

Great land giveaway could be disaster for Amazon

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Brazilian president Ignacio Lula da Silva looks set to ratify a bill that will legalise the criminal occupation of large chunks of the Amazon by companies that have been illegally squatting – and often deforesting – them.

The bill has angered environmental groups and researchers, as well as several senators and Brazil's former environment minister. They say that instead of merely regularising land ownership in the Amazon, as it is supposed to do, bill 458 will: justify illegal land grabbing, which has been rife in the Amazon for decades; encourage further land grabs; strip indigenous populations of land that has traditionally been theirs; and make it easy for companies to ignore environmental laws.

The legislation would be counter to "every single commitment Brazil has ever made with respect to deforestation control and governance in the Amazon", says Antonio Nobre, a forestry researcher with the National Institute for Amazonian Research (INPA).

Bill 458 was ratified by the senate earlier this year and president da Silva must now ratify or veto it. He has so far supported the bill. Yesterday, a last-minute campaign was launched calling on people to ring the president's office and ask him to reject it.

'Wild West' expansion

Land ownership in the Amazon has always been a contentious issue. In theory, just 4 per cent of it is legally owned private land. In reality, much of the region is very remote and poorly policed. To complicate matters, in the 1970s, the government encouraged people to settle by promising them that they would be given titles to land parcels at a later date.

As a result, companies and individuals have for decades been moving in and occupying parcels that have not subsequently been officially registered. According to the Brazilian NGO Imazon, just under one quarter of the Amazon consists of unregistered private properties.

Nobre compares the situation to an American Wild-West style of occupation, only in fast forward. "Two hundred years ago in North America," he says, "they did not have chainsaws, bulldozers, GPS, and radar images, as the Brazilian modern agribusiness has."

On the surface, bill 458 seeks to regularise the situation and make it easier to enforce environmental protection. If ratified, settlers that have been occupying small plots with a maximum area of 100 hectares since before December 2004 will be able to apply for legal land titles for free. Those that have been living on larger plots, up to 1500 hectares, will be able to buy the titles, sometimes at discounted price.

The titles will allow them to use their land to guarantee bank loans and they will be able to legally make a profit by selling their deeds.
'Encouraging occupations'

Initially, it seemed like the bill might help restore areas that have been environmentally damaged, says Brenda Brito, executive director of Imazon. For example, it includes a proviso stating that if owners deforest their land, the government can take away their title deed.

However, amendments introduced as it passed through congress mean that it could end up legalising criminal claims. The most contested amendment concerns claims by "indirect" occupants. These are people and companies that do not live in the Amazon, but pay others to sit on parcels of land in their stead, hoping that they might one day be granted ownership. Often they have illegally deforested the land as an easy way of marking their presence.

Nobel says this amendment means the bill is tantamount to a "wholesale legalisation of criminal land grabs in the Amazon" for an area the size of Germany and Italy combined. He adds that the bill will only sustain land grabbing activities. "Anybody who has refrained from 'grabbing' land in the last 40 years because that was a criminal act, will feel like they are being awarded the fool's prize, and you can only imagine what that will mean for the remaining pristine areas," he told New Scientist.

"It is unlikely he [the president] will veto any relevant part of it," says Sérgio Abranches, political scientist at the Federal University of Rio de Janeiro. "The bill will be enacted at the very best with minor vetoes. This is a major problem because land-grabbing has declined since 2004."