

To High Representative Josep Borrell
To Commissioner Virginijus Sinkevičius
To Commissioner Phil Hogan

03/06/2020

Subject: Dismantling of Brazilian legal framework to fight deforestation and protect indigenous people

High Representative, dear Commissioners,

The situation in regards to the Covid19 pandemic is tragic and requires most of the energy of public authorities both in Europe and in Brazil. We however have to express our dismay after hearing Brazilian Environment Minister Ricardo Salles calling on the government to push through further deregulation of environmental policy while people are distracted by the coronavirus pandemic, in a video the Supreme Court ordered released on Friday May 22, 2020.

Meanwhile, deforestation in Brazil has increased in every month in 2020, in relation to the rate detected by for the same month in 2019, increasing by 109% in January, 34% in February, 30% in March and 64% in April (source: DETER satellite-based monitoring system). And the fire season is looming.

This follows several Brazilian legislative proposals which we find very worrying. They include

- Proposed law PL-2633/20, which would facilitate legalization of illegally occupied government land, and even allows titling on the basis of mere “self-declarations”. The areas most affected are on the deforestation frontier in the Amazon where the rainforest is being converted into extensive cattle pasture.
- Proposed law on environmental permits PL N.º 3.729/2004
- Proposed laws which would legalise mining in indigenous territories

We are also concerned about administrative and regulatory changes, like decree Nº 9.760, which suspended fines for illegal logging and therefore shields lawbreakers.

We strongly believe that no product linked to illegal deforestation should be able to enter the European single market. For companies to be able to exert their due diligence obligations to prevent deforestation in their supply chains, they need to be able to rely on strong and enforced Brazilian anti-deforestation policies. For law makers to accept market access for Brazilian products, especially agro-products, we need the same trust.

Deforestation-free supply chains require strongly stepping up the enforcement of the EU-timber regulation, and broadening its scope to forest-risk commodities as fast as possible. The initiative on mandatory due diligence foreseen by the Commission for 2021 needs to include provisions that address deforestation and human rights violations related to land-use.

Additionally, existing and future market access for Brazilian agro-products is not acceptable if it means importing deforestation and human rights abuses. The current situation is already dramatic, and an agreement like the EU-Mercosur trade deal would increase pressure on forests due to higher exports of forest-risk commodities, and reward the Bolsonaro government for its destructive policies. Continuing to support this agreement totally sends the wrong signal.

We urge you to take stock of the situation in Brazil, and to adapt your action accordingly. The EU has an important role to play to protect and restore the world's forest and to fight for human rights at home and abroad. The time to act is now.

Yours sincerely,

SIGNATURE

Anna Cavazzini, Member of the European Parliament