

Formal threats to protected areas in the Amazon

Elis Araújo* and Paulo Barreto

Approximately 42% of the Legal Amazon is in protected areas in the form of UCs (Conservation Units) and TIs (Indigenous Lands). Establishing these areas has been an effective means of reducing deforestation in the region. However, there are formal initiatives underway to downgrade, downsize or degazette protected areas. In this *The State of the Amazon* we analyze 37 of these initiatives that involve 48 protected areas. To ensure the integrity of Amazon protected areas, we recommend that environmental crimes be swiftly punished; that these spaces be consolidated by promoting sustainable economic activities and land title regularization; and that technical and legal rigor be used for any change to protected areas as may be necessary.

Reaction to the success of the protected areas

In the Brazilian Amazon, establishing protected areas has been one of the principal measures taken by State and Federal Governments to assure protection for biodiversity, extraordinary natural landscapes and indigenous and traditional populations. In general, these areas have halted deforestation¹. However, the increase in protected areas and enforcement action against illegal activities has led politicians, occupants and people wanting to occupy public land to formally propose downgrading (lower their legal protection status in order to increase human use), downsizing (reduce their size through a legal boundary change) or degazetting (remove their legal status as protected area) them. We have assessed 37 of these initiatives that involve 48 Amazon protected areas so as to learn lessons on how to assure their integrity².

Profile of the protected areas studied

Ninety-two percent of the protected areas analyzed suffered from some sort of threat, with the most common being: human occupation (81%); timber harvesting (46%); infrastructure works (46%); and mining (27%). In 19% of the cases we found overlap with settlements by INCRA (National Institute for Colonization and Agrarian Reform). Only two protected areas had a totally regularized land title situation, and among the 41 UCs studied, 29 did not have a council and 35 did not have a management plan.

Rules for gazettement and degazetting protected areas

The procedures for gazettement (establish legal protection) and degazetting UCs and TIs are distinct.

UCs are gazetted by the Federal Government, States and Municipalities³ through a law or an executive decree⁴. The Federal Constitution and the SNUC Law (National System for Conservation Units) require a law to degazette UCs⁵. However, other types of changes are controversial. The Federal Constitution says that any change to a UC would also require a law. In spite of that, SNUC (Law 9.985/2000) allows to use an executive decree for changing UCs established by that same instrument in two cases: changing from the sustainable use group to the full protection group (art. 22, § 5º); and expanding UC boundaries (art. 22, § 6º)⁶.

The SNUC Law requires technical studies and public consultation in cases of gazettement a UC and changing the UC group from sustainable use to full protection⁷. Nonetheless, that law is omissive regarding other types of change, namely: degazetting, downsizing, downgrading and changing the UC category within each group. That omission is to be resolved using analogy and the principles of administrative and environmental law⁸, among which are: the principles of justification and publicity; and the democratic and precautionary principles⁹. Thus, both the gazettement and change in boundaries (degazetting, downsizing and expansion), group or category of a UC are to be preceded by technical studies and public consultation.

According to the Federal Constitution, TI are to be demarcated by the Federal Government once traditional occupation by indigenous populations has been ascertained by anthropological studies coordinated by FUNAI (National Agency of Indigenous Affairs)¹⁰. Changes to TIs would only be possible as the result of another anthropological study contrary to that by FUNAI and capable of demonstrating the absence of traditional land occupation during the demarcation process; or, after the ratifying presidential decree, if the lands were spontaneously and permanently abandoned, a circumstance in which the lands would continue to be under Federal possession and full domain¹¹.

Formal initiatives to downgrade, downsize and degazette protected areas in the Amazon

From November, 2008 to November, 2009, we identified 37 formal proposals for degazetting, downsizing or downgrading 48 Amazon protected areas: 25 state UCs, 16 federal UCs and 7 TIs (Figure 1). These UCs and TIs originally totaled 386,490 km², in six Amazonian states. Legislative proposal (enacted or proposed laws) was the most frequent kind of proposal (69%) followed

by ZSEE (Socioeconomic-Ecological Zoning) of the state of Rondônia, legal action, executive decree and administrative ruling (Table 1). As of July 15, 2010, twenty-four proposals (65% of the total) had been concluded and 13 were still in progress. Of the cases concluded¹², 7% resulted in the maintenance of the original boundaries of the protected areas (114,124 km²); while 93% resulted in the degazettement of 49,506 km² (Table 2).

The maintenance of the original boundaries of protected areas occurred through the Judiciary in legal actions against the demarcation of two already ratified TIs: TI Yanomami and TI Raposa Serra do Sol¹³. These TIs had aroused mining and agricultural interests.

The enactment of proposed legislation was the main form for downsizing and degazetting protected areas, since they affected 22,601 km² or 46% of the total area degazetted. Eighty-two percent of these legislative proposals were state-level. In the states of Rondônia and Mato Grosso, degazettement and downsizing were

motivated by: possession or property titles prior to the establishment of the UC and infrastructure projects, such as road building (PE [State Park] Guajará-Mirim) and small hydroelectric projects (PE Cristalino). However, we note that PE Xingu, in Mato Grosso, was downsized because of an agribusiness enterprise in the municipality of Santa Cruz do Xingu, with the consent of the population. In Tocantins, the State Government proposed to the Legislative Assembly to downsize the APA (Environmental Protection Area) Leandro (or Ilha do Bananal/Cantão), claiming that the state apparatus for enforcement was inefficient and that it was a response to requests from leaders of the Municipalities involved¹⁴.

At the federal level, there were two cases of legislative proposals for downsizing UCs. Senators and Federal Representatives promoted the downsizing of the FLONA (National Forest) Roraima and the FLONA Bom Futuro through a law for converting a provisional measure^{15,16}. The reason for downsizing the FLONA

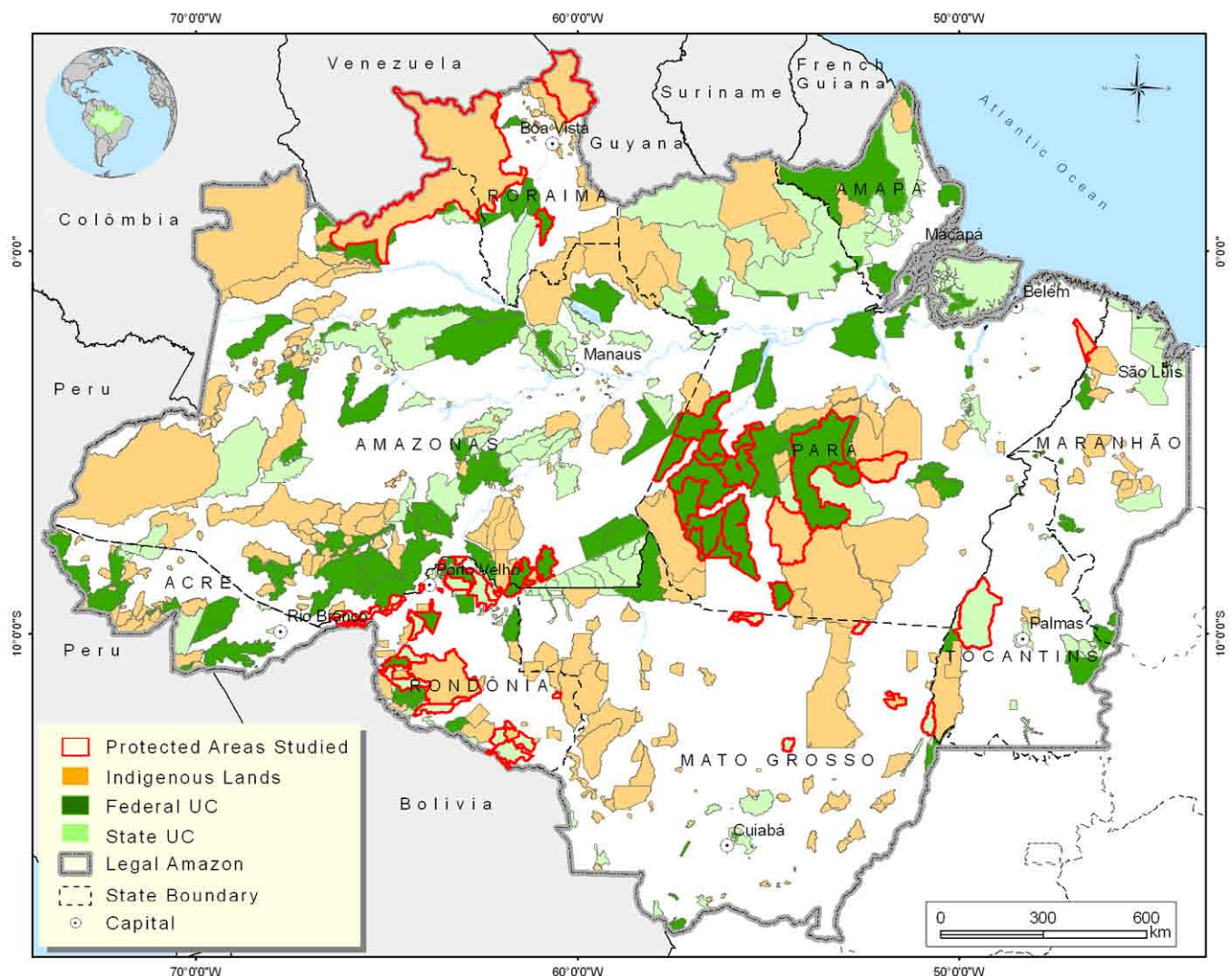


Figure 1. Amazon protected areas downsized, degazetted or at risk of being downgraded, downsized or degazetted.

Roraima was its overlap with the TI Yanomami (95% overlap). However, they took advantage of the opportunity to degazette 910 km² of land illegally allocated for settlements by INCRA (3% of the FLONA Roraima area)¹⁷. As compensation, INCRA donated around 750 km² of adjacent forest land to the UC.

The downsizing of the FLONA Bom Futuro resulted from an agreement between the State Government of Rondônia and the MMA (Ministry of the Environment). In 2009, the Governor of Rondônia demanded the downsizing of the FLONA Bom Futuro in order to regularize an illegal occupation¹⁸. In return, he would grant an environmental permit necessary to the construction of the Jirau hydroelectric dam – a federal project. The Federal Government proposed the degazettement of a state UC that would be partially flooded by the undertaking and of three other adjacent state UCs so as to establish another federal UC and this proposal was granted^{19,20}.

The Rondônia State Government used executive decrees to downsize two state UCs²¹, and the revision of the ZSEE to downsize two²² and degazette ten²³ state UCs²⁴. The executive decrees were issued in 1989 and 1990 and are unconstitutional²⁵. The ZSEE was prepared in 1988 and the UCs that were downsized or degazetted during its revision were established in 1990. In 2000, the law revising the ZSEE²⁶ changed the size and classification of the zones, and previously established UCs were left out of the zones that would be appropriate for them. The State Government then used that fact as an argument to consider them downsized or degazetted²⁷. This attitude, however, violates the Federal Constitution, which requires a law for changes to a UC; and Article 27 of the law revising the ZSEE, which ratifies all of the state acts for establishing UCs. Nonetheless, from 2009, the Rondônia Legislative Assembly began legalizing these

arbitrary changes by revoking through complementary law the decrees that had established these UCs²⁸.

Indigenous Lands also suffered reductions. The Ministry of Justice gave in to pressures from occupants and used administrative rulings to downsize TI Baú and TI Apyterewa, whose legal boundaries were supposed to be defined only by anthropological study²⁹. These boundary changes were ratified by presidential decrees. The downsizing of the TI Baú violated the constitutional rule that TIs are non-negotiable³⁰. An agreement was signed between the MPF (Federal Public Prosecutor's Office) in Santarém (PA), Municipal Government of Novo Progresso (PA), FUNAI, Federal Police and ranchers, squatters and miners associations to degazette 3.470 km² from the indigenous area. In return, the Municipal Government of Novo Progresso (PA) would receive R\$ 120 thousand annually, for a period of ten years, to invest in benefits for the indigenous area³¹.

By the end of this research, 18 protected areas were awaiting conclusion of legislative proposals and legal actions regarding the situation of 86,538 km² (Table 2). The majority of the undetermined cases (89%) were depending on legislative proposals underway (eight) in the House of Representatives and the Senate³² that threatened 84,641 km² of 15 protected areas. These projects seek to: degazette UC and TI (62.5% or 5 cases); downsize UC; downgrade and downsize UC; and exchange areas of UC under pressure by human settlements for forest areas resulting in the downsize of the UC.

The legal actions in progress were brought by land occupants (2 cases) and one municipality (one case) to nullify the executive decrees establishing protected areas that overlapped with their lands; and by FUNAI (one case) and MPF (one case), to remove occupants from TIs. Two cases had not been decided by a court of first or only instance (TI Uru-Eu-Wau-Wau and FLONA

Table 1. Legal instruments utilized in proposals for downgrading, downsizing or degazetting 48 Amazon protected areas until November, 2009.

Legal Instrument	Amazon protected areas		Original size of the protected areas	
	Number	Percentage	Km ²	Percentage
Legislative proposal	23	47.9	134,522	34.8
Legal action	3	6.2	118,120	30.6
Legislative proposal and legal action	6	12.5	79,059	20.5
Administrative ruling	1	2.1	18,500	4.8
Administrative ruling and legislative proposal	1	2.1	9,800	2.5
Executive decree	2	4.2	14,082	3.6
ZSEE	9	18.8	11,784	2.6
ZSEE and legislative proposal	3	6.2	622	0.6
Total	48	100.0	386,490	100.0

Jamanxim); and among the cases judged by the court of first instance, only one received a decision favoring the occupants (PARNA [National Park] Campos Amazônicos, threatened with losing 657 km²), whose effects were suspended by the Federal Regional Court for the 1st Region (TRF1). The lawsuit for removing occupants from TI Marãiwatsede was the oldest (1995) and received a favorable decision in 2007 whose effects have been suspended until the TRF1 rules on the appeal³³. Two cases were concluded in early 2010 by the STF (Brazilian Supreme Court), which maintained the original boundaries of the ESEC (Ecological Station) of Terra do Meio and PARNA Serra do Pardo³⁴. The legal actions underway threaten 16,561 km² of protected areas.

Initiatives for assuring the integrity of the protected areas

We have researched the most recent initiatives for assuring the integrity of protected areas in Brazil and found that ACPs (Public Civil Actions)³⁵ have been used against formal initiatives to change protected areas and that enforcement and legal actions to impose joint liability to those operating along the beef supply chain have been used against illegal occupations for agricultural purposes.

Public Civil Actions. The MPF filed ACPs to try to reverse the downsizing of five cases: TI Baú; APA Leandro or Bananal/Cantão; and PEs Cristalino, Corumbiara and Guajará-Mirim. The judges granted injunctions in four cases to suspend effects of laws for downsizing, but denied an injunction in the case of TI Baú. These decisions, albeit temporary, guarantee the integrity of these areas, because enforcement over them must be maintained. However, the delay of a final decision and insufficient enforcement measures can encourage new occupations or expansion of existing ones. As of the conclusion of this study, more than 717 km² were awaiting a final decision by the Courts in order to remain protected.

One success in using ACPs to impose liability for environmental damage to a UC was achieved by the AGU (Federal Attorney General's Office) and its specialized office which works with IBAMA (Brazilian Institute of the Environment and Renewable Natural Resources). The federal judge ruled for demolition of an irregular building in the FLONA Brasília and the restoration of the environmental damage by the offender³⁶.

Intensification of enforcement operations. In 2008, IBAMA and ICMBIO (Chico Mendes Institute for Biodiversity Conservation) invested in equipment and training for inspectors and carried out 31 enforcement operations³⁷, among them the "Operation Pirate Cattle," in ESEC Terra do Meio, which resulted in the seizure and auction of nearly 3,000 head of cattle and the removal of another 56,000 from that and other UCs in the region. As a result of these actions, deforestation in Amazon protected areas fell by 78% in 2008 in comparison to 2007, even in a period of rising agricultural commodity prices.

Imposing joint liability on those operating along the beef supply chain. In June, 2009, the MPF in Pará and IBAMA filed legal actions against 21 ranchers for environmental crimes or infractions (20 were not compliant with environmental legislation and one was occupying a TI) and 13 meat packing plants that had bought cattle from these ranches. Furthermore, the MPF/PA saw to it that the largest meat packing plants in the state signed settlement agreements in which they committed to not buying cattle from protected areas or areas related to other socio-environmental crimes and irregularities. The success of that action was reflected by an announcement in July, 2010, issued by the three largest meat packing companies in the country that they had stopped buying cattle from 221 ranches located within TIs, UCs or near newly deforested areas in the Amazon biome³⁸.

Table 2. Results of the initiatives for downgrading, downsizing and degazetting 48 Amazon protected areas as of July, 2010.

Legal instruments	Result of the initiatives in km ² (number of protected areas)			Total
	Maintained	Undetermined	Degazetted	
Legislative proposal	0	54,557	22,601	77,158
Legal action	96,650	1,240	0	97,890
Legislative proposal and legal action	17,475	23,006	0	40,481
Administrative ruling	0	0	3,091	3,091
Administrative ruling and legislative proposal	0	7,735	2,065	9,800
Executive decree	0	0	9,700	9,700
ZSEE	0	0	12,050	12,050
Total	114,124 (2)	86,538 (18)	49,506 (29)	250,169 (48)

Recommendations for Public Policies

The degazettement, downsizing and downgrade of protected areas in order to regularize illegal occupations of public lands generate expectations of similar future regularizations and stimulate new occupations. To guarantee the integrity of these areas and to resolve conflicts, we recommend:

Punishing environmental crimes in protected areas. The Government should enforce the laws, beginning with swift punishment for environmental crimes. The cases cited above point to lessons to be followed, such as seizing goods and imposing joint liability on those operating along the business chain based on illegal products.

Consolidating the protected areas. Implementation of the protected areas by promoting sustainable economic activities and managing conflicts would help

to reduce political pressure for changes to UCs and TIs (e.g., proposed laws). To this end, we recommend prioritizing: i) creation of and capacity-building for councils and drafting or updating of UCs management plans to enable uses such as tourism and sustainable forest management; ii) demarcation and ratification of TIs; and iii) land title regularization of protected areas, which would involve removing illegal occupants and resettling populations that could benefit from land reform programs.

Using legal and technical rigor for changes to protected areas. Eventual changes to such areas must adopt legal and technical rigor to benefit the public interest. Changes without rigor tend to be challenged in court and prolong conflicts. In fact, it is essential for the Public Prosecutor's Office to take legal actions against illegal initiatives for downgrading, downsizing or degazetting protected areas; e.g. those that do not follow legal procedures and lack technical justifications.

Notes

* Corresponding author: elis@imazon.org.br.

¹ Example in Adeney, J. M.; Christensen JR., N. L.; Pimm, S. L. Reserves Protect against Deforestation Fires in the Amazon. Plus One, Apr. 2009. Available at: <http://bit.ly/917FW9>. Access on: 04/15/2009.

² See the situation in each protected area studied in: <http://tinyurl.com/28opmlw>.

³ See Article 225, § 1, III of the Federal Constitution and Article 22, caption, of Law 9985/2000.

⁴ The STF has already settled any doubts in this regard in MS 25840-MC/DF, Rel. Min. Ellen Gracie.

⁵ See Article 225, § 1, III of the Federal Constitution.

⁶ The Direct Action of Unconstitutionality (ADI) 3646/2005, now being examined by the STF, questions the constitutionality of these paragraphs. However, Antonio Herman Benjamin, a renowned Environmental Law expert, considers them valid (Introdução à Lei Sistema Nacional de Unidades de Conservação. In: Direito Ambiental das Áreas Protegidas: regime jurídico das Unidades de Conservação. Rio de Janeiro: Forense Universitária, 2001).

⁷ See Article 22, § 2 and § 4 of Law 9985/ 2000.

⁸ See Article 4 of Decree-Law 4657/1942.

⁹ The precautionary principle seeks to remove the imminent and future risks of a development activity for the environment and for human life; this is carried out through environmental impact assessments. This principle grounded the Public Civil Action 200543000006695 against the downsizing of the APA Leandro or Ilha do Bananal/Cantão. The federal judge based the issuance of the injunction and later decision on the absence of technical studies and public consultation with greater participation by society; as well as on the principles mentioned. The TRF1 recognized that the decision was sound and in harmony with the precautionary principle (Interlocutory Appeal 200501000289755).

¹⁰ See Article 231 of the Federal Constitution and Decree 1775/1996.

¹¹ See Article 21 of Law 6001/1973.

¹² We considered only the cases of protected areas with no pending formal initiative, either legislative proposal or legal action.

¹³ The demarcation of the TI Yanomami was questioned in Civil Action 9200016154 (Federal Court in Roraima) and TI Raposa Serra do Sol, in Petition 3388 in the STF. The TI Raposa Serra do Sol also presented legislative proposals in the House of Representatives (PDC 1621/2005) and Senate (PDS 192/2005) seeking to have their ratifying decrees nullified. These projects had not yet been concluded, but we considered them settled in light of the STF decision favorable to demarcating the TI in a continuous area.

¹⁴ Technical Note 007/2004, issued by Naturatins – environmental agency of the State of Tocantins –, cited in the Public Civil Action 200543000006695 (Federal Court in Tocantins).

- ¹⁵ According to the Brazilian Constitution, the President is allowed to rule by decree in cases of great importance and urgency. This presidential decree should be considered a draft law to be approved or rejected by the Congress. In the present case, the Congress turned the Provisional Measures that downsized the conservation units into Law.
- ¹⁶ The FLONA Roraima was downsized by Law 12058/2009, and the FLONA Bom Futuro, by Law 12249//2010. The legality of the FLONA Bom Futuro's downsizing has been questioned by the MPF in Rondônia, which has sent a request to the national chief of MPF asking for the filing of lawsuit to declare the law unconstitutional. See news item at: <<http://bit.ly/9vsTUi>>. Access on: 07/19/2010.
- ¹⁷ For the total calculation of the area degazetted we considered only the area ceded to the INCRA settlement, since the area ceded to the TI Yanomami is under an even more restrictive special protection regime.
- ¹⁸ See the FLONA Bom Futuro case in: Barreto, P & Mesquita, M. 2009. Como prevenir crimes ambientais nas Áreas Protegidas da Amazônia? Available at: <www.imazon.org.br>.
- ¹⁹ Complementary Law 581/2010.
- ²⁰ According to the Instituto Socioambiental, these state UCs were annexed to the PARNA Mapinguari and ESEC Cuniã when these federal UC were expanded by Law 12249/2010. See news article: Termina a novela da hidrelétrica de Jirau e permuta de UCs em Rondônia. Available at: <<http://bit.ly/ddBe9y>>. Access on: 07/28/2010.
- ²¹ State Extractive Reserve (FLOREX) Rio Pacaás Novos and FLOREX Rio Preto/Jacundá.
- ²² Sustainable Yield State Forest (FERS) Rio Vermelho B and FERS Rio Vermelho C.
- ²³ FLOREX Laranjeiras; FERS Rio Abunã; FERS Rio Madeira C; FERS Rio Mequéns; FERS Rio Roosevelt; FERS Rio São Domingos; FERS Rio Vermelho; FERS Rio Vermelho D; PE Candeias and PE Serra dos Parecis.
- ²⁴ See: GTA/RO – Grupo de Trabalho Amazônico, Regional Rondônia. 2008. O fim da floresta? A devastação de Unidades de Conservação e Terras Indígenas no Estado de Rondônia. GTA, 62 p.
- ²⁵ The use of an executive decree to downsize a state UC violates the rule of Article 225, § 1, III of the Federal Constitution of 1988, which requires a law for this purpose.
- ²⁶ Complementary Law 233/2000.
- ²⁷ Personal communication on 12/29/2008 by the Chief of Staff of the State Secretariat for the Environment – Sedam.
- ²⁸ Three of the 12 UCs degazetted by the revision of the ZSEE had the executive decrees establishing them revoked by Complementary Law (LC): LC 525/2009 degazetted the FERS Rio Abunã; LC 581/2010, degazetted FERS Rio Vermelho A and B. According to a news article, a law approved in the extraordinary session of 07/13/2010, not yet published, degazetted another six: <<http://bit.ly/cVZm3n>> Access on: 07/16/2010.
- ²⁹ See Article 2, caption and § 1 of the Executive Decree 1.775/1996, which regulates the process for demarcating a TI.
- ³⁰ See Article 231, § 6 of the Federal Constitution.
- ³¹ See initial petition of ACP 200434000117766, available at: <<http://bit.ly/dpTONw>>. Access on: 08/17/2009.
- ³² In the Houses of Representatives: PDC 2224/2006, PDC 1148/2008, PDC 393/2007, PDC 510/2008 and (PL) 6479/2006. In the Senate: PDS 149/2005, PL 206/2007 and PL 258/2009.
- ³³ Appeal 200701000510311.
- ³⁴ Petition for Writ of Mandamus (MS) 25347/2005 and MS 25346/2005.
- ³⁵ ACP is a civil action to defend environmental interests and other diffuse and collective interests.
- ³⁶ Federal Attorney General's Office (AGU). News article. AGU obtém decisão que obriga proprietário a recuperar área degradada na Floresta Nacional de Brasília. Available at: <<http://bit.ly/9XbYlo>>. Access on: 03/22/2010.
- ³⁷ ICMBIO, 2009. Relatório de Gestão 2008. Available at: <<http://bit.ly/cKjYdb>>. Access on: 02/03/2010.
- ³⁸ Valor Econômico. Frigoríficos embargam compra de boi de 221 propriedades. News item on 21 July 2010. Available at: <<http://bit.ly/8XIE1T>>. Access on: 07/21/2010.

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**Appendix to The State of the Amazon number 16:
Formal threats to protected areas in the Amazon**

Protected areas in the Legal Amazon downsized, degazetted or at risk of being downgraded, downsized or degazetted, identified from November, 2008 to November, 2009.

Type of protected area	Name of protected area	State	Government level responsible	Type of legal initiative	Legal instrument utilized	Result of legal initiative
TI	Yanomami	AM/RR	Federal	Legal action	Action 9200016154	Maintained
TI	Raposa Serra do Sol	RR	Federal	Legislative proposal and legal action	PDC 1621/2005, PDS 192/2005 and Pet 3388 - STF	Maintained
APA	Tapajós	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
ESEC	Terra do Meio	PA	Federal	Legislative proposal and legal action	PL 6479/2006 and MS/25347 - STF	Undetermined
FLONA	Jamanxim	PA	Federal	Legislative proposal and legal action	PDC 2224/2006 and PDC 1148/2008; MS/26012 - STF	Undetermined
FLONA	Amaná	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
FLONA	Crepori	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
FLONA	Trairão	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
FLONA	Anauá	RR	Federal	Legislative proposal	PDS 149/2005	Undetermined
PARNA	Rio Novo	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
PARNA	Jamanxim	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
PARNA	Amazônia	PA	Federal	Legislative proposal	PDC 2224/2006	Undetermined
PARNA	Campos Amazônicos	AM/RO/MT	Federal	Legislative proposal and legal action	PL 4083/2008 and Action 2008.41.00.004047-5	Undetermined
PARNA	Serra do Pardo	PA	Federal	Legislative proposal and legal action	PL 6479/2006 and MS/25346 - STF	Undetermined

Type of protected area	Name of protected area	State	Government level responsible	Type of legal initiative	Legal instrument utilized	Result of legal initiative
REBIO	Nascentes da Serra do Cachimbo	PA	Federal	Legislative proposal	PLS 258/2009	Undetermined
RESEX	Rio Ouro Preto	RO	Federal	Legislative proposal	PLS 206/2007	Undetermined
TI	Marãiwatsede	MT	Federal	Legislative proposal and legal action	PDC 510/2008 and Action 950000679-0	Undetermined
TI	Uru-Eu-Wau-Wau	RO	Federal	Legal action	Action 2004.41.00.000078-9	Undetermined
TI	Alto Rio Guamá	PA	Federal	Legal action	Action 2006.39.04.003310-7	Undetermined
APA	Leandro (Ilha do Bananal/ Cantão)*	TO	State	Legislative proposal	Law 1558/2005	Downsized
ESEC	Rio Ronuro	MT	State	Legislative proposal	Law 8325/2005	Downsized
ESEC	Serra dos Três Irmãos	RO	State	Legislative proposal	LC 581/2010	Downsized
FLONA	Roraima	RR	Federal	Legislative proposal	Law 12058/2009	Downsized
FLONA	Bom Futuro	RO	Federal	Legislative proposal	Law 12249/2010	Downsized
FLOREX	Rio Pacaás-Novos	RO	State	Executive decree	Decree 6953/1995	Downsized
FLOREX	Rio Preto-Jacundá	RO	State	Executive decree	Decree 7336/1996	Downsized
PE	Corumbiara*	RO	State	Legislative proposal	Law 690/1996 and Law 1171/2002	Downsized
PE	Guajará-Mirim*	RO	State	Legislative proposal	Law 700/1996 and Law 1146/2002	Downsized
PE	Xingu	MT	State	Legislative proposal	Law 8054/2003	Downsized

Type of protected area	Name of protected area	State	Government level responsible	Type of legal initiative	Legal instrument utilized	Result of legal initiative
PE	Araguaia	MT	State	Legislative proposal	Law 8458/2006	Downsized
PE	Cristalino*	MT	State	Legislative proposal	Law 8616/2006	Downsized
RESEX	Jaci-Paraná	RO	State	Legislative proposal	Law 692/1996	Downsized
TI	Baú	PA	Federal	Administrative Ruling	Administrative Ruling 1487/2003	Downsized
TI	Apyterewa	PA	Federal	Administrative Ruling and Legislative proposal	Administrative Ruling 2581/2004 and PDC 393/2007	Downsized and undetermined
ESEC	Antônio Mugica Nava	RO	State	Legislative proposal	LC 581/2010	Degazetted
FERS	Rio Madeira C	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio Mequéns	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio Roosevelt	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio São Domingos	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio Vermelho C	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio Vermelho D	RO	State	ZSEE	LC 233/2000	Degazetted
FERS	Rio Abunã	RO	State	ZSEE and legislative proposal	LC 233/2000 and LC 525/2009	Degazetted
FERS	Rio Vermelho A	RO	State	ZSEE and legislative proposal	LC 233/2000 and LC 581/2010	Degazetted
FERS	Rio Vermelho B	RO	State	ZSEE and legislative proposal	LC 233/2000 and LC 581/2010	Degazetted

Type of protected area	Name of protected area	State	Government level responsible	Type of legal initiative	Legal instrument utilized	Result of legal initiative
FERS	Rio Madeira A	RO	State	Legislative proposal	LC 581/2010	Degazetted
FLOREX	Laranjeiras	RO	State	ZSEE	LC 233/2000	Degazetted
PE	Candeias	RO	State	ZSEE	LC 233/2000	Degazetted
PE	Serra dos Parecis	RO	State	ZSEE	LC 233/2000	Degazetted

* Protected area which benefited from an injunction or a court decision to suspend the effects of the law issued to downsize it.

LC – Complementary Law.

MS – Petition for Writ of Mandamus.

PDC – Bill Proposed by the House of Representatives (Lower House) in order to nullify an executive decree because a President abused his legislative power.

PDS – Bill Proposed by the Senate in order to nullify an executive decree because a President abused his legislative power.

PL – Bill proposed by the House of Representatives.

PLS – Bill proposed by the Senate.

Pet – Petition.

STF – Brazilian Supreme Court.