



Monthly  
Outlook Report  
**July 2021**

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INITIATIVE:



SUPPORT:





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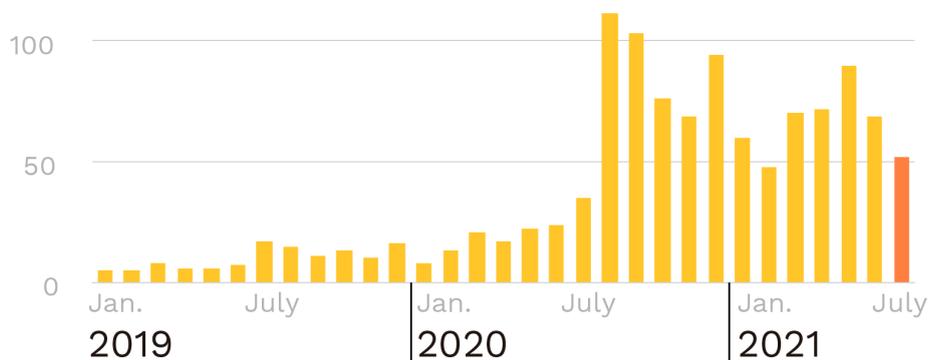
*This is POLÍTICA POR INTEIRO's Monthly Outlook Report on the Brazilian federal government's signals relevant to climate and environmental policies detected by our [Government Actions Tracker](#) (1. [Executive branch](#)), and on the new proposals presented at the Federal Congress, identified by our [Legislative Initiatives Database](#) (2. [Legislative branch](#)), in JULY 2021. We analyse Federal Official Gazette publications daily and classify relevant content using an actions typology<sup>1</sup> we have developed which allows us to understand trends in the government's agenda. This current edition brings an outlook on the number of relevant actions, their types and a sector by sector analysis, followed by an assessment of the current political state in Brazil (3. [Analysis](#)) and a discussion of the main trends for the coming month (4. [Trends](#)). To quote from this report, please refer to our terms of usage (5. [Terms of Usage and Contact Information](#)).*

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<sup>1</sup> The typology for the Legislative branch actions is being tested and will soon be published.

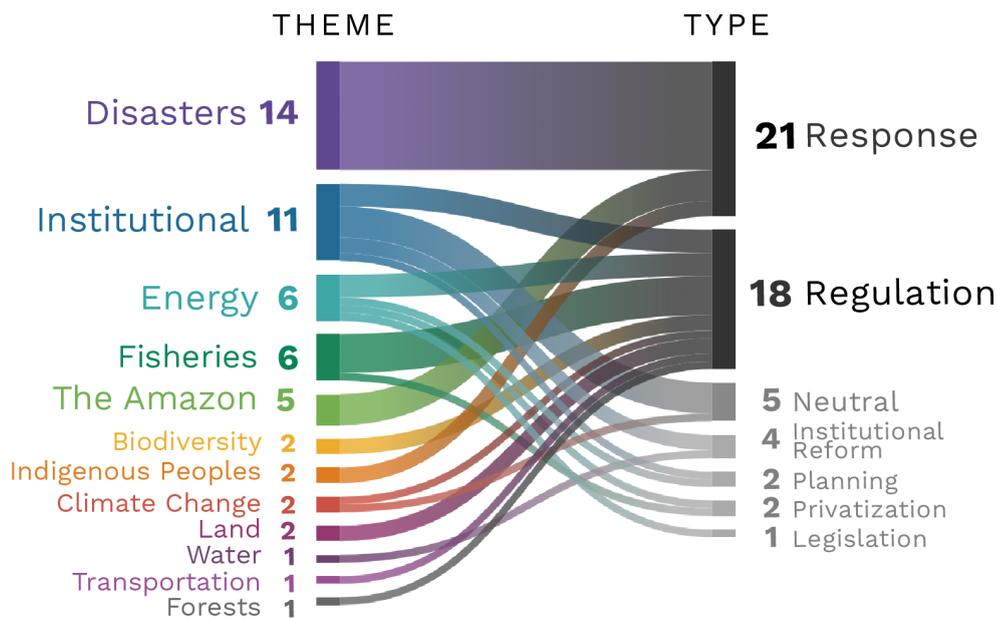
# 1. Executive Branch

In July, our **Government Actions Tracker** identified **53 actions** relevant to environmental policy and climate change from the federal Executive branch published in the *Federal Official Gazette*. This corresponds to the second lowest number of actions per month in 2021, second only to February.



## 1.1 Classification of Executive branch actions

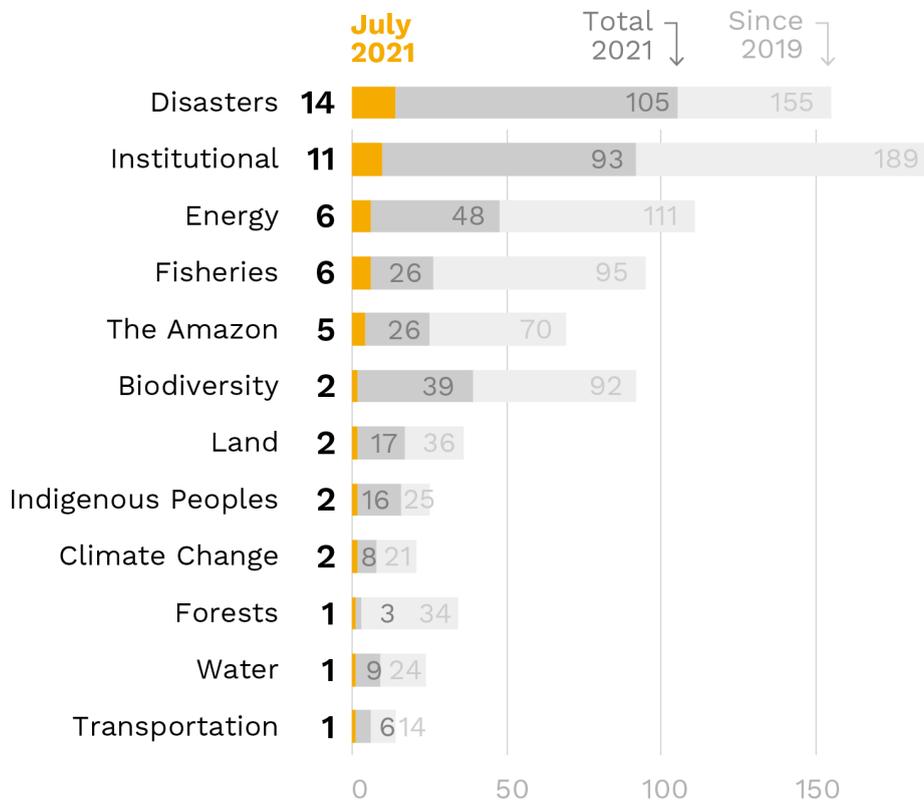
Actions organized by theme and by type:





and Order), and its extension to Pará and Amazonas States. Only 2 actions were listed for each of the following themes: *land*, *climate change*, *indigenous peoples* and *biodiversity*. Under *biodiversity* we emphasise the communication of the list of sociobiodiversity native species for commercialization purposes. Under *indigenous peoples* we highlight the extension of the use of the National Public Security Force (FNSP) at Apyterewa Indigenous Land/PA and at Enawenê-Nawê Indigenous Land/MT. There was 1 action identified for *water*, 1 for *forests*, and 1 for *transportation*. Among these, we highlight the publication of the 2022 Annual Forest Concession Plan (PAOF), under *forests*.

### ACTIONS IN JULY BY THEME

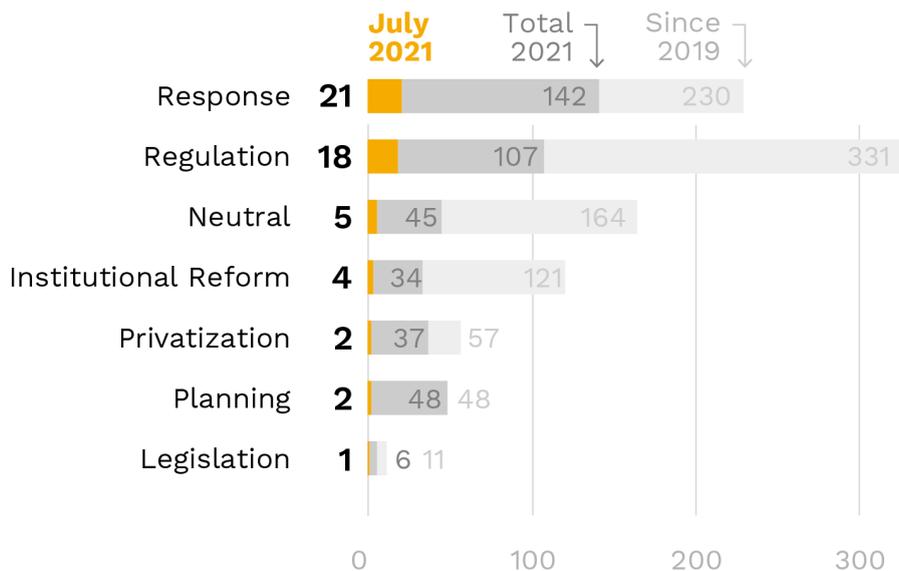


No actions were tracked in July for: Agriculture, Antarctica, Cities, Science, Ocean, Environment, Mining, Pollution, Traditional Maroon, Communities and Tourism.

The most common classification in July was *response*, with 21 actions listed. In addition to acknowledgments of emergency situations, extensions of the use of the National Public Security Force (FNSP) to support FUNAI (National Indian Foundation) and the Amazonas State Government, and the regulation of the Armed Forces' Samaúma Operation were listed under *response*. There were 18 actions listed under *regulation*, among which we highlight the definition of procedures for Population Management Programmes for Endangered

Species of the Brazilian Fauna, the moratorium on fishing and marketing of Vulture Catfish (*Calophysus macropterus*), and the public consultation on the mandatory annual greenhouse gas emission reduction goals for fuel marketing. Five actions were listed under *neutral*, which don't present any immediate relevant signal but remain on the radar for monitoring and future reference. Four actions were listed under *institutional reform*, among which we highlight the restructuring of the Document Assessment Standing Committee (CPAD), of the National Indian Foundation (FUNAI), and the new rules of procedure for the National Water Agency (ANA). There were 2 *planning* and 2 *privatization* actions in July, among which is the inclusion of fishing terminals in the National Privatization Programme (PND). One action was listed under *legislation*, referring to the promulgation of a law addressing the privatization of Centrais Elétricas Brasileiras S.A. (Eletrobras).

### ACTIONS BY TYPE — JULY



No actions were tracked in July for: Flexibilization, Deregulation, Retreat, Law Consolidation and Revocation.

**Theme: Institutional****ORDINANCE FUNAI No. 355, of 5 JULY 2021 – Institutional Reform**

Ordinance No. 355 establishes, under a new format, the National Indian Foundation's (Funai) Document Assessment Standing Committee (CPAD). The collegiate body is responsible for guiding and carrying out the process of analysis, assessment and selection for documents produced and stored at Funai. Changes to former competences (from when it was created by an Ordinance in 2013) include the fact that the Lists for the Elimination of Documents are no longer their responsibility, which became the competence of the presidency of the body. Its composition was also changed.

**ORDINANCE MMA No. 296, of 7 JULY 2021 – Regulation**

Ordinance No. 296 defines the instruments of the MMA's (Ministry for the Environment) Governance Policy and its instances, composed by the Governance Council for the MMA and the Associated Environmental Entities, and the MMA Internal Governance Committee. The rule also establishes the Risk Management Policy (PGR) and introduces the 2021-2022 MMA Integrity Plan.

**ORDINANCE MMA No. 286, of 22 JULY 2021 – Institutional Reform**

Ordinance No. 286 creates the MMA Citizen Information Service (SIC/MMA) and determines that the SIC/MMA is administratively subordinate to the Ombudsman and technically subordinate to the Monitoring Authority. The Monitoring Authority is appointed by the Minister for the Environment. Formerly, the heads of Organizational Units appointed the Monitoring Authority.

**RESOLUTION CONAVEG No. 6, of 8 JULY 2021 - Neutral**

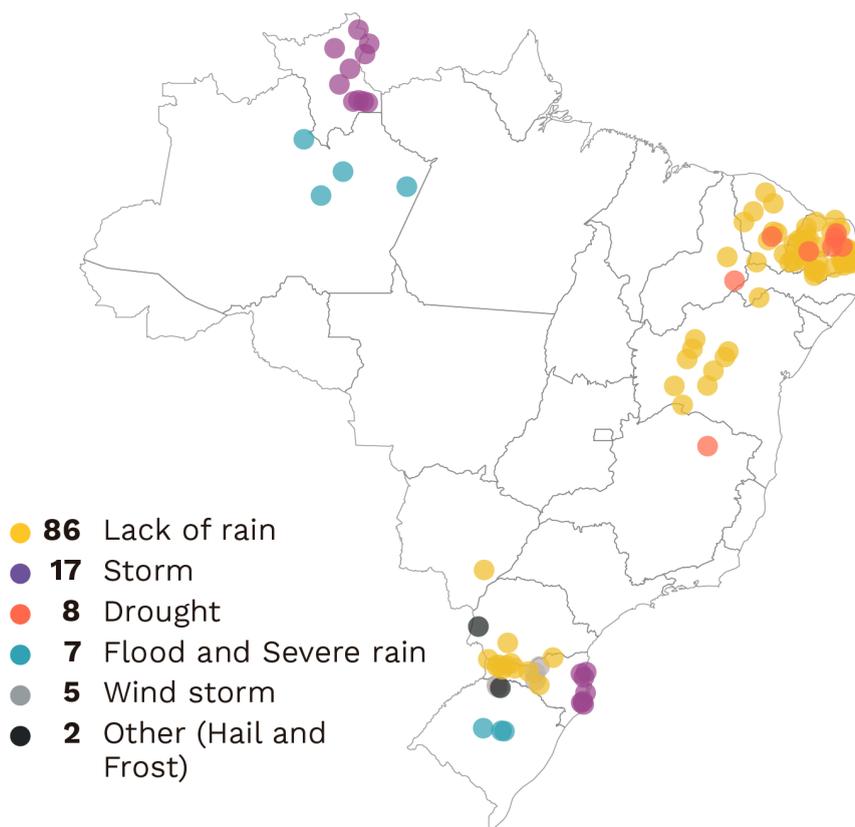
Resolution No. 6 sanctions the **2020 Activity Report** for the 2020-2023 National Plan for the Control of Illegal Deforestation and Native Vegetation Recovery, discussed in the Trends section.

**Theme: Disasters**

**Fourteen** actions were listed under *disasters* in July. They are pictured in the map below according to location and type of weather event.

NATURAL DISASTERS

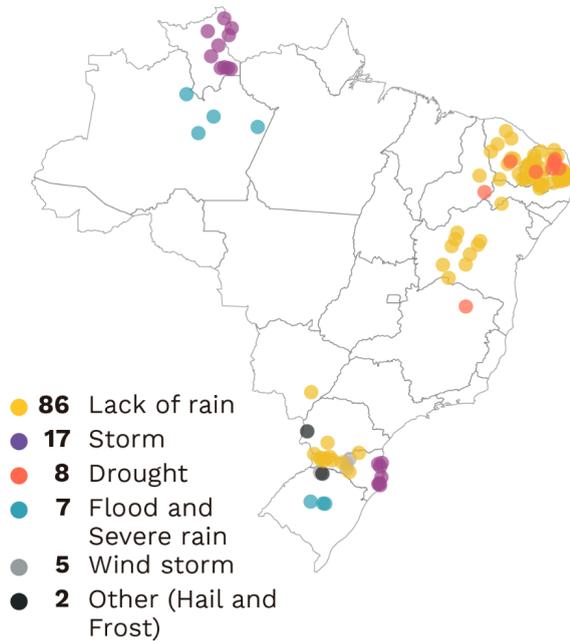
Emergency situation acknowledged for 125 municipalities in July/2021



Similarly to what was observed in the previous month, there were few changes to the map, which displays the location of acknowledgments of emergency situations throughout the year (*below*). While the Northeast (including the North of Minas Gerais) and the South face drought and lack of rains, the North faces floods. The low levels of water in reservoirs has aggravated the water and energy crisis, with the risk of rationing and blackout.

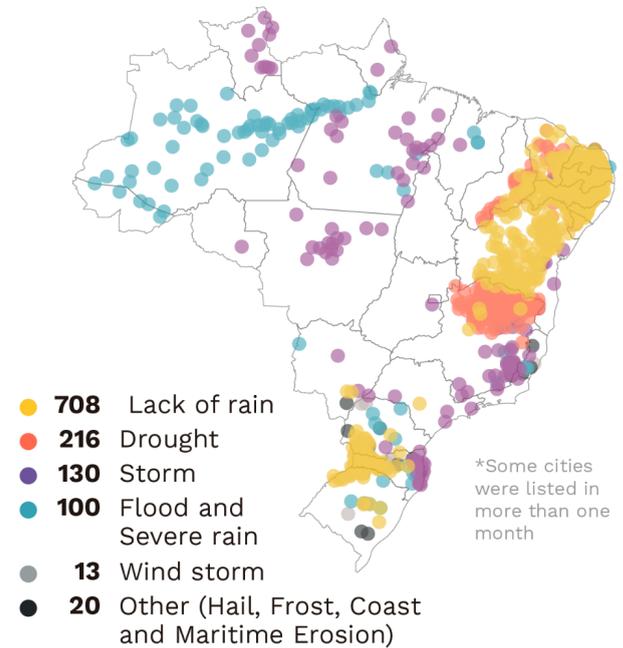
## DISASTERS IN JULY

Emergency situation acknowledged for **125 municipalities** in July/2021



## TOTAL FOR 2021

Emergency situation acknowledged for **1,121 municipalities\*** between January and July 2021



## Theme: Energy

### RESOLUTION GSI/PR No. 13, of 9 JULY 2021 – Planning

Resolution No. 13 creates the Working Group and determines its composition, aiming at planning the Integrated Partial Exercise of Nuclear Emergency and Physical Safety at the Almirante Álvaro Alberto Nuclear Power Plant in 2021. The Working Group will last for 120 days, counting from the date of publication of the act appointing its representatives, and may be extended for another 120 days.

### LAW No. 14,182, of 12 JULY 2021 – Legislation

Law No. 14,182 provides for the privatization of Centrais Elétricas Brasileiras S.A. (Eletrobras), including provisions on the granting of new generation concessions for a period of 30 years, and on the contracting of natural-gas-fired thermoelectric generation in the amounts of 1,000 MW for the Northeast Region and 2,500 MW for the North Region, to be distributed in the state capitals or the metropolitan areas where it is feasible to use proven natural gas reserves existing in the Amazon Region. It also provides for the extension of contracts under the Incentive Program for Alternative Sources of Energy (Proinfa) for 20 years. Law No. 14,182 also addresses the Linhão de Tucuruí line electric power generation, and once the Basic Environmental

Plan-Indigenous Component (PBA-CI) is concluded, translated into the original language and presented to the indigenous people, the federal government is authorized to start the Linhão de Tucuruí works.

### **RESOLUTION No. 1, of 8 JULY 2021 – Regulation**

Resolution No. 1 approves the Procedures of the Chamber of Exceptional Rules for Hydro-energy Management (CREG), whose function is to establish emergency measures for optimizing the use of hydro-energy resources and to address the current water scarcity situation, to guarantee the continuity and security of electricity supply in the country. The CREG, created by **Provisional Measure No. 1,055/2021**, has the competence to establish, on an exceptional and temporary basis, limits on the use, storage and flow of hydroelectric plants and any associated mitigation measures.

### **Theme: Biodiversity**

### **NORMATIVE INSTRUCTION No. 5/GABIN/ICMBIO, of 28 JUNE 2021 – Regulation**

Established procedures for the creation of Population Management Programmes for Endangered Species of the Brazilian Fauna aiming at the recovery and maintenance of populations of endangered fauna taxa in their natural environment through *in situ*, *ex situ* or integrated management activities, together with partners, contributing to the National Strategy for the Conservation of Endangered Species, within the scope of the National Programme for the Conservation of Endangered Species (Pró-Espécies). All specimens whose taxa are covered by a Population Management Programme for Endangered Species of the Brazilian Fauna officially instituted by the government are considered available to the Population Management Programme, regardless of their custody. It revokes ICMBio (Chico Mendes Institute for Biodiversity Conservation) Normative Instruction No. 22, of 27 March 2012.

### **INTER-MINISTERIAL ORDINANCE MAPA/MMA No. 10, of 21JULY 2021 - Regulation**

Ordinance No. 10 establishes the list of native sociobiodiversity species with food value, for the purpose of marketing *in natura* or of their derived products, within the scope of operations carried out by the Food Acquisition Programme (PAA), by the Minimum Price Guarantee Policy for Sociobiodiversity Products (PGPMBio) of the National Food Supply Company (CONAB), for the National School Feeding Programme (PNAE), and other Programmes and Policies that demand similar

information. It revokes Inter-ministerial Ordinance MMA/MDS No. 284, of 30 May 2018.

## **Theme: Indigenous People**

### **ORDINANCE MJSP No. 300, of 5 JULY 2021 – Response**

Ordinance No. 300 authorizes the use of the National Public Security Force (FNSP) in support of the National Indian Foundation (Funai) until 31 August 2021 in the barriers provided for in the “Plan of Sanitary Barriers for Isolated and Recent Contact Indigenous Peoples” in the Enawenê-Nawê Indigenous Land in Juína/MT. This year, the authorization for the FNSP to act was issued for the first time for the period of 1 March to 30 April, and has been repeatedly extended since then.

### **ORDINANCE MJSP No. 328, of 27 JULY 2021 – Response**

Ordinance No. 328 extends the use of the FNSP in support of FUNAI in the Apyterewa Indigenous Land, in the State of Pará, on an episodic and planned basis, for one hundred and eighty days, from 16 August 2021 to 11 February 2022.

## **Theme: Fisheries**

### **ORDINANCE SAP/MAPA No. 271, of 1 JULY 2021 – Regulation**

Ordinance No. 271 established the one-year moratorium on fishing and marketing of the Vulture Catfish (*Calophysus macropterus*) in Brazilian jurisdictional waters and throughout the national territory. It is forbidden to fish, to retain on board, to deliver to a different vessel, to offload, to store, to transport, to prepare and to market the species *Calophysus macropterus*. Only subsistence fishing is allowed for own consumption, limited to 5 kg per family. It revokes Normative Instruction No. 17, of 10 June 2020, of the Aquaculture and Fisheries Secretariat of the Ministry of Agriculture, Livestock and Food Supply (SAP/MAPA). It is worth remembering that a consultative Working Group was created in January 2021 under the Ministry of Agriculture, Livestock and Food Supply (MAPA) to identify sustainable techniques and methods for the exercise and control of the fishing activity of the Vulture Catfish (GT/MAPA Piracatinga). POLÍTICA POR INTEIRO’s [blog](#) analysed this specific Working Group and, as we pointed out, the Working Group would last until the end of the moratorium established by Normative Instruction SAP/MAPA No. 17, of 2020, that is, until 1 July 2021. [Since 2014, there have been attempts to stop the killing of porpoises with with prohibition, control and inspection of Vulture](#)

Catfish fishing, but the government has only been republishing a new moratorium year after year.

## **Theme: Water**

### **RESOLUTION ANA No. 86, of 5 JULY 2021 – Institutional Reform**

Resolution No. 86 defines the new internal regulations of the National Water Agency (ANA). It establishes the new structure in charge of basic sanitation, making adjustments in the competences and including the establishment of reference standards for the regulation of public basic sanitation services as the agency's purpose. It is related to the New Sanitation Framework, approved by Congress and sanctioned in 2020.

## **Theme: The Amazon**

### **ORDINANCE GM-MD No. 2,728, of 29 JUNE 2021 – Response**

Ordinance No. 2,728 regulates the use of the Armed Forces in the "Samaúma Operation", for the Guarantee of Law and Order (GLO), from 28 June to 31 August 2021, in the 26 chosen municipalities, covering, in these locations, areas owned by or possessed by the federal government (Indigenous Lands, Conservation Units, among others), following **DECREE No. 10,730, of 28 JUNE 2021**, that authorized military deployment for GLO operations in municipalities in the states of Amazonas, Mato Grosso, Pará and Rondônia, aiming at conducting prevention and repression actions against environmental crimes, especially against illegal deforestation.

### **PRESIDENTIAL ORDER – Response**

It authorizes the use of the Armed Forces in the states of Amazonas and Pará, as requested by their respective governors, for Operations for Guaranteeing Law and Order (GLO).

### **ORDINANCE MJSP No. 322, of 27 JULY 2021 - Response**

Ordinance No. 322 extends the use of the National Public Security Force (FNPS) in support of the Amazonas State Government in actions to combat organized crime, drug trafficking and environmental crimes, along Rio Negro and Rio Solimões rivers, on an episodic and planned basis, for one hundred and twenty days, from 11 August 2021 to 8 December 2021.

**Theme: Climate Change****ORDINANCE No. 532, of 5 JULY 2021 – Regulation**

Ordinance No. 532 releases, for Public Consultation, proposals regarding the mandatory annual targets for greenhouse gas emission reduction for the marketing of fuels for the 2022-2031 decade. For a period of 30 days, the Ministry of Mines and Energy (MME) will receive contributions of interested parties for improving the targets.

**ORDER ANP No. 790, of 20 JULY 2021 – Neutral**

Order No. 790 makes public the mandatory greenhouse gas emission reduction individual targets by fuel distributor, which will be in effect until 31 December 2021.

**Theme: Forests****ORDINANCE MAPA No. 245, of 29 JULY 2021 – Regulation**

Ordinance No. 245 establishes the 2022 Annual Forest Concession Plan (PAOF), listing possible concession and management areas for 25 public forests, including total areas available for concession. The included National Forests (FLONAS) are located in the states of AM, PA, AP, RO, RR, SP, SC and PR, as indicated in the map below:



## 2. Legislative Branch

POLÍTICA POR INTEIRO's [Legislative Initiatives Database](#), a tool for monitoring new legislative proposals related to the environment and climate change, identified **16 relevant legislative proposals** in July, all of which were Bills of Law (PL). It is worth mentioning that the National Congress worked until 16 July, when it entered parliamentary recess (between 18 and 31 July).

## 2.1 Proposals Presented

We highlight critical Bills addressing sensitive issues, such as land tenure regularization, conservation units and indigenous peoples' rights. Bill [PL 2,550/2021](#), by representative Jaqueline Cassol (PP/RO), proposes an amendment to Law 11,952/2009, which provides for the regularization of land occupation of federal lands in areas of the Legal Amazon, to provide on the possibility of issuing an Occupancy Recognition Certificate (CRO) which will serve as a suitable document to prove the occupation of the public area by the applicant before official credit institution and to inform administrative proceedings before environmental agencies. Bill [PL 2,420/2021](#), by representative Aline Sleutjes (PSL/PR), establishes mixed category Conservation Units, and is one more Bill that aims at amending the National System of Nature Conservation Units (SNUC) Law by de-characterizing Conservation Unit categories. Bill [PL 2,433/2021](#), by representative Sanderson (PSL/RS), aims to amend the Indigenous Statute, to provide for indigenous criminal liability, attributing culpability to the indigenous, changing the exclusion of culpability provided for by law.

Two Bills elaborated in the current context of water crisis were also presented: [PL 2,547/2021](#), by representative Otto Alencar Filho (PSB/BA), which provides for a mandatory financial contribution by Eletrobras for the revitalization of water resources in the river basins of Rio São Francisco and Rio Parnaíba, and [PL 2,538/2021](#), by representative Paulo Bengtson (PTB/BA), which establishes mandatory elements for new residential, commercial and industrial construction works, public or private, and institutes rules for the collection, storage and use of rainwater.

## 2.2 Relevant Actions

**Approval of 2022 Budget Guidelines Law** – With the [forecast of a fiscal deficit of up to BRL\\$ 177.5 billion \(equivalent to 1.9% of the GDP\), and a minimum wage at BRL\\$ 1,147](#), the Bill for the 2022 Budget Guidelines Law (LDO) was approved by the National Congress, under the terms of the Clean Bill presented by the rapporteur, representative Juscelino Filho (DEM-MA), enabling Congress to enjoy a two-week parliamentary recess. However, a billionaire [“tortoise”](#) (parliamentary amendment that alter or distort the original purpose of a Bill) was included in the last minute, increasing the electoral fund from BRL\$ 1.8 billion to BRL\$ 5.7 billion. Controversy is expected between the Congress and President Bolsonaro in case he vetoes this raise.

Bolsonaro's deadline to sanction or partially or fully veto the LDO is the second half of August.

### **Land Tenure Regularization**

Bill [PL 2,633/2020](#), nicknamed “the Land Grabbing Bill” is still on our radar. The Bill was repeatedly added to the Plenary agenda of the Chamber of Deputies since a request for urgent processing was approved, but the matter was postponed due to recess, and may be one of the first to be voted when work resumes. In addition to being vocal against the Land Grabbing Bill, civil society organizations continue with campaigns to alert society to the dangers of this Bill (PL). [Foreign companies have threatened to boycott agreements with Brazil](#) if the Bill is passed.

### **Return of Federal Senate Committees**

With the Return of Federal Senate Committees in a semi-attendance mode, the Foreign Relations and National Defence Committee (CRE) unanimously approved the 2021-2022 working plan presented by the Committee's chair, senator Kátia Abreu (PP/TO). The strengthening of trade and cooperation agreements in science, technology and innovation was included, in addition to the environmental agenda, which, according to her, has been an obstacle and has presented challenges to trade agreements. Senator Kátia Abreu stated that [she will discuss the position of the Federal Senate for the Biodiversity Conference and for COP 26 with the chair of the Senate's Environment Committee \(CMA\), senator Jaques Wagner \(PT-BA\)](#).

### **Status of the Sustainable Development Goals (SDGs) under debate in the Chamber**

Brazil did not advance in any of the 169 targets of the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda established by the UN. This was the result of the “[Civil Society Light Report on the 2030 Agenda](#)”, presented at a hearing on 12 July at the Chamber of Deputies's Committee on Science and Technology, Communication and Information Technology. The document, which was prepared by specialists from different areas, also warns of a “data blackout”, making monitoring difficult and reducing transparency. POLÍTICA POR INTEIRO participated in the preparation of the report.

### **Military personnel in SISNAMA**

Bill [PL 6,289/2019](#), on the initiative of representative Coronel Tadeu (PSL/SP), which expressly includes the Military Police forces of the States and of the Federal District in the National Environmental System (Sisnama), was approved by the Chamber of Deputies' Committee on the Environment and Sustainable Development (CMADS) under the

terms of the **Clean Bill** presented by representative Coronel Chrisóstomo (PSL/RO). The text also includes the Fire Department, Civil Police and the Federal Police in the proposal, with competence to draw up an infraction notice and initiate an environmental administrative proceeding.

The National Association of Civil Servants in the Career of Specialist in the Environment (Ascema Nacional) made a note requesting the Chamber of Deputies' Committee on the Environment and Sustainable Development not vote on the Bill (PL) or that it rejected it, considering it as controversial PL and that it "**may inflict a mortal wound on SISNAMA**"

## 3. Analysis

### *Crises / Setbacks / Controversy*

**New Minister for the Environment:** During the first month in office, Joaquim Leite was inconspicuous as minister, with fewer public appearances and speeches than his predecessor. As already **reported**, the course of governmental acts and actions in the socio-environmental and climate agenda won't undergo major changes due to this change in command. Joaquim is even being **called the "invisible minister"**. However, Leite, it seems, **is seeking to approach** leaders focusing on Brazil's image at COP26, that will take place in Glasgow, in Scotland, in November, and with a small participation in **G20's Joint Ministerial meeting on Climate and Energy**. We continue to follow speeches and actions.

**Deforestation Risk Management:** One of the highlights this month was the fact that the Federal Court of Accounts (TCU) recommended that the National Council for the Legal Amazon and the Ministry for the Environment structure the "institutional arrangement" in order to allow participation of states and civil society in controlling illegal deforestation. Thus, the federal government must clearly define the roles, competences and responsibilities of institutions in the National Plan for the Control of Illegal Deforestation and Native Vegetation Recovery. The **Federal Court of Accounts gave the government a 120-day deadline**. The 2020 report on the National Plan for the Control of Illegal Deforestation and Native Vegetation Recovery was published in the *Federal Official Gazette* and signed by the new Minister for the Environment, Joaquim Pereira Leite, and other ministers members of the committee **created** in 2019. According to the report, around 40% of IBAMA's (Brazilian Institute for the Environment and Renewable Natural Resources) operations planned for 2020 were cancelled due to the pandemic. The Plan includes the provision of information for Operation Green Brazil II, through the Integrated Group for the Protection of the Amazon, keeping track of the Operation's results. Regarding the deforestation rate (the highest in the last 11 years), it is relevant to emphasise that PRODES and DETER systems do not differentiate between illegal deforestation and areas with legal authorization for the removal of vegetation. The 2020 deforestation rates are compared to those in 2004, indicating a reduction in 84% of deforestation. However, in the consolidation of targets achieved, it

appears that there was no deceleration of deforestation in 2020. Alongside the plan's inefficiency, the Amazon's third GLO completed one month in the field. Despite being scheduled to end on 28 August, its area of operation has already been extended in the states of Amazonas, Mato Grosso and Pará. The possibility of expanding the territory covered by Samaúma Operation was provided for in the Decree and could be requested by the governors of the states that had municipalities included in the [initial list](#). After successive failures in fighting deforestation and intentional fires, the extension of GLO Operations exposes the militarized governance of the Amazon and the continuous discrediting of environmental agencies, as explored in the [Open Democracy](#) series of articles.

In the Judiciary branch, deforestation remains a recurring theme for political and scientific reasons. At the Federal Supreme Court (STF), Judge Alexandre de Moraes designated the [Federal Court of Pará](#) as the competent court to proceed with the investigation process of [Akuanduba Operation](#), since, after the dismissal of Ricardo Salles from the Ministry for the Environment, the case should be examined at the place where the alleged crimes took place.

Once again, worrying deforestation data were released. Imazon, the Institute of Man and Environment of the Amazon, indicated that [deforestation in the Amazon has set another negative record](#). It reached 4,014 km<sup>2</sup> in the first semester of 2021 – the largest area in the decade for this period, according to the Institute's monitoring, carried out through the Deforestation Alert System (SAD). No wonder that an editorial in the *Financial Times*, published on 14 July, states that Brazil should be punished by investors for not acting to curb the rise in deforestation in the Amazon. According to the editorial, [a group of holders of US\\$ 7 trillion in Brazilian stocks and bonds listed among their objectives a significant reduction in deforestation](#). The editorial demands that these investors send a signal to Brasília stating that, if nothing is done, they will get rid of these investments.

**The Amazon:** Concerned about the lack of inspection and growing degradation in the Amazon region, environmental and human rights organizations demanded that the Federal Prosecution Office (MPF) [resume the Amazon Task Force](#). A letter from 56 NGOs, addressed to the Attorney General of the Republic, Augusto Aras, and other authorities, called for the return of operations against environmental crimes in the region, actions to repair damages, collective protection and control of public policies.

In an attempt to dissociate environmental policy from the federal government, the Interstate Consortium for the Sustainable Development of the Legal Amazon, composed of governors from the nine states in the Region, introduced the **Green Recovery Plan (PRV)**. The Plan's goals include to eliminate illegal deforestation and to transition to a new green economy, with greater technological sophistication capable of fighting inequalities. The PRV pillars include recurring themes in the federal government's environmental discourse that, so far, have not actually been implemented, such as bioeconomy, Payment for Environmental Services (PSA) and REDD+, as well as land and environmental regularization, without a definition of concept.

The plan organizes the state actions planned for each pillar. It also introduces a participatory governance involving the academia and civil society. Resources for operationalizing the plan will be public and private resources, with the Brazilian Biodiversity Fund (Funbio) as financial agent. Thus, the Green Recovery Plan empowers subnational players of the Legal Amazon, who take on the responsibility of implementing public policies with results, transparency and participation, being subject to social control.

However, individual acts of states seem to go against the proposed plan, such as the case of the withdrawal of Conservation Units by the **State of Rondônia benefiting land grabbing**, or as in the case of the State of Roraima, which passed a law that allowing mining for all types of ores in the state – **which was later suspended by the Federal Supreme Court (STF)**.

Speaking of land grabbing, the Federal Police conducted a search and apprehension operation on a businessman appointed as the **biggest land grabber on indigenous lands in the Amazon**, who, according to a report by Estadão newspaper, **maintains direct relations with politicians in Brasília**.

Meanwhile, a recent study published by **Nature** Magazine and led by a researcher from the National Institute for Space Research (INPE), demonstrates that the Amazon, which previously functioned as a carbon sink, now emits more CO<sub>2</sub> than it can absorb, which may contribute to the aggravation of climate change in the world. **The published study shows that the tipping point is now**.

**Forest Fires:** This month, the first Operational Strategic Plan for Integrated Action in the Fight against Forest Fires was launched, through the Guardians of the Biome Operation, which, as **reported**, is an initiative that integrates the Ministry for the Environment, the Ministry for Regional Development, Public Security and Environment State

Secretariats, in addition to the National Council of Military Firefighters (Ligabom). According to the Ministry of Justice and Public Security (MJSP), the Operation will involve almost six thousand personnel who will work in the Amazon, Cerrado and Pantanal Regions, from August to November, focusing on the States of Acre, Amazonas, Amapá, Maranhão, Mato Grosso do Sul, Mato Grosso, Pará, Rondônia, Roraima, Tocantins and Goiás. So far, the Plan has not been disclosed.

**Extreme Events:** In July extreme heat in the Northern hemisphere and extreme cold in the Southern hemisphere continued, with temperatures [reaching -8,6°C in Santa Catarina](#), and Brazilian cities experiencing snowfall. After over 500 deaths due to heat in Canada and in the USA, the heat wave presents alarming signs also in the Columbia river, where extreme temperatures [are cooking local salmon](#). In Europe, stunning images of flooding in Germany and Belgium left more than 120 dead and [hundreds of thousands of people in Germany without electricity](#). On the other hand, the ocean also shows important signs of imbalance: the heat wave in Canada has also been identified by experts as the cause of death for more than [1 billion marine animals](#) (echinoderms and molluscs) that washed up on the beaches of Vancouver; and Australia's Great Barrier Reef (the largest in the world) faces constant coral loss, even leading to the possibility for [UNESCO to revise its World Heritage status](#).

**Privatization of Eletrobras:** After being approved by the Senate and the Chamber of Deputies, the Provisional Measure that enables the privatization of Eletrobras ([MP 1,031/2021](#)) was formalized by [Federal Law 14,182/2021](#), published on 13 July. [Presidential Orders](#) were published on the same date communicating partial vetoes, allegedly for being contrary to the public interest and due to unconstitutionality. Despite the 14 vetoes, the main “tortoises” (parliamentary amendment that alter or distort the original purpose of a Bill) were maintained in the text.

The privatization of Centrais Elétricas Brasileiras S.A. has been a constant theme since the Temer administration when, in 2017, a proposal to carry it out was presented to Congress but did not advance. In the Bolsonaro administration, the matter remained on the agenda in the [Ministry of Finance's 2020 Management Report](#) and in the 2020-2023 Multi-annual Plan (PPA), the “Brazil, Our Purpose” Programme, whose objective is to “reduce the State's participation in the economy”, with the goal of “demobilizing, disinvesting, privatizing and granting, generating revenues and saving expenses in the order of 900 billion by 2023”. Differently from the previous administration, the current administration chose to forward the privatization process of Eletrobras via Provisional Measure, proposed earlier this year. Check our full review on [Política por Inteiro's Blog](#). In the Judiciary, an [action](#) was filed with the Federal Supreme Court (STF) due to the publication

of Federal Law 14,182/2021 (read more about this sanction in the highlighted acts below), on the privatization of Eletrobras. Presented by PSB, PSOL, REDE Sustentabilidade, PT, PDT and PCdoB, the **Direct Action of Unconstitutionality (ADI) 6,932** seeks, by precautionary measure, the immediate suspension of the effectiveness of Law No. 14,182/2021.

**Indigenous Peoples:** The ruling on the Extraordinary Appeal (RE) 1,017,365, concerning the original right of the Xokleng people to the demarcation of their lands, is scheduled for 25 August. This ruling, with broad repercussions, will decide on the time framework thesis for the demarcation of Indigenous Lands in Brazil. In the Legislative branch, also on the matter of time framework, the Chamber of Deputies will vote on Bill PL 490/2007.

**Salles investigated:** After his resignation from the position of minister, the decision competence was declined by Judge Carmen Lúcia and by Judge Alexandre de Moraes regarding two actions with the Federal Supreme Court relating to the conduct of Ricardo Salles. Judge Carmen Lúcia's **ruling** was published in Inquiry 4,871, determining that the case be sent to the Federal Regional Court (TRF) of the 1<sup>st</sup> Region, so that Judge Néviton Guedes decides whether the case shall proceed in the 7th Federal Court of the Judiciary Section of Amazonas or in the 4th Federal Court of the Judiciary Section of Pará. A **determination** by Judge Alexandre de Moraes, within the scope of **PET 8,975**, denied the Federal Court of Altamira/PA the competence to rule on the case.

### *Ongoing Policies*

**Adopt a Park:** In spite of little action, an Adopt a Park public session was held this month regarding the adoption of the Javari-Buriti Area of Relevant Ecological Interest (ARIE) by Coca-Cola in the State of Amazonas. The protocol of intentions was signed on 28 April, as reported on **Política Por Inteiro's Blog**. Differently from other public sessions, this one was not announced, despite being recorded on **Youtube** and the **minutes** appearing on ICMBio's website.

**Congress Return from Recess:** Environmentalists do not believe in a cooling down of the National Congress in face of the possible voting on the notorious "explosive Bills of Law". The ruralists' agenda is still the government's priority for **voting from August onwards**. Furthermore, the controversial **tax, political and administrative reforms must also be voted** in the Chamber of Deputies.

Here we highlight Bills of Law (PL) **likely to be passed in the second half of 2021**: PL 2,159/2021 (Environmental Licensing); PL 2,633/2020 and PL 510/2021 (Land Tenure Regularization); PL 490/2007 (Indigenous Lands Demarcation and Time Framework); Constitutional Amendment Proposal PEC 32/2020 (Administrative Reform); PEC 45/2019 (Tax Reform); PL 984/2019 (Estrada do Colono Park Road); PL 6,299/2002 (Pesticides); PL 4,348/2019 (Land Tenure Regularization of occupations with settlement characteristics); PL 2,942/2019 (Use of environmental impact assessments from other developments for licensing); PL 1,205/2019 (Changes the rules for Conservation Units Buffer Zones); PL 4,508/2016 (Allowing livestock in legal reserves); PL 6289/2019 (States' Military Police forces in SISNAMA); and, PL 5,822/2019 (Environmental licensing of mining in National Forests). We keep the following **Bills of Law (PL) on the radar**: PL 191/2020 (Mining in indigenous lands); PL 5,518/2020 (Forest concessions); PL 3,178/2019 (Sharing Oil and Gas); PL 3,511/2019 (PRA and CAR deadlines); PL 414/2021 (Electricity Sector Framework); PL 6,268/2016 (Hunting liberation); PL 292/2020 (Changing the limits of Itajaí National Park/SC); PL 2,001/2019 (Expropriation and indemnification of properties in Conservation Units); PL 1,709/2019 (Reduction of Permanent Protection Areas (APP) in water courses); PL 3,000/2020 (Statue of limitations for the obligation to redress environmental damage); e, PDL 177/2021 (Reports on ILO's Convention 169). All we can do is to alert society of these setbacks, and to pressure senators who seem to be **offering resistance to part of the agenda**.

### *Rehearsal*

**Conama**: With no meetings scheduled since 28 September 2020 (i.e., there have been no activities for 9 months, contrary to its internal regulations), the 136th Ordinary Meeting of the National Council for the Environment (CONAMA) is scheduled to take place on 10 August. After a three month delay, board members were nominated last month for the 2021 term (previous board members left office in March of this year). Read an analysis on the changes in the CONAMA seats on [Política Por Inteiro's Blog](#).

### *On Hold*

**IBAMA/ICMBio Merger Working Group**: In July, the Federal Prosecution Office (MPF) filed a Public Civil Action (filed under No. 1017583-81.2021.4.01.3200, proceeding in the 7<sup>th</sup> Federal Environmental and Agrarian Court of Amazonas) in face of the federal government, IBAMA (Brazilian Institute for the Environment and

Renewable Natural Resources) and ICMBio (Chico Mendes Institute for Biodiversity Conservation), relative to the decision-making procedure on the possible merger of IBAMA and ICMBio, as a result of the work of the Working Group established by [Ordinance 524/2020](#). The Federal Prosecution Office aims to adjust this procedure, especially regarding the access to environmental information, public participation in decision-making, and prior, free and informed consultation of the traditional communities affected. Thus, they preliminarily require the prohibition of issuing an opinion, position or definitive administrative decision within the scope of the Federal Executive Branch before the adjustments are carried out and fulfilled. They also require the immediate publication of the documents that have been supporting the debate. POLÍTICA POR INTEIRO was cited in the action as a reference, especially for the [exclusive material](#) we published on our Blog in November 2020.

**Judiciary:** In the Federal Supreme Court (STF), important lawsuits related to socio-environmental and climate guidelines are pending judgment, having been held up for months, such as:

- *ADPF 623* (Petition of Non-compliance with Fundamental Precept) - requires the declaration of unconstitutionality of Decree No. 9,806/2019, which changed the composition of the National Council for the Environment (CONAMA)
  - Judgment started on 5 March 2021, but was suspended on 10 March by request to see the record by Judge Nunes Marques. Awaiting return to the Plenary for a decision.
- *ADPF 708* (Petition of Non-compliance with Fundamental Precept) – Federal government omission by not adopting administrative measures for the functioning of the “CLIMATE FUND”.
  - After public hearings on 21 and 22 September 2020, transcriptions of public hearings were added to the records on 16 March 2021, and a decision is awaited since then.
- *ADPF 760* (Petition of Non-compliance with Fundamental Precept) – omissive and commissive acts by the federal government are making it impossible to effectively carry out the State policy aimed at fighting deforestation in the Legal Amazon and the Action Plan for Prevention and Control of Deforestation in the Legal Amazon (“PPCDam”).
  - Awaiting decision.
- *ADPFs 747, 748 and 749* (Petitions of Non-compliance with Fundamental Precept) - unconstitutionality of CONAMA

Resolution 500/2020 (which revoked CONAMA Resolutions 284/2001, 302/2002 and 303/2002) and CONAMA Resolution 499/2020 (licensing the activity of co-processing waste in clinker production rotary furnaces) and, on a subsidiary basis, the resolutions on the agenda of the 135th Ordinary Meeting of Conama.

- After preliminary injunction granted by Judge Rosa Weber on 28 October 2020 and confirmed in Plenary on 30 November 2020, awaits decision.
- *ADO 59* (Direct Action of Unconstitutionality by Omission) - omission of the Federal Government regarding the adoption of a measure aiming at the interrupting the standstill of the “AMAZON FUND”.
  - Awaiting decision.

### *On the radar*

#### **Renewable energy:**

For the first time in Brazilian history, the wind power produced on 21 July was enough to supply almost 100% of the Northeastern Region's demand. Brazil's Northeast has been [registering record highs in wind and solar power generation](#). This reinforces the backwardness of the Eletrobras Provisional Measure (MP) which insists on including gas in Brazil's energy matrix.

### *On the radar (international agenda)*

**Bilateral climate negotiations with the US:** taking the initiative for the federal government, a group of seven state governors gathered on 30 July with John Kerry, the US government's special envoy for climate, aiming at presenting and discussing projects that could be developed with support from the US government. The [Governors for the Climate](#), a group of 24 Brazilian governors that sent a [letter](#) to the US president in April this year, suggested joint action in tackling climate change. The outcome of the meeting remains to be seen.

**Mercosul-European Union Agreement:** The chapters and details of the free trade agreement between Mercosur and the European Union were released by [Itamaraty](#) on 15 July, signalling that pending issues have been resolved, but signature is not expected for this year. According to news, the signature indirectly depends on the [Brazilian position in the Conference of the Parties on the Climate and in the Biodiversity Conference](#). In other words, there is still a lot to come.

**G20:** at a **G-20 meeting**, no agreement was reached on the wording of a **commitment of the richest countries in the world to face climate change**. One of the **critical points** was the wording around a **limit of 1.5 to 2 degrees Celsius** for the increase in global temperature established by the **Paris Agreement**. Let's wait for what's next – which seems like a trailer for a disaster movie.

**OECD:** As we have already **reported**, Brazil joining the Organization for Economic Cooperation and Development (OECD) is a wish of the Ministry of Finance and the Ministry of Foreign Affairs to attract international investors. Earlier this month, and in compliance with Application No. 39/2021 - CREDN (by representatives Rubens Bueno - CIDADANIA/PR, Arnaldo Jardim - CIDADANIA/SP, Arlindo Chinaglia - PT/SP - and David Miranda - PSOL/RJ), the Committee on Foreign Affairs and National Defence of the Chamber of Deputies **held a public hearing** to discuss Brazil's adhesion to the OECD's International Programme for Action on Climate (IPAC). The event was **attended** by ambassador José Buainain Sarquis, by the Project Manager of the Department of International Relations of the Ministry of the Environment, Luiz Vicente Vicentin Aguilar, and by the Development and Social and Environmental Rights Coordinator at Conectas, Júlia Mello Neiva. As mentioned at the public hearing, Brazil is examining the possibility of joining the IPAC, but for the time being it will wait for greater maturity and decisions on the form, governance and measurement instruments, noting that there are concerns about which instruments will be adopted, since the proposed instruments focus on current status and not in the history of emissions and contributions from other countries, which worries Brazil because, in the view of the MMA (Ministry for the Environment), monitoring becomes difficult and care has to be taken with recent industrialization countries such as Brazil. Thus, the tone was that Brazil “will only join if it has more rights than duties”, especially Brazil's acceptance to the OECD Environment Policy Committee (EPOC).

**Race to Zero Emissions in Brazil:** The "Race to Zero", a worldwide campaign to zero net emissions of greenhouse gases by 2050, has already had formal adhesion, in Brazil, by the State of **São Paulo** and informal adhesion by the State of **Minas Gerais** and the city of **Recife**. Although adhesion is a positive sign, acts need to be formalized beyond announcements or protocols of intention. That is, publication in the Official Gazette and real commitment from governors are necessary. New adhesions are expected with the visit of Alok Sharma, President of COP26, to Brazil in early August.

## 4. Trends

As we reported last month, the resignation of Ricardo Salles from the position of Minister of the Environment and the appointment of Joaquim Pereira Leite do not indicate any tendency to redirect the bolsonarist agenda on environmental issues. As a matter of fact, Joaquim faces the tough mission to reduce the damage caused by the Salles administration, especially in the international sphere. During his first month in office, the so-called “invisible minister” exhibited a milder approach and less exposure in relation to his predecessor.

However, in the coming months, Brazil should demonstrate greater ambitions in the socio-environmental and climate agendas, whether by the approach of COP 26, by international pressure, or even aiming at signing the agreement between Mercosur and the European Union. Foreign countries maintain their pressure for better performance and better prospects for both the Federal Government and state governments and business. On the one hand, there is a stand of “going off the alert” to move forward with effective, more ostensible acts such as trade sanctions and boycotts of national products and businesses. However, it is necessary to emphasize that investors and international partners are aware that such acts are not without risks. Governments (whether federal or state) must implement goals, plans, programmes and actions so that we have a “seat” in the international discussion, otherwise we will continue to be “pariahs”.

The attempt to improve the Brazilian image also depends on an openness to dialogue and inclusion in important agendas such as Brazil's adherence to the OECD's International Programme for Action on Climate (IPAC). Therefore, it is not time to force international players to bow to the wishes of the Brazilian Federal Government, but for the Government to carry out movements that improve the national image. Another relevant point refers to extreme events. The cold and heat waves are more intense, which has led national and international society to discuss climate change in their daily lives, which will also lead to greater pressure for effective results at the coming COP26.

Still, it is worth mentioning that we are experiencing a calamitous water crisis and, instead of rationalizing the use of natural resources, or additionally encouraging the greater use of alternative energies (wind and solar), the Federal Government made possible this month the privatization of Eletrobras, with several “tortoises” (parliamentary amendment that alter or distort the original purpose of a Bill) that do not improve our energy matrix. Furthermore, the Federal Government **denies rationing**. What can be seen is a position that, in the short and medium term, will take its toll. Reflexes can already be seen in Brazilian production, such as **grains and ores**, as well as in the Paraná River, with its **lowest flow** in 70 years, and Argentina declaring a water emergency for 180 days. It is important to emphasise here the Brazilian Development Bank’s (BNDES) decision **to longerfinance** (credit release) any coal-fired thermal power plants. Thus, the tendency is that, if the Government does not properly open its eyes to such a situation, we will have more and more impacts on the economy, society and the environment.

Finally, in the Legislative sphere, the prospect is negative, with the tendency of continuous attempts to approve rules that worsen public socio-environmental and climate policy problems, such as Bill PL 2,633/2020 (Land grabbing), Bill PL 3,729/2004 (Environmental Licensing), Bill PL 6,299/2002 (Pesticides) and Bill PL 490/2007 (Time framework for the demarcation of indigenous lands).

With the Government's new agreement with the “Centrão” parliamentary group, placing senator Ciro Nogueira as the Chief of Staff, expectations are for a worsening of the national scenario of socio-environmental and climate policies and in the fight against the COVID pandemic in face of new variants of the virus. Thus, popular pressure should increase and opposition parties must intensify actions for the installation of an impeachment process. In the international scenario, greater pressure from all sides: economic, social, environmental, climate and in international relations.

So as not to end on a pessimistic note, we celebrate the 1 year anniversary of the publication, on 29 July 2020, of the Folha de S. Paulo newspaper cover story which featured POLÍTICA POR INTEIRO’s data, debuting our monitoring of government actions relevant to climate and the environment. We don't intend to stop. We thank everyone who follows us on our blog, on social networks, and everyone who uses our data.



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