The Brazilian Forest Protection and the Global Environmental Law

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Forest and Biodiversity in Brazil

Brazil: a megadiverse country - 20%

Biomes:

- Amazon
- Atlantic Forest
- Caatinga
- Cerrado
- Pampas
- Pantanal
Amazon Biome: 50% of the Brazilian territory

- 20% the world’s oxygen
- 15% all freshwater available on Earth
- 17% destroyed
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Atlantic Forest Biome: 14% of the Brazilian territory

- 93% destroyed
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Caatinga Biome: 9.9% of the Brazilian territory

- 59% destroyed
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Cerrado Biome: 24% of the Brazilian territory

- 46% destroyed
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Pampas Biome: 2% of the Brazilian territory

- 54% destroyed
Forest and Biodiversity in Brazil

Pantanal Biome: 1.76% of the Brazilian territory

- The world’s largest wetland area.
- 17% destroyed
Deforestation, mainly in Amazon Biome, causes:

- Soil empowerment
- Loss of recharge of aquifers
- Reduction of evaporation
- Risks: desertification
- Increases gases emissions
- Risk: loss of genetic resources with economic potential
Expansion of deforestation in Para
Agricultural development and environment in Brazil

Coffee - State of São Paulo, 1910
Agricultural development and environment in Brazil

Coffee - State of São Paulo, 2003
Two important issues of forest protection:

- Permanent Preservation Areas
- Legal Reservation
Law #12. 651/12

- **Permanent Preservation Areas**: environmental function

- **Top of Hills**

- **River/Lake Banks**

- **Sources**

- **Mangrove**
Brazilian Forest Code and current changes in Permanent Protection Areas

- Before: calculation of the protected area: from the higher level of the banks
- Now: from the regular height of the water flow

- Before: decision about the vegetation removal: CONAMA
- Now: some decisions: the President of the Country
Law 12. 651/12

- Legal Forest Reservations
Brazilian Forest Code and current changes Law #12. 651/12

- Legal Forest Reservations

- Native forest: kept/ included as part of the property

- 80% to 20%

- Possibility of compensation
Brazilian Forest Code and current changes on Legal Reservation

- Before: registration in the notary office
- Now: registration in regional data basis

- Before: all the rural properties
- Now: under 4 FU: free from Legal Reservation
- Fiscal Unit: from 4 to 100 ha
Brazilian Forest Code and current changes

- The administrative procedures of protection have been changed

- Part of the decisions about the permission to deforest: Discretionary Power

- Administration, not the law.
International Environmental Agreements: UNFCCC

- United Nations Framework Convention on Climate Change
  - Responsibility
  - Law 12.187/09: national volunteer commitment: from 36.1% to 38.9% of forecasted emissions by 2020
Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use.

- **Target #5:** by 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced.

- **Target #7:** by 2020 areas under agriculture, aquaculture and forestry are managed sustainably, ensuring conservation of biodiversity.

- **Target #8:** by 2020, pollution, including from excess nutrients, has been brought to levels that are not detrimental to ecosystem function and biodiversity.
Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity

- **Target 12**
  By 2020 the extinction of known threatened species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained.
Strategic Goal D: Enhance the benefits to all from biodiversity and ecosystem services

- **Target #14**: by 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable.

- **Target #15**: by 2020, ecosystem resilience and the contribution of biodiversity to carbon stocks has been enhanced, through conservation and restoration, including restoration of at least 15% of degraded ecosystems, thereby contributing to climate change mitigation and adaptation and to combating desertification.
“The Future we Want” 193

- Social, economic and environmental benefits of forests to people and the contributions of sustainable forest management to the themes and objective of the Conference.

- Supporting of cross-sectoral and cross-institutional policies promoting sustainable forest management.
“The Future we Want”

- The wide range of products and services that forests provide creates opportunities to address many of the most pressing sustainable development challenges.

- The importance of such ongoing initiatives as reducing emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries.
CONCLUSIONS

“The Future we Want”

- Will the Government protect biodiversity?
- Is the Global Governance a reality?
- Environment Agency?