

Brazil

Open letter to the President of the Republic (Dilma Roussef) and the National Congress,

We, the signatories to this open letter, during the period we occupied the posts of Minister of State or of Special Secretary for the Environment had the opportunity and responsibility of fostering and promoting, within the sphere of Federal Government, and to the benefit of future generations, measures designed to protect Brazil's environmental heritage and, most outstandingly, its forests. In spite of the paucity of human and financial resources available, expressive results were obtained due to the decisive support given by society at large, by a succession of presidents and by the National Congress itself, as witness: the National Environment Policy (1981), Article 225 of the 1988 Federal Constitution, the Water Resources Management Act (97), the Environmental Crimes and Offences Act (98), the National Protected Areas System Act (2000), The Environmental Information Act (2003), the Public Forest Management Act (2006), the Climate Change Act (2009) and the Solid Waste Management Act (2010)

Long before the world fully awoke to the importance of its forests, Brazil had taken the pioneering step of formally establishing the need for their conservation in its legislation and later consolidated that gesture in the text of the Federal Constitution and successive acts regulating the issue. Such measures ensured protection for, and the sustainable use of that particular Brazilian natural asset on the basis of the Forest Law dating back to 1965. That law was the founding framework and inspiration for such measures and, from then until now, it has been the single most relevant institutional basis for the protection afforded to forests and all the other forms natural vegetation in Brazil, as well as protecting the biodiversity associated to them, the water resources they protect and the ecological services that they provide.

The process of constructing the legal framework was conducted with transparency and the decisive participation of society at all levels. In that regard it must be underscored that the National Environment Council (CONAMA) has always served as an exceptional forum for participative decision-making, anticipating tendencies that were eventually to characterise public administration in Brazil and, later, in other countries as well. Thanks to this trajectory of environmental responsibility, Brazil has acquired legitimacy as one of the most noteworthy participants in international forums on the environment and furthermore currently has this essential heritage at its disposal to ensure its competitive insertion in the 21st century.

To honour and continue on this trajectory of progress, the nation's political leaders are now called upon to take the next step. To ensure that the Forest Law continues to fulfil its role of protecting natural resources, there is an urgent need to institute a whole new generation of public policies. Agricultural policy can be benefited by the services that the standing forests offer and achieve new and more advanced levels of competitiveness and productivity.

The process, however, must be unfolded with responsibility, transparency and the effective participation of all social sectors in order to consolidate its achievements. Brazilians are proud of the many successes and the many years of work dedicated to obtaining them and such progress must not be exposed to the risks implicit in abrupt changes made without adequate prior assessment or suitable debate. Furthermore, we consider it highly untimely and inappropriate to strip the CONAMA of any of its regulatory powers and attributes at a moment when the country is under the aegis of a participative form of democracy, formally consecrated in the provisions of our Federal Constitution.

Thus we fail to see any coherence between the proposed changes to the Forest Law approved by Special Committee of the Federal House of Representative in June 2010 or

those contained in any of the subsequent versions that circulated after its approval; and the historic process of our quest for the consolidation of sustainable development, highlighted and enhanced by moments of considerable progress. Quite the contrary, if any one of the extant versions were to be approved, we, as a country, would be going against the tide of our recent history to the great detriment of our natural heritage and capital.

Nor should we ignore the appeal to the nation recently made by the Brazilian scientific community, or the successive manifestations of businessmen, representatives of the family-based agriculture sector, representatives of young people and so many other segments of society. The mere expectation that the amendment to the Forest Law and its consequent weakening would be approved set off a disturbing wave of renewed deforestation in the Amazon region, as has been unequivocally demonstrated by data recently released by the Brazilian Space Research Institute (INPE).

We feel, Madame President and Members of Congress, that history has marked out our time and more especially those that currently hold the most important positions of leadership in our country, to take on the preservation of this precious legacy of environmental protection and more than that has offered them an opportunity to take the lead in a great collective effort to ensure that Brazil continues to mark out its pathway as a nation capable of achieving development with social justice and environmental sustainability.

Brazil's active engagement in the global effort being made to address climate change is essential. The decision announced in Copenhagen to commit to defined greenhouse gas emission reduction goals meant that Brazil had accepted a daunting and paradigmatic challenge. Next year we will be hosting the United Nations Rio+20 Sustainable Development Conference, and Brazil would do well to continue to lead by example and inspire other countries to make similar progress with the urgency and responsibility that current reality imposes on us all.

It is precisely because we understand the importance of this role in the struggle for a better world for all and because we feel the weight of this historic responsibility that we feel it incumbent upon us to address our appeal to Your Excellency and the National Congress for the necessary measures to be taken. The Forest Law, together with a National Forest Policy should be brought up to date to facilitate to make the proper use, restoration and conservation of the forests feasible. It is important to support the measures for forest restoration, not to dismiss them. The Forest Law can, and must create the framework of incentives needed to foster that restorative end. The CONAMA itself could take the opportunity of incorporating such issues with the due participation of civil society and the corporate sector. For our part we are at your Excellencies' disposal to contribute to the process and we are confident that any retrograde steps on this long and challenging journey will be avoided.

Brasília, May 23, 2011

Carlos Minc (2008-2010)
Marina Silva (2003-2008)
José Carlos Carvalho (2002-2003)
José Sarney Filho (1999-2002)
Gustavo Krause (1995-1999)
Henrique Brandão Cavalcanti (1994-1995)
Rubens Ricupero (1993-1994)
Fernando Coutinho Jorge (1992-1993)
José Goldemberg (1992)
Paulo Nogueira Neto (1973-1985)