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REPORT

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# CONSERVATION UNITS **UNDER RISK**

## ATTACKS AGAINST PROTECTED AREAS COVER AN AREA NEAR THE SIZE OF PORTUGAL

### **LAND GRABBING AND MINING ARE THE MAIN VECTORS OF THE OFFENSIVE**

Brazil is experiencing an unprecedented offensive against protected areas. Pressures to undo or reduce the size or protection status of Conservation Units promoted by members of Michel Temer's government parliamentary base and with strong lobby from ruralist and mining sectors have found room to thrive, with the support from Palácio do Planalto. The threat looms over about 10% of the territory of federal conservation units, a conservative estimate. Offensive against the protected areas goes from North to South of the country and involves an area of about 80 thousand square kilometers, almost the size of the territory of Portugal.

The conflict of interest is not new. On one hand, there are rural producers who occupy protected areas irregularly or would like to occupy them, mining companies or land grabbers of public lands. On the other hand, the National System of Conservation Units (SNUC), which put Brazil as the world leader in the extension of protected areas at the end of the last decade. As one side gains momentum, the impact on protected areas can result in more deforestation in the Amazon, damaging the Brazilian targets for reducing greenhouse gas emissions in the United Nations Climate Convention, as well as involving The dismantling of the Amazon Protected Areas Program (ARPA) and threatening compliance with the commitments made by the Convention on Biological Diversity (CBD).



The potential for damage is enormous. Suffice to say that one of the projects under negotiation in the National Congress, PL 3751, renders all the acts of creation of conservation units whose private owners have not been indemnified in the period of five years obsolete. In order to have an idea of the impact of this proposal, ICMBio (Instituto Chico Mendes de Conservação da Bio-diversidade) estimated the extension of private land not yet compensated in federal UCs at 56 thousand square kilometers but the number could reach 100 thousand square kilometers, according to the institute itself. If approved, the proposal would represent the disappearance of approximately 10% of the protected areas in federal PAs in the country, which totaled 788 thousand square kilometers last August.

The proposal presented by Representative Toninho Pinheiro (PP-MG) in 2015 also prevents the creation of new UCs without “prior and fair” monetary compensation and is only one of the projects that are processed in Congress, exemplars of the phenomenon that the academic literature treats as PADDD (Protected Area Downgrading, Downsizing and Degazettement).

The offensive against the UCs has been gaining ground since December of last year, after the publication of provisional measures by President Temer. The main target was the Jamanxim National Forest, created to curb deforestation in the region of BR-163 in Pará. The statement of reasons by the Minister of the Environment, José Sarney, drew attention to the high rate of Illegal deforestation in Jamanxim, a problem attributed to the remaining land conflicts and illegal mining activity in the Tapajós Basin, which has great gold potential. Another provisional measure issued on the same day had as justification for a railway to transport grain. Jamanxim lost 57% of its territory, which were no longer protected or were less protected, with the liberation of economic activity. But the damage would be much worse in Congress.



## CONSOLIDATED TABLE OF CONSERVATION UNITS

### TYPE / CATEGORY

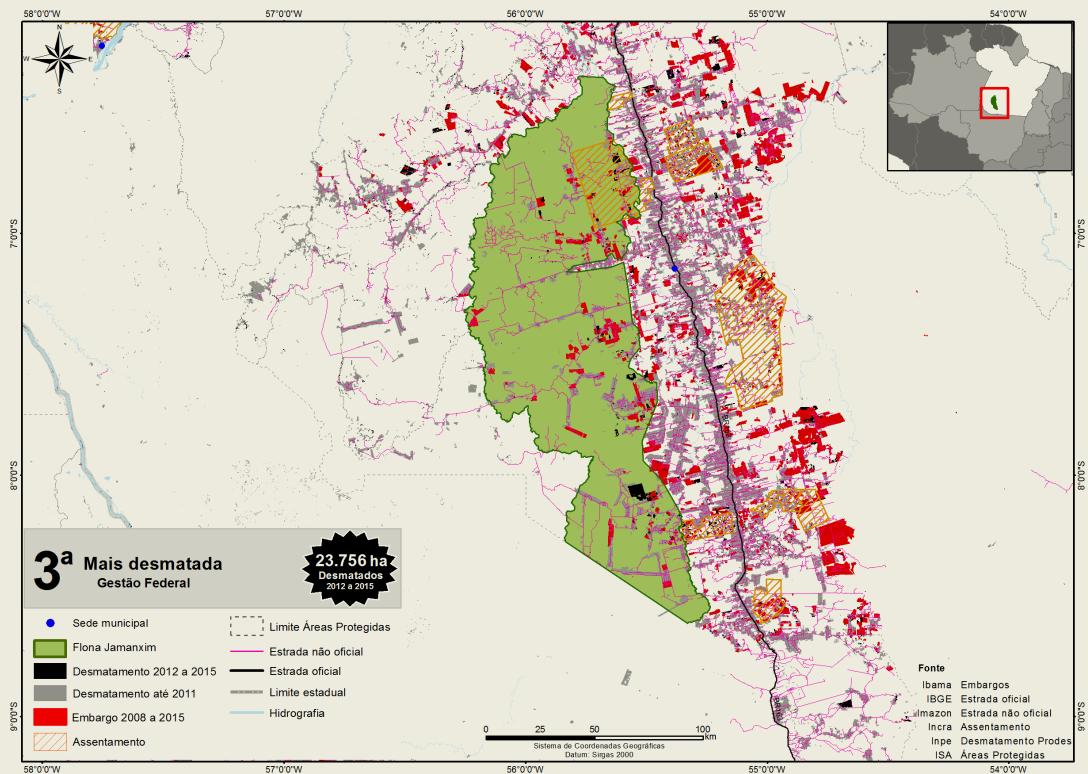
	FEDERAL		STATE		MUNICIPAL		TOTAL	
	Nº	Área (km <sup>2</sup> )	Nº	Área (km <sup>2</sup> )	Nº	Área (km <sup>2</sup> )	Nº	Área (km <sup>2</sup> )
<b>FULL PROTECTION</b>								
Ecological station	32	74.746	61	47.596	3	10	96	122.351
Natural monument	3	443	29	906	11	73	43	1.421
National / State / City Park	73	262.965	205	94.177	117	391	395	357.533
Wildlife Refuge	7	2.017	30	1.783	3	66	40	3.867
Biological reserve	31	42.628	23	13.447	8	51	62	56.126
<b>Total Full Protection</b>	<b>146</b>	<b>382.799</b>	<b>348</b>	<b>157.907</b>	<b>142</b>	<b>590</b>	<b>636</b>	<b>541.296</b>
<b>SUSTAINABLE USE</b>								
National / State / City Forest	67	178.223	39	135.908	0	0	106	314.120
Extractive reserve	62	124.714	28	19.896	0	0	90	144.610
Sustainable development Reserve	2	1.026	30	110.950	5	176	37	112.153
Fauna Reserve	0	0	0	0	0	0	0	0
Environmental Protection area	33	101.669	188	336.360	81	25.980	302	464.008
Relevant Ecological Interest Area	16	431	25	451	9	138	50	1.020
PRNP	634	4.831	173	709	1	0	808	5.540
<b>Total Sustainable Use</b>	<b>814</b>	<b>410.893</b>	<b>483</b>	<b>604.274</b>	<b>96</b>	<b>26.294</b>	<b>1.393</b>	<b>1.041.462</b>
<b>Grand Total</b>	<b>960</b>	<b>793.692</b>	<b>831</b>	<b>762.182</b>	<b>238</b>	<b>26.884</b>	<b>2.029</b>	<b>1.582.758</b>
Overlap area mapped	960	788.555	831	755.891	238	26.854	2.029	1.544.833

Source: CNUC/MMA [www.mma.gov.br/cadastro\\_uc](http://www.mma.gov.br/cadastro_uc) (Atualizada em 09/08/2016)

\*The UC that does not have available georeferenced information is used in the area of the legal act for the area calculation.

\*\* Os dados do CNUC estão em constante atualização. Ao utiliza-los sempre citar a data.





Source: Imazon

*The Imazon study (Most Deforested Units in Amazônia Legal - 2012/2015) revealed that the Jamanxim National Forest, in Pará, was the most deforested federal Conservation Unit in the Amazon between 2012 and 2015. The region is subject to interests contrary to the environment which seek to reduce, recategorize and extinguish protected areas, paving the way for deforestation.*



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Earlier, in February, a group of representatives from the Amazon basin received a favorable nod from Minister Eliseu Padilha (Civil House) that Planalto would propose a change of land in the state, which compromises where it currently has 10 thousand square kilometers. The lobby seeks the extinction or reduction of five conservation units created in 2016 in areas previously regularized from the land's point of view: the Manicoré Biological Reserve, the Acari National Park, the Aripuanã National Forest, the National Forest of Urupadi and the Campos de Manicoré Environmental Protection Area.

In April, special committees from Congress amended the provisional measures issued by Temer in December, increasing the size of the environmental damage, 10 thousand km<sup>2</sup> that are no longer protected. The breakthrough with UCs in Pará was celebrated in plenary by Senator Flexa Ribeiro (PSDB-PA), a sort of icon of the fight against UCs in Congress. The result of the votes, to be confirmed by the plenary before going to the presidential sanction, “offers the opportunity for rural producers to regularize their areas and productive activities.”

Documents to which the WWF had access to, show that the attack on the protected areas had already gained allies within the government itself. In a technical note, the Ministry of Mines and Energy endorses the interests of the gold miners operating in the Tapajós region, especially Brazauro Recursos Mine-raís, a subsidiary of Eldorado Gold, based in Canada. The note alleges that the company had invested \$ 76 million in the “Tocantzinho” project, where it plans to invest more than half a billion dollars. The MME also counted dozens of permits and research and mining permits, which would have to be reimbursed due to the alteration of limits of the UCs proposed by government, in addition to more than 250 mining requirements for mining activities in the region.



“It is necessary to reaffirm that all investments of Eldorado Gold come from foreign capital, and within legal precepts. The unfeasibility of the project will provoke a great legal insecurity, which is opposed to the policy of attracting the investments necessary for the resumption of the economic growth of the country, especially the mineral activity. The reaction of the international market to the issuance of MP 756/2016 and 758/2016 was extremely negative, as evidenced by a significant drop in the company’s stock price in the Toronto and New York stock exchanges. Finally, it should be noted that the mining concession for the “Tocantinzinho” Project could represent a change in the paradigms in a region where mining represents the usual form of mineral exploration,” says the Minister for the Environment.

In addition to the expansion of the Rio Novo National Park, the ICMBio estimates that the National Forest of Jamanxim loses almost 8,150 km<sup>2</sup> of its territory based on proposals approved in the commissions. The loss to biodiversity is also great in altering the boundaries of the Nascentes Biological Reserve of the Serra do Cachimbo, which prognose river springs that form the Xingu and Tapajós basins. ICMBio took a stand against the changes approved in the Congress and draws attention to the commitments made in the Amazon Protected Areas Program (ARPA), which supports the management of UCs in the Amazon, with contributions from external resources.

“The program was created with the objective of expanding and strengthening the National System of Conservation Units (SNUC) and protecting 60 million hectares in the Amazon region. The application of the resource is linked to compliance with a series of commitments of the Brazilian Government with the Program and its donors. One of the essential conditions for meeting the objectives of the program is the lack of a net loss of conservation unit, which involves, among other aspects, the loss of total protected area coverage. Thus, the disagreements, recategorisations and changes in the limits of conservation units supported by the ARPA contained in the proposals in question, clearly disregard one of the commitments of the Brazilian Government with ARPA Program, and may affect disbursement actions,” states ICMBio In an analysis of the text approved by the congressional committees.

The advance against the UCs in the April ballots extrapolated the limits of the Amazon and reached the National Park of São Joaquim, in the mountainous region of Santa Catarina, which had its limits changed, due to the pressure of rural producers installed in the region. It is an area of remnants of araucaria forest, important in the recharge of aquifers, according to ICMBio. In the vote on Provisional Measure 756, the park lost 20% of its territory, 498 km<sup>2</sup>.

The Brazilian government had previously resorted to Provisional Measures to alleviate Conservation Units limits, both to pave the way for the construction of hydroelectric dams and to benefit occupants of areas in the Amazon, which gives the process an accelerated rite.

The attack on UCs in the region of BR 163 has been underway in Congress since 2006. Two bills at least are still under way to stop the creation decrees of Flona Jamanxim and other protected areas in that region, with no result until the publication of Temer’s Provisional Measures.

Also in April, in another hurried expedient, the Legislative Assembly of Mato Grosso approved in the first vote a bill that extinguishes the State Park Serra Ricardo Franco, an integral protection area of more than 1,580 km<sup>2</sup>, created 20 years ago. The pretext presented by the deputies was the fact that the region was heavily deforested, not justifying the maintenance of protected area status. The park is home to Temer’s chief of staff, Eliseu Padilha, who had assets blocked at the end of last year by the Justice of Mato Grosso for environmental degradation. Sign that the offensive to UCs is not limited to federal areas.

## REDUCTION OF PROTECTION LEVEL SIZE OR SIMPLE DECONSTITUTION

A study published in 2016 by Biological Conservation compiled events of size reduction, recategorization or disaffection of Conservation Units in Brazil between 1900 and 2014. The 67 PADDD events involved an area of 110,000 square kilometers and had accelerated at the end of 2000. They had as main justifications the generation of electric energy or human settlements. Other more than 70,000 square kilometers of protected areas have been identified by researchers as threatening to reduce or lose status.

Another study on the same phenomenon, published two years earlier, identified 93 PADDD events in Brazil between 1981 and 2012, with an increase in the incidence since 2008, mainly due to the generation and transmission of hydropower in the Amazon. The article drew attention to the fact that the reduction of protected areas occurred without consultation with civil society.

		PRINCIPAIS TIPOS DE USO <i>contemplados na lei no 9.985/2000</i>	CATEGORIA DE MANEJO
CLASSE 1	SCIENTIFIC RESEARCH AND ENVIRONMENTAL EDUCATION	Development of scientific research and environmental Education	Biological reserve; ecological station
CLASSE 2	SCIENTIFIC RESEARCH, ENVIRONMENTAL EDUCATION AND VISITATION	Tourism in touch with nature	National and state parks; private reserve of natural heritage
CLASSE 3	FORESTRY PRODUCTION, SCIENTIFIC RESEARCH AND VISITATION	Forestry production	National and state forests
CLASSE 4	EXTRACTION, SCIENTIFIC RESEARCH AND VISITATION	Extraction by traditional populations	Extractive reserves
CLASSE 5	LOW IMPACT OF AGRICULTURE, SCIENTIFIC RESEARCH, VISITATION, FORESTRY PRODUCTION AND EXTRACTION	Public and private areas where agricultural and livestock production is made compatible with the goals of UC	Sustainable development reserve; wildlife refuge; natural monument
CLASSE 6	AGRICULTURAL AND INDUSTRIAL ACTIVITY, URBAN AND RURAL POPULATION CORE	Public and private land with the possibility of various uses for sustainable land use	Environmental Protection area; of relevant ecological interest area

## OFFENSIVE THREATS INTERNATIONAL COMMITMENTS

The offensive against UCs jeopardizes commitments made by Brazil under the United Nations Convention on Biological Diversity. One of the so-called Aichi Targets predicts that, by 2020, 17% of terrestrial and terrestrial areas and 10% of marine and coastal areas should be conserved through protected areas. These areas should shelter regions of major importance for biodiversity and the provision of ecosystem services.

About US\$ 215 million has been pledged by international donors, foundations and multi and bilateral cooperation agencies to make Arpa effectively the largest forest conservation program in history.



The recent advance also threatens the ARPA (Protected Areas of the Amazon) program, conservation and sustainable use of Brazilian rainforests. This program was created by the federal government in 2002 with the objective of protecting the Amazon by expanding and consolidating conservation units. The ARPA is under the coordination of the Ministry of the Environment. The third phase of the program, which runs until 2039, aims to consolidate 60 million hectares of both federal and state UCs in the Amazon.

## INCREASE IN DEFORESTATION, CAUSE AND EFFECT OF THE ADVANCE AGAINST UCS

Taking down forests within the Amazônia Legal Conservation Units reached almost 2,300 square kilometers in 2015, according to a survey by the Institute of Man and the Environment of the Amazon (Imazon), based on data from the National Institute for Space Research. They not only increased the rate of deforestation in protected areas but also their weight in the total cut of the region, which doubled from 6% to 12% between 2012 and 2015.

Deforestation was concentrated in 50 CUs located on the agricultural frontier or under the influence of highways and hydroelectric projects, for example. Imazon attributed increased deforestation to a movement to reduce the degree of protection or the area of some units. The environment of the BR-163 was considered the most sensitive area, and the Jamanxin National Forest, the most deforested of all protected areas. Only in 2015, Jamanxin lost more than 90 square kilometers of forest.

Among the 10 most heavily deforested PAs in the period, one half is an Environmental Protection Area (APA), a protected area with a lower degree of protection, in which a portion of the Jamanxin Flona was transformed. The state APA Triunfo do Xingu, in Pará, was the one that was deforested most. The researchers warned that reducing the area of the PAs or their level of protection would induce further deforestation.

### DEFORESTED AREA 2012-2015 (HECTARES)

APA TRIUNFO DO XINGU <sup>(PA)</sup>	45.369
FLOREX PIO PRETO - JACUNDÁ <sup>(RD)</sup>	31.360
FLONA DO JAMANXIM <sup>(PA)</sup>	23.756
RESEX JACI-PARANÁ <sup>(RD)</sup>	23.369
APA RIO PARDO <sup>(RD)</sup>	22.522
FLONA ALTAMIRA <sup>(PA)</sup>	13.205
APA TAPAJÓS <sup>(PA)</sup>	11.617
APA LEANDRO (ILHA DO BANANAL/CANTÃO) <sup>(TO)</sup>	5.971
APA LAGO DE TUCURUÍ <sup>(PA)</sup>	5.469
RESEX CHICO MENDES <sup>(AC)</sup>	4.790

Ten Conservation Units have concentrated around 80% of the total deforested areas in Amazonian Conservation Units between 2012 and 2015. Source: Imazon

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