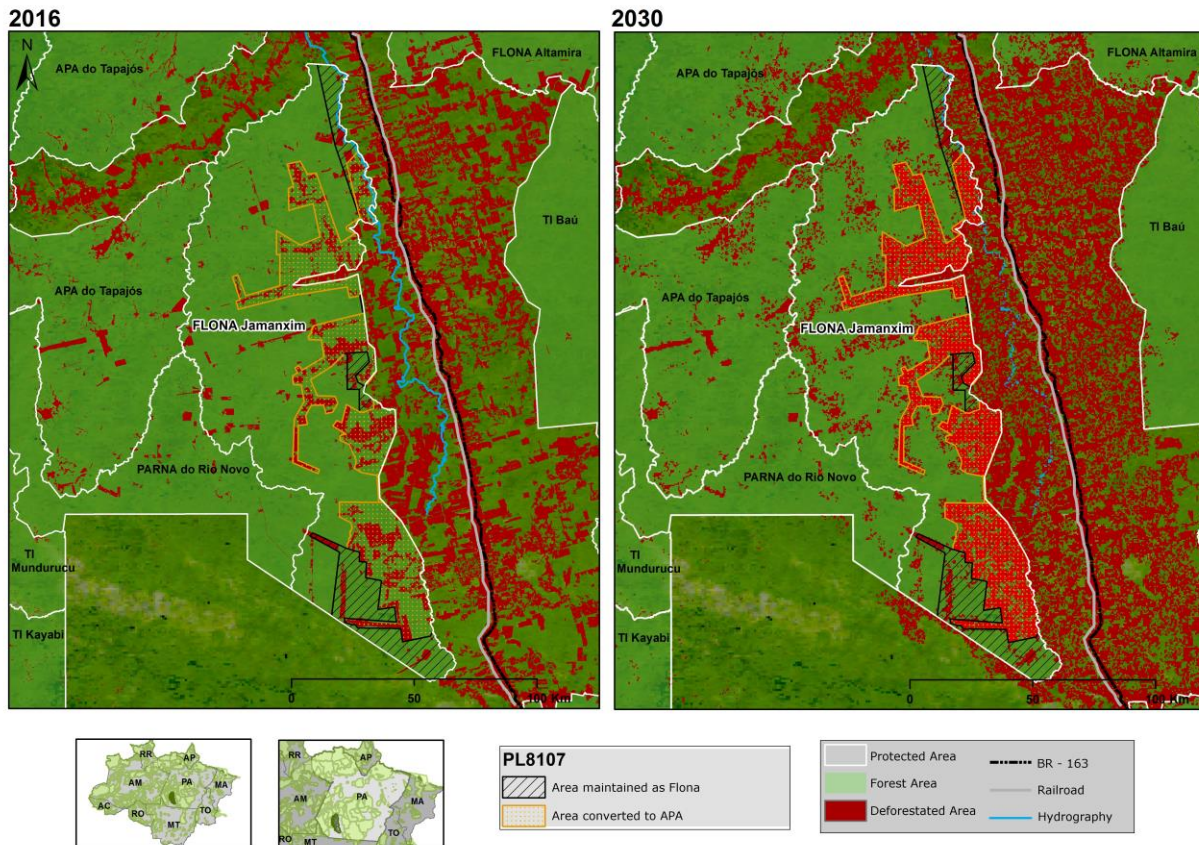
³ ICMBio, 2016. *Nota técnica nº2/2016. Alteração dos limites da Floresta Nacional do Jamanxim*. Available in Portuguese at: http://www.oeco.org.br/wp-content/uploads/2017/02/SEI-_-ICMBio-0747143-Nota-T%C3%A9cnica-_.pdf

⁴ Elis Araújo et al. 2017. *Unidades de conservação mais desmatadas da Amazônia Legal 2012- 2015 – Belém, PA: Imazon*.

⁵ Martins, H., Araújo, E., Vedoveto, M., Monteiro, D., & Barreto, P. 2014. *Desmatamento em Áreas Protegidas Reduzidas na Amazônia* (p. 20). Belém: Imazon.

⁶ IPAM. 2017. *Premiando a grilagem na Amazônia: Jamanxim pode ser só o começo*. News. July 14th, 2017. Available in Portuguese at: <http://ipam.org.br/premiando-a-grilagem-na-amazonia-jamanxim-pode-ser-so-o-comeco/>

Figure 1. Deforestation in the Jamanxim Flona, current and projected for 2030. The clear red deforestation refers to the application of the deforestation scenario in the absence of protection of the area (IPAM 2017).



In the medium and long terms, this change in forest cover could contribute to a change not only in the global climate, but especially in the local climate. Due to deforestation, the reduction of forest cover, which acts as a watering pot and air conditioning, can make the periods of drought in the region more severe and prolonged. This has already been scientifically observed and is already occurring in other regions of the Amazon, such as the upper Xingu River⁷.

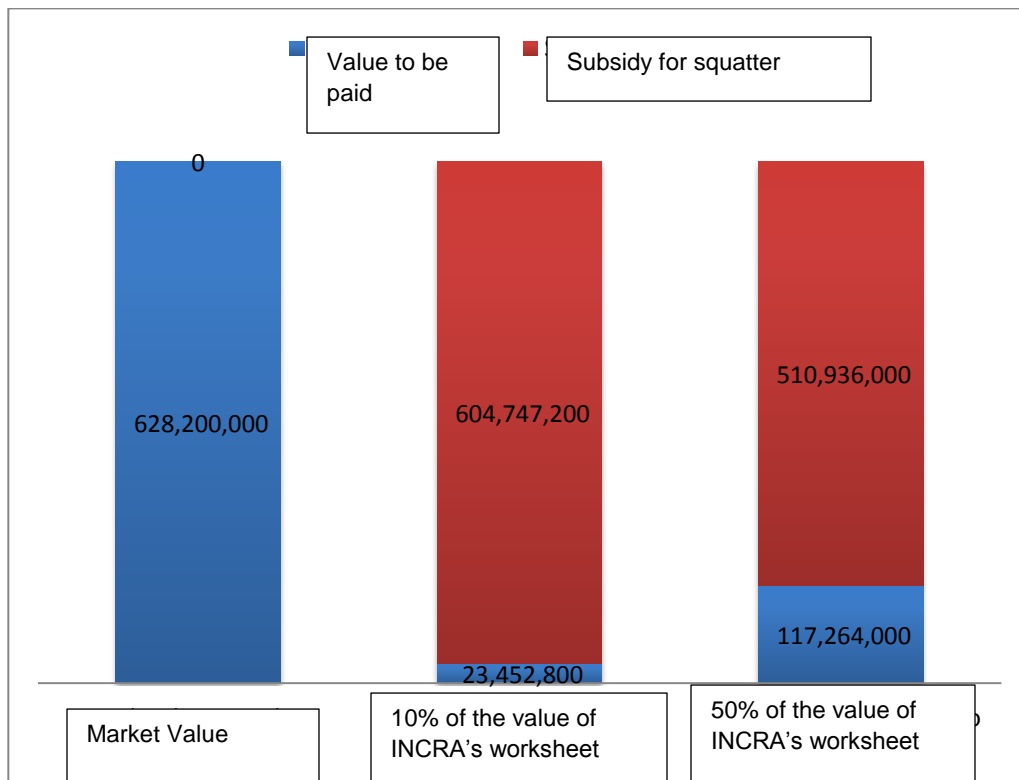
3.2 Subsidies for land-grabbers

According to an Amazon assessment, the Bill represents a subsidy of at least half a billion Brazilian Reals to *grileiros* (land-grabbers). The calculation evaluated how much squatters would gain from the transformation of part of Jamanxim Flona into an APA and from land regularization, according to the new rules of the Law of Conversion of the newly sanctioned “Land-Grabbing” PM (Law No. 13,465/2017).

⁷ Brando, et al. 2014. PNAS 111:6347-6352;. Silvério, D.V. Alterações na estrutura e funcionamento de florestas transitórias da Amazônia associada à degradação florestal e transições de uso da terra. Doctorate Thesis/University of Brasilia, 2015

The average market value for one hectare of pasture in the municipality of Novo Progresso is BRL 1,800.00. In the reference price worksheet for INCRA titling, the minimum value of bare land in Novo Progresso is BRL 672.00. According to article 17, §5 of Law no. 13,465, **10% to 50% of INCRA's bare land values will be charged**. Considering these percentages and the total area that will be reduced (around 350 thousand hectares), squatters would receive a subsidy between BRL 605 million (96% of market value) and BRL 511 million (81% of market value) compared to the market value of land (Figure 2).

Figure 1. Estimate of subsidy given to squatters in the case of property sale in comparison to the market value of the land in the Novo Progresso region



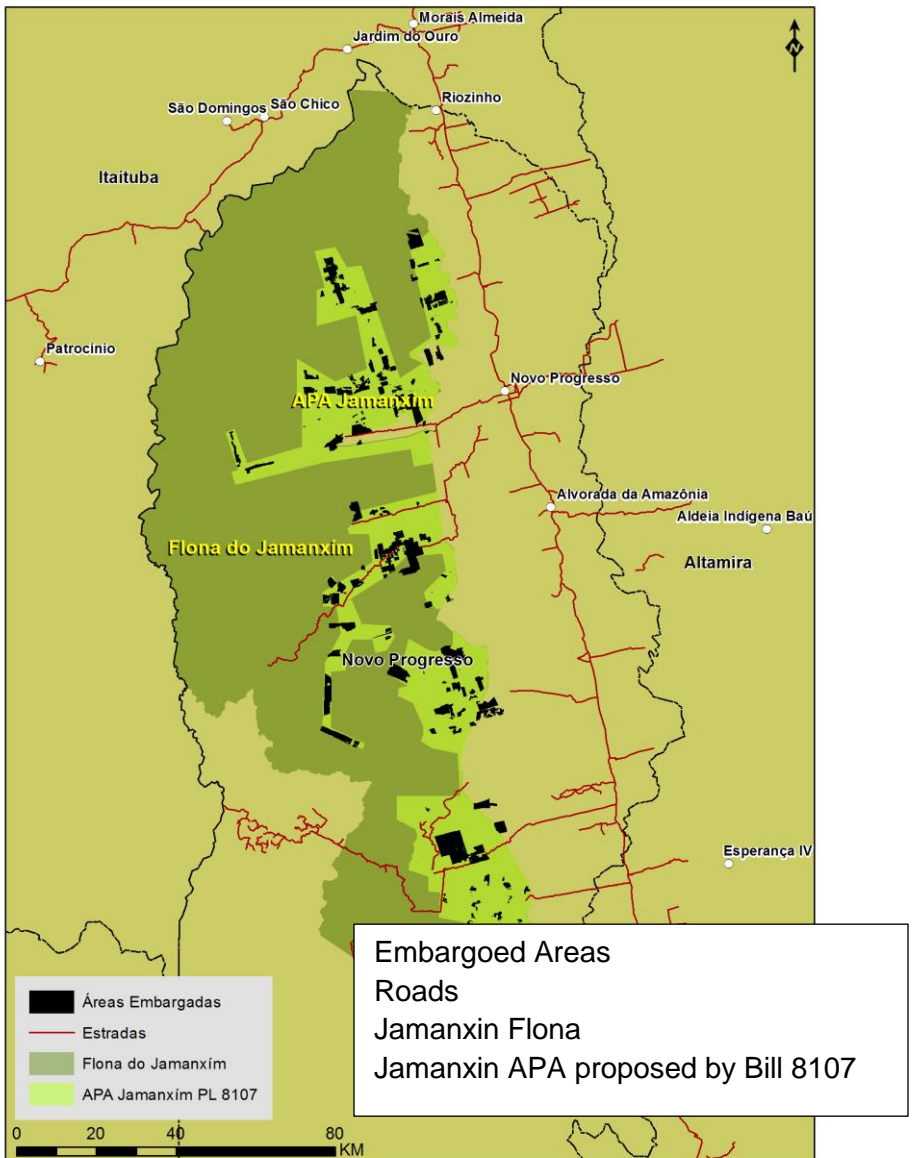
3.3 Demoralized public policy

Within the 354 thousand hectares, there are 312 environmental embargoes⁸, which in the area correspond to approximately 56,000 hectares or 16% of the total APA proposed (Figure 3). By granting the possibility of land regularization of these areas, the Brazilian State further demoralizes its own public policy to control deforestation, rewarding with land those who committed environmental crimes, in addition to demoralizing the government itself, which edits a bill to meet the interests of the same group that set fire to Ibama vans, vandalizing public assets.

⁸ Embargo list available for download at: <https://servicos.ibama.gov.br/ctf/publico/areasembargadas/ConsultaPublicaAreasEmbargadas.php>

Figure 2. Embargoed areas within the portion to be converted into APA according to Bill No. 8,107/2017

Reducing protection of the Jamanxim Flona further reinforces the sense that crime pays off. Changing the boundaries also opens space for new demands related to the reduction of other protected areas - for example, the Conservation Units in the south of Amazonas (state parliamentarians negotiated with the Chief of Staff the reduction of 40% in the total area of four Conservation Units and the extinction of a CU). In these areas, deforestation is practically zero. However, the units already suffer from environmental pressure, as the Greenpeace research carried out in early 2017 showed⁹.



The change in boundaries adds to other measures launched by Temer, which dismantle all the work done in the last ten years to contain the increase in deforestation in the Amazon (from 27,772 km² in 2004 to 4,571 km² in 2012).

3.4 Reputation damage and boycott of agricultural products

By reducing the legal protection of forests, Brazil weakens its reputation, as it goes against its own policy of reducing deforestation. The success of this reduction was the basis of agreements for international support for conservation in the country. The dismantling of policies and the

⁹ Greenpeace. 2017. Sinal verde para a destruição da Amazônia. News reported on March 02, 2017. Available in Portuguese at: <http://www.greenpeace.org/brasil/pt/Noticias/Sinal-verde-para-a-destruicao-da-Amazonia/>.

increase in deforestation tends to reduce this support. For example, Norway has stated that it will have to reduce conservation support in the country because of the increase in deforestation, as established by the rules of the Amazon Fund created by Brazil.

Soon the country may also suffer more boycotts of agricultural products associated with deforestation. Several countries, companies, and international commitments have already adopted zero deforestation as their goal. A relevant example is France, which has just announced a new policy aimed at not importing products that are involved in deforestation, mainly in the Amazon.

4 Demand that Congress doesn't approve the Bill

For the above reasons and because it is possible to produce without increasing deforestation, we reject the Bill presented by the federal government to the National Congress and we ask, as representatives of civil society, that it be dismissed. Any reduction in the limits will lead to more conflicts in the region and also to more deforestation, which in turn jeopardizes Brazil's economic future and the climate future around the world.

July, 27, 2017

Zero Deforestation Working Group:

Greenpeace Brasil
Instituto Centro de Vida (ICV)
Instituto de Manejo e Certificação Florestal e Agrícola (Imaflora)
Instituto de Pesquisa Ambiental da Amazônia (IPAM)
Instituto do Homem e Meio Ambiente da Amazônia (Imazon)
Instituto Socioambiental (ISA)
WWF-Brasil