
Brazil: Two approaches to a new Forestry Law

Every event happening in Brazil in relation to forests can be considered important, taking into account its huge area, the diversity of forests present in its territory, and the opposing interests at stake.

On March 29th the CONAMA (National Environmental Council) approved the proposal of a Forestry Law elaborated by its Technical Committee and sent the project to the Ministry of the Environment that will present it to the National Congress. The final document resulted from a round of 30 meetings, where a total of 370 organizations from civil society and the industrial sector, as well as delegations from the federal and municipal governments took part. The draft law has support from small peasants, social and environmental Brazilian organizations, since the project takes into account some of their main claims and constitutes a step towards democratization in the planning and use of natural resources in a rich country, paradoxically full of poor.

The proposed Forestry Law has got a holistic view and establishes links with the Conservation Law nr 07/99, and the Hydrological Resources National System passed by Law nr 9433/97, and the Brazilian Constitution itself, making it possible that the state accomplish the environmental principles present there. Additionally, it includes principles of international treaties as the CITES Convention for the conservation of endangered species and the Convention on Biological Diversity.

Nevertheless, powerful interests are undermining this initiative. The National Agricultural Council (NAC) -which represents the interests of big landowners- has announced its opposition, even though one member of this organization is part of the CONAMA and took part in the discussion process. Already in November 1999 the NAC had influenced the government to present to the National Congress a Forestry Act bill which, if passed, would have increased the process of destruction and degradation that affects Brazilian forests and their peoples. Luckily this project was not considered by Parliament thanks to the mobilization of local and international NGOs and to the opposition party, which refused to consider it (see WRM Bulletin 29).

A committee of the Chamber of Deputies has presented its own forestry project to the Ministry of the Environment, which differs from that of CONAMA in several relevant points. For example, legal reserves in the Amazon region and the Cerrados region would occupy 50% and 20% of the respective territories, whereas the CONAMA project includes 80% and 35% respectively. Additionally, this new project adds some proposals to favour big land owners' interests, as the idea of establishing the possibility for landowners whose legal reserve surpasses the limit established by the law to "sell" this portion to someone else who has not reached the obligatory minimum. The absurd of this rationale based in percentages would permit, for example, that a land owner buys forests in faraway places and keeps them untouched while he completely destroys other forests located near profitable consumer markets. Additionally, putting prices to nature and thinking that the market can resolve this kind of situations is a simplistic -and useless- approach.

Two positions are now confronted: on the one hand the CONAMA project, that resulted from a negotiation through an open and participatory process and on the other hand the project presented by some deputies, influenced by big landowners, elaborated in a small and closed circle. Within such

framework, Greenpeace Brazil has launched an international campaign to support the former. Those interested in joining this campaign to support the CONAMA project.

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