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GOVERNMENT THREATENS ATLANTIC FOREST
Background

The Constitution of 1988 transformed the Atlantic Forest into national patrimony. In 1992, The National Environmental Council (CONAMA) approved a proposal of regulations for the Constitutional language, defining the extent of the Atlantic Forest and extending protection to secondary forests in initial, medial and advanced stages of regeneration. It also defined criteria and procedures for enforcement and rational exploitation, orienting actions and creating instruments of control open to the participation of civil society.

Based in what CONAMA had approved, representative Fabio Feldmann elaborated Law no. 3.285, presented to the House of Representatives in October of 1992.

Concerned with delays in the legislative process, CONAMA sent a draft decree of equal import to the President of the Republic. The proposal, the objective of which was to ensure immediate safeguards for the Atlantic Forest, gave originto Federal Decree 750, signed by President Itamar Franco February 10, 1993.

Since its publication, Decree 750 has been regulated by 16 CONAMA resolutions and various joint orders by the Brazilian Environmental Institute and state environmental agencies, establishing criteria and precise parameters for its application in the Atlantic Forest states. The increasing efficacy of the decree has generated a strong reaction from the business community, in particular loggers, agroindustry, and real estate speculators, who have invested heavily in getting the decree revoked.

The Threat

At teh beginning of the FHC government, then president of IBAMA, Nilde Pinheiro Lago, days before leaving office, sent a circular to the state superintendents of the agency instructing them to disregard the presidential decree, since there were doubts as to its legality. The fact was denounced by NGOs and Secretary of Environment of Sao Paulo, Fabio Feldmann. FHC was made aware of the fact, but only after three weeks of pressure did the new president of IBAMA, Raul Jungmann, revoke the circular, determining that the Decree be enforced. Jungmann also however created a comission to restudy the issue.

In June 1995, the Minister of Environment, Gustavo Krause, and the President of the Brazilian Environmental Institute (IBAMA), presented proposed legislation seeking to replace Decree 750, reducing the area of Atlantic Forest under protection by 70%.

Supported by loggers, contractors, ranchers and politicians from Espirito Santo state, and elaborated by IBAMA, the proposal reduces the area legally protected from 1,1 million saure kilometers to 260 thousand square kilometers, and excludes all the forests of the interior in the South, Southeast, and Northeast regions of Brazil.

If the proposal is approved, the "araucaria forests", under intense pressure from logging in Parana and Santa Catarina states, will be seriously threatened, as will the semideciduous seasonal forests, located in areas of expansion of large cattle ranches.

Reacting to the criticisms of state environmental agencies, scientists, and environmentalists, Krause and Jungman presented two months later a proposed Decree to protect these forests. They thus attempt to confuse public opinion with a false demonstration of environmental concern, when in reality they intend to replace existing legal protection with promises of new measures that may never be approved.

Atlantic Forest: the second most threatened forest on the planet

In 1990 a study by IBAMA, the National Space Research Institute (INPE) and NGOSOS Atlantic Forest demonstrated that only 8.8% of the original area of Atlantic Forest remained.

Demonstrating the destruction of more than 90% of the original forest conferred the unenviable title of the second most endangered tropical forest on the planet on the Atlantic Forest, behind only the nearly extinct forests of Madagascar.

Starting in 1992, INPE and SOS Atlantic Forest began to publish the results of a second, and more detailed, study comparing satellite images of the forest in 10 states between 1985 and 1990. In only five years, more than half a million hectares were eliminated, the equivalent of some 400 soccer fields per day.

According to these data, if the presents rates of destruction (proportionately three times greater than in the Amazon), the Atlantic Forest will dissappear completely in the coming 50 years.

The importance of the Atlantic Forest Even fragmented and reduced the Atlantic Forest is of enormous environmental and social importance. For the 70% of the Brazilian population that lives in the Atlantic Forest region in cities, for traditional fishing and indigenous communities the forest protects upper watersheds and regulates hydrological cycles, ensures soil fertility, controls climate, and protects mountainsides and slopes, as well as preserving an immense biological, historical and cultural patrimony.

The forest's expanse and geographic extent (occupying areas in widely separated latitudes with diverse climatic conditions) led to formation of different microenvironments, producing enormous biodiversity.

Of the aproximately 10,000 species of plants, 50% are endemic, that is, they occur nowhere else. More than half the trees species are endemic, as are 64% of the palms, and 74% of the bromeliads.

Faunal diversity is similarly great: 130 species of mammals, 51 endemic; 23 species of marsupials; 57 species of rodents, 160 species of endemic birds; 183 species of amphibians, of which more than 90% are endemic; and 143 species of reptiles and 21 species and subspecies of endemic primates.

The conservation of the biodiversity of the Atlantic Forest, product of the diverse environments which characterize it, depends on the adoption of measures that protect its differing types of vegetation.

The proposed legislation elaborated by Krause and Jungmann restricts the protection of the Atlantic Forest to one type of forest, which is technically incorrect, and if approved, will not promote the conservation of the biological diversity of the Atlantic Forest. To the contrary, it will expose forest formations in advanced stages of destruction to further degradation.

Suggested Questions:

1. (priority question) Will the government continue to defend the modification of the legislation protecting the Atlantic Forest, in spite of the opposition of the National Environmental Council (CONAMA), environmentalists, the academic community and state governments? Does the government intend to revise the restrictions on deforestation in the Atlantic Forest?
2. Does the government intend to elaborate a specific action program for the conservation and recovery of the Atlantic Forest? Does the government believe that continuing the process of replacing Atlantic Forest with real estate developments and agroindustries can be sustainable, or that it makes economic sense?
3. In what way does the reduction of the area of Atlantic Forest under protection by 70% correspond with the aims expressed in the G7 Pilot Program for the Conservation of Brazilian Tropical Forest? How can the government expect to maintain the confidence of the donor nations if it is willing to cede to the pressure of the same interests that have been responsible for the destruction of more than 90% of the most threatened group of ecosystems in Brazil?