

Brazil's Bolsonaro appears to be taking a tougher stance on protecting the environment. Critics say it's just lip service

Thursday, June 2nd 2022, 8:02 AM CDT

Analysis by Rodrigo Pedroso and Marcia Reverdosa, CNN

Brazilian President Jair Bolsonaro's abysmal track record on the environment is long standing, with his policies instrumental in rolling back the country's once-stringent environmental protections and weakening its environmental agencies.

Under Bolsonaro's tenure, [destruction of the world's largest rainforest](https://www.cnn.com/2022/04/08/americas/brazil-amazon-deforestation-latam-intl/index.html) (https://www.cnn.com/2022/04/08/americas/brazil-amazon-deforestation-latam-intl/index.html) has deepened, with the portion of the Brazilian Amazon rainforest impacted by deforestation in the first three months of this year the highest ever recorded – measuring to an area nearly the size of Dallas, Texas, according to data from Brazil's National Institute for Space Research.

Meanwhile, more than nearly 700 public servants working in the environmental sector have been let go or dismissed from their positions since 2018, according to data from the Ministry of Economy. Last year, deforestation in the Brazilian Amazon reached a 15-year record high.

But last week, the far-right leader appeared to make a U-turn, signing an environmental decree that establishes higher fines for deforestation, illegal logging, burning, fishing and hunting.

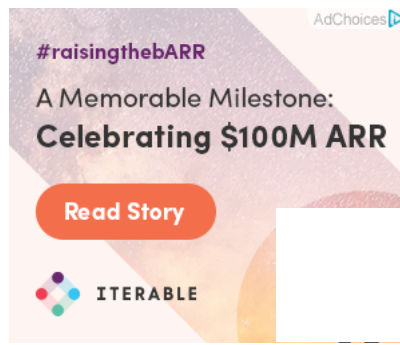
It also introduces heftier fines on repeat offenders, and changes the rules for "reconciliation" hearings between offenders and environmental agencies by placing a time limit on an offender's ability to engage with the process before proceeding with a judicial hearing.

The government celebrated the initiative in a statement, calling it "an important step in the environmental law," that is "fundamental to assure that Brazil keeps meeting the commitments made, internally and abroad."

The move appears to be the first concrete action that supports Bolsonaro's United Nations [COP 26 November promise](https://www.cnn.com/2021/11/01/world/cop26-climate-deforestation-deal-intl/index.html) (https://www.cnn.com/2021/11/01/world/cop26-climate-deforestation-deal-intl/index.html) to enforce environmental protections in Brazil and to end deforestation by 2028.

But some experts view the measure with skepticism – pointing out that these mostly procedural changes may be just another way that Bolsonaro can boast to the international community that he's taking positive steps, ahead of his re-election campaign for the October 2022 presidential election.

Raoni Rajao, Professor in Social Studies at the Federal University of Minas Gerais told CNN that he believes the government is working to rebrand itself as eco-friendly, despite its track record.



"Although even conservatives recognize that the environmental issue is important, the government manages to convince them (conservative voters) that Brazil is doing a great job in the area," Rajao said.

Those who criticize Bolsonaro's policies, he said, are considered "unpatriotic" in the eyes of the government, who say that "international criticism is (trying) to impede the country's development."

Brazil's Ministry of the Environment told CNN that the decree is "a normative improvement in the fight against illicit environmental activities." It emphasized that the decree significantly increases fines, and defended environmental reconciliation hearings as helping to ensure "more efficiency" in collecting them.

Since 2019, Bolsonaro has advocated for the practice of reconciliation hearings to speed up the fine process. Prior to the new decree, the environmental agency would have to wait to hear from the offender on whether they wanted to have a hearing to decide if take their case to court – or if they agreed to simply pay the fine. That process could take months – or even longer, and created a massive backlog. Now, offenders have been given a time limit of up to 20 days to decide, otherwise the judicial process will be carried out without the reconciliation hearing.

But environmental defenders say the option for reconciliation should not exist at all. Experts believe it was created by the Bolsonaro government to give a voice to the offender and to slow down the judicial process.

Raul Valle, director of WWF-Brazil's Social and Environmental Justice program said in a statement that the hearings have achieved the opposite of their proposed objective – and have instead, practically paralysed the process. He noted the massive backlog of cases that the reconciliation process has created.

"This only increases the feeling of impunity in the Amazon, which, in turn, is an incentive for those who deforest," he said.

From October 2019 to May 2021, nearly all (98%) of the 1,154 environmental infraction notices issued in the Amazon by Brazil's environmental agencies had yet to be settled, according to a report from the Climate Policy Initiative and the WWF, citing data from the federal government.

Meanwhile, an internal document from Ibama, the government's environmental agency, obtained by data journalists from the independent public data agency Fiquem Sabendo, shows that there are more than 37,000 unpaid environmental infringement fines due to expire by 2024, with 5,000 of them due to expire by the end of this year.

"As time passes by, offenders notice that the punishment risk is low and therefore it is worthy to continue using environmental resources without authorization," the Ibama document said.

And, in fact, fewer fines are being issued altogether, said Anne Aimes, Science Director at the Environmental Research Institute of the Amazon (IPAM).

From 2018 – the year Bolsonaro was elected – to 2021, the number of fines issued by Brazil's environmental agency Ibama dropped by 40% – to 2,534 from 4,253.

"Maybe they are trying to show something abroad, but what we see on the ground is the opposite," Aimes said of the decree. Bolsonaro is expected to meet with United States President Joe Biden at this month's Summit of Americas in Los Angeles for their first formal talks.

She added that the government should take a different path if wants to take environmental crime seriously, calling the decree a "façade."

"It is not enough to set a time limit on the (re)conciliation mechanism or heavier fines," she said.

Instead, "an increase in command-and-control operations on the ground, strengthening of environmental agencies, and support of states agents" is needed.

While environmental agencies remain understaffed, there has been some positive progress in the sector since last June, under the leadership of the newly appointed environmental minister Joaquim Leite, with environmental agencies slowly gaining back their independence.

But Bolsonaro appears to be working against such initiatives, at least in his rhetoric among supporters.

Just a few months ago, speaking at an agribusiness event in January, Bolsonaro criticized environmental fines -- even lauding their reduction.

"We stopped having big problems with the environmental issue, especially regarding the fine(s). Does it have to exist? Yes. But we talked and we reduced the fines in the field by more than 80%," he said.

Stephanie Buscemi, former
Salesforce CMO, Joins Iterable Board

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