Forest Tenure Reform in Brazil

Global Issues in Governing Natural Resources
Next Generation Leadership of Public Forest Agencies
June 7th, 2012
Whistler, British Columbia, Canada
Recent History

• Forest Tenure Reform: 27 years process

• Landmarks
  – Democracy - 1985
  – 1988 Constitution
    • Human rights + Environment
  – Death of Chico Mendes - 1988
  – Rio 1992 and international context

• Perception by public, media and government of the need to stop deforestation and protect native Brazilian and traditional population rights
Initial Changes

• Increase in the area allocated to native Brazilians and traditional populations
• New approaches to conservation areas and settlements to allow for sustainable use
  – Extractive Reserves
  – Sustainable Development Reserves
  – Extractive Settlements
  – Sustainable Settlements
  – Quilombola Lands
• Creation of a single environmental agency
Indigenous Brazilian Lands

Area (1,000 sq km)

YEAR


0 200 400 600 800 1,000 1,200
National protected areas in the Amazon

![Graph showing the increase in protected areas in the Amazon from 1984 to 2009. The y-axis represents the number of protected areas, ranging from 0 to 160, and the x-axis represents the years from 1984 to 2009. The area (1,000 sq km) for each year is indicated by bars in blue and red. The graph shows a significant increase in protected areas from 1984 to 2009.]
“Public florests must remain public and forests”

• Deforestation increase in 2003
• Integrated policy approach to control deforestation (2004)
  – 14 ministries working together

• The positive agenda
  – Creation of Brazilian Forest Service (2006)
  – Public forests are defined
  – Concession of public forests (2008)
  – Community Forestry
  – National Plan and Policy on Climate Change
National Program For Community Forestry

• First concept presented at Acre in 2007
• First plan launched in 2009
• Strong civil society participation

• Coordinated by Forestry Service and Ministry of Agrarian Reform
• Other agencies are members of the council
National Program For Community Forestry

<table>
<thead>
<tr>
<th>Type of tenure</th>
<th>Agency</th>
<th>Use</th>
<th>Area (ha)</th>
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</thead>
<tbody>
<tr>
<td>Indigenous lands</td>
<td>Ministry of Justice</td>
<td>Non-timber</td>
<td>105,672,003</td>
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<tr>
<td>Private</td>
<td></td>
<td>Multiple, standard intensity</td>
<td>48,000,000</td>
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<tr>
<td>Settlement</td>
<td>Ministry of Agrarian Reform</td>
<td>Multiple, standard intensity</td>
<td>16,839,313</td>
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<tr>
<td>Conservation areas</td>
<td>Ministry of Environment</td>
<td>Multiple, low intensity</td>
<td>19,378,923</td>
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</tbody>
</table>
Deforestation rates in the Amazon

![Graph showing deforestation rates](image.png)
Deforestation inside and outside protected areas

Percentage of deforested area - 2003

Source: Ferreira et al, 2005
Programa Terra Legal (Legal Land Program)

- Ministry of Agrarian Reform
- Large number of people were attracted to the Amazon by settlement projects, official and private.
- Many settlers are not legally entitled to the land they occupy
- As a result, they can’t access bank credit and government programs
Programa Terra Legal
(Legal Land Program)

- Terms for access
  - Land occupied before 2004
  - Cannot have another rural property
  - Land cannot be inside conservation area, indigenous peoples lands, settlement, etc
  - Up to 1,500 ha
  - Free - if land is smaller than 1 module (80/100 ha)
Present situation

• Slow progress and a couple of setbacks
• Political forces grouped around traditional view on the use of natural resources
  – geographical area where agriculture is main economic activity
  – agribusiness production chain
  – Conservatives
• Changes in the Forest Code
• Changes to Conservation Areas
  > Increase in deforestation?
Thank you