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Lack of transparency and social participation undermine the fight against deforestation in Brazil

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Abstract

The Brazilian government wrapped up 2021 with a masquerade at COP26 (26th UN Climate Change Conference of the Parties): hiding PRODES (the annual Amazon deforestation report). After three years of denying and dismantling the public apparatus to fight Amazon deforestation, this is emblematic of how transparency and social participation have been neglected. Transparency of PRODES has been crucial to all initiatives against deforestation. Notwithstanding, the Brazilian government has not only worked to discredit PRODES, but limited access to other environmental data and decreed a 'gag law'. Responses to requests of public data are largely unsatisfactory and information on deforestation permits (key to understanding the extent of legal and illegal deforestation) is either missing or incomplete. Social participation has been strongly limited after one-fifth of 22 national boards monitoring the public administration was extinct and almost half restructured. As an outcome, the Amazon Fund, the most important source of financial support against deforestation, was frozen. These systemic problems compromise the political struggle to combat Amazon deforestation and worsen the living conditions of those peoples protecting forests. Increasing transparency of environmental data through robust and reliable mechanisms, and ensuring social participation in the decision-making processes are crucial to halt deforestation and support Brazil's role as an international player.

Keywords Amazon, data transparency, social participation, deforestation, environmental justice

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1. Introduction

After three years of denying and dismantling the public apparatus to fight Amazon deforestation, the Brazilian government wrapped up 2021 with a masquerade that is emblematic of how transparency and social participation have been neglected in this administration: hiding PRODES (the annual Amazon deforestation report) at COP26. Traditionally announced before or during the UN Climate Summit, the 2021 PRODES report, though concluded in October, was only released in mid-November (*Ferrante and Fearnside 2021; The Independent 2021*). The 13,200 km² of forests lost between August 2020 and July 2021 – the highest Amazon deforestation rate in 15 years – largely contradicted the estimated 5% reduction announced by the Minister for the Environment in Glasgow (*Sassine 2021*).

This move, either to avoid international embarrassment or as a deception strategy in negotiations at COP 26, is the culmination of three years denying Amazon deforestation and dismantling the public apparatus to fight it. Here we report on how, throughout this period, transparency of environmental data and social participation have been progressively neglected and discuss why this is jeopardizing public and private policies to combat the conversion and degradation of forests.

2. Dismantling the apparatus against deforestation

Transparency of PRODES dates back to 2004 and represented a great step in the fight against deforestation. At the time, Brazil's government stood for responsible and rational management of forests, reinforcing its rights and capabilities of governance over the Amazon (*Rajão and Georgiadou 2014*). PRODES became a crucial tool to analyze, monitor, and verify the efficacy of public and private sector initiatives to tackle deforestation. However, for the last three years, the Brazilian government has campaigned to discredit INPE (National Institute for Space Research), denied the seriousness of the problem, and blamed civil society and indigenous peoples for forest degradation (*Phillips 2019*). As a result, deforestation in 2021 has almost doubled since the 2018 elections, when PRODES recorded 7,500 km² (*INPE 2021*).

Conditions have gotten progressively worse (*Abessa et al. 2019*). On 30 May, 2019, in a move to restrict public participation in the decision-making processes of the federal administration, a decree banned all related steering committees, boards, and forums. Of 22 national boards monitoring socio-environmental policies, one-fifth were extinct and almost half were restructured (*Imaflora et al. 2021*). Reduced participation of civil society in processes of building and monitoring socio-environmental policies creates a space where rules can be easily changed without public scrutiny and accountability that comes with it. This setback in governance also affected the Amazon Fund, the most important source of financial support for the protection of forests, leading to the blocking of roughly 520 million USD in already available funds and the indefinite suspension of any donations from Germany and Norway.

Meanwhile, budgets of environmental agencies were cut by over 30%, rendering law enforcement operations unfeasible (*Pontes 2021*). Indeed, 2019-2020 saw the lowest number of environmental fines for deforestation handed out by environmental agencies in the last two decades (*Rajão et al. 2021*) while the areas embargoed by IBAMA – federal government's agency for environmental enforcement, were reduced by more than 80% in the same period (*Lopes et al. 2021*). Furthermore, a new study shows that only 1.3% of all deforestation alerts in the Brazilian Amazon between 2019-2020 were subject to law enforcement operations (*Coelho-Junior et al. 2022*). All this put into evidence how budget cuts and changes in legal procedures hinder effective actions to tackle deforestation (*Lopes and Chiavari 2021*). Besides, a Government Accountability Office audit report revealed that in 2020 the application of environmental fines was suspended for eight months, further undermining law enforcement and accountability for environmental crimes in the Amazon (*CGU 2021*).

Transparency of environmental data became even more limited. A 'gag law' in place since 2019 restricted access to the press of any information regarding law enforcement, further obstructing accountability (*Imaflora et al. 2021*). According to a 2011 Brazilian federal law, access to environmental data is granted to the public, either through data platforms (active transparency) or under request (passive transparency). However, as a recent survey shows, from 321 data requests on environmental data to federal agencies, the number of satisfactory responses in 2019

decreased by 80% compared to the period 2017-2018 (*Imaflora et al. 2021*). Similarly, information on deforestation permits, which is key to understanding the extent of legal and illegal deforestation, is either missing or incomplete thus preventing social control over public policies and sector agreements to tackle illegal deforestation (*Valdiones et al. 2021*).

Recently, another attempt to conceal the seriousness of the deforestation crises that Brazil faces now regards the Cerrado where 8,531 km² of native vegetation were lost between 2020 and 2021 – an increment of 8% relative to the previous period and the highest rate since 2015 (*Salomon 2022*). Following the same MO at COP-26, the Cerrado report available since 06 December was only made public on New Year's Eve. Endangered by the expansion of commodities like soybeans and cattle, the Cerrado is a hotspot of biodiversity and a major water supplier (8 sources of 12 major Brazilian rivers are in this biome). The future of the Cerrado deforestation monitoring program is also uncertain because of a lack of funds (*Salomon 2022*).

3. Transparency and social participation drive sustainable pathways

More transparency and social participation could also help improve and strengthen the private sector agreements to fight deforestation. Aligned to public policies, the soybean and beef sectors committed since 2005 to monitoring and blocking their suppliers caught deforesting the Amazon (*Nepstad et al. 2014*). Though monitoring protocols are defined by the participants in these agreements (companies, civil society organizations, and the Public Prosecutor Offices) all necessary data to monitor compliance in the soybeans and beef supply chains are public. According to the European Union acting on global deforestation and forest degradation recently approved, and the United States Forest Act bill under discussion, traceability, transparency, and accountability are fundamental elements in government and companies' policies aiming to tackle deforestation and addressing climate change. Also of paramount importance is to expand these policies to protect biomes severely threatened like the Cerrado where though the conversion of native vegetation has been intense, strategies and tools to improve protection and increase sustainability are still fragile.

Brazil's solid expertise in developing and implementing policies to tackle deforestation is well docu-

mented. Beyond the on-the-ground deterrence effect, policies like PPCDAM (the Action Plan to Prevent and Control Deforestation in the Legal Amazon), solidified a discourse that environmental crimes would be met with the full force of the law (*West and Fearnside 2021*). IBAMA's (the Brazilian Institute of the Environment and Renewable Natural Resources) personnel could operate and, despite all difficulties emerging from their function, they had minimum conditions to enforce the law. Between 2004, when PPCDAM was implemented, and 2012, when changes in the political scenario progressively weakened environmental policies reducing its effectiveness, Amazon deforestation decreased from 27,772 to 6,000 km². In this process, transparency of environmental data, which PRODES is emblematic of, was the outcome of political will evoked by civil society that for years pleaded free access to the data.

Today, under the pressure of inflation and unemployment, and mourning 623,000 deaths from COVID-19, Brazilian society is losing the few resources once available to assess and understand the risks of degradation to its natural resources (*Imaflora et al. 2021*). A 'death agenda' aiming to open conservation units and indigenous lands to mining, soybeans, and cattle ranching has had little if any space for debate either (*Ferrante and Fearnside 2019*). These systemic problems compromise the political struggle to combat deforestation in the Amazon and Cerrado and worsen the living conditions of those peoples protecting forests. It is time for national and subnational governments to improve public access to environmental databases, developing more robust and reliable mechanisms to increase transparency. Furthermore, forums ensuring social participation in the decision-making processes must be revived. Democracy and access to public databases are essential in the fight against deforestation and strengthening them will only support Brazil's role as an international player.

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