



# SAME GAME, NEW RULES:

## A land solution for the Amazon

The land history of Brazil is marked by ongoing cycles comprising “land invasions, deforesting and requests for land title registration.” Public lands with 118 million hectares are still pending allocation in the Amazon<sup>1,2</sup>. Half of this area has already been occupied.<sup>3</sup> The other half is exposed to land invasions. Undeniably, to guarantee forest conservation, the game’s rules must change.

The country has laws in force providing for punishment for those who invade lands. However, similar to what occurs with the Fiscal Liability Act, Brazil should also punish public officials who encourage or allow invasions or fail to act during invasions. This issue must be one of the central points of a New Land Tenure Policy. The new legal provisions could determine the allocation of public lands not yet occupied in order to protect forests in proportion to the land tenure of occupied areas. In other words, for an area to be regularised, a land of equivalent size must be designed for conservation.

**Without this significant political agreement, neither the current environmental legislation nor the current land legislation will be able to stop the continuous and greedy advance on the forests in the Amazon.**

### 1. UNOCCUPIED AREAS

## 59.4 million hectares

THAT MUST BE IMMEDIATELY ALLOCATED TO ENVIRONMENTAL CONSERVATION

### 4.9

MILLION HECTARES are registered in CAR<sup>4</sup>. However, there is no indication of their actual occupancy

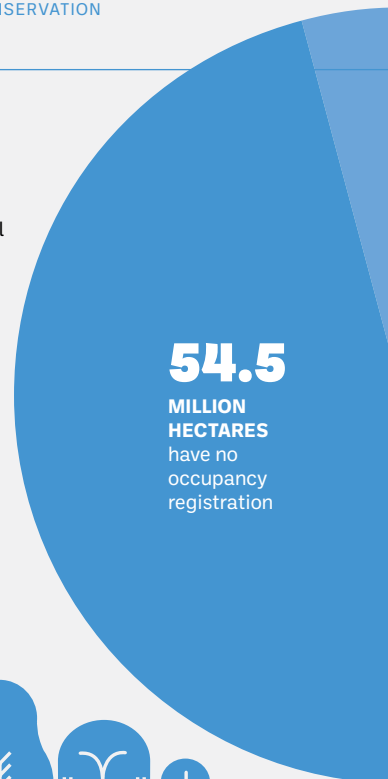


THESE FIGURES INCLUDE LAND AREAS TOTTALING 6.1 MILLION HECTARES

that are not registered with the CAR, which have already been deforested. These areas must be restored, helping Brazil meet its climate goal of restoring 12 million hectares of forests.



WITH 59.4 MILLION HA OF LAND INTENDED FOR CONSERVATION, the Amazon areas under conservation – including Environmental Conservation Areas, Indigenous Lands,<sup>5</sup> and Quilombola Territories – would increase from 171 million ha to 231 million ha.

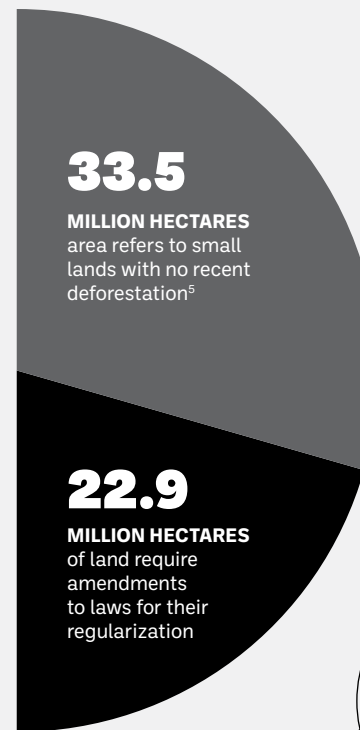


54.5 MILLION HECTARES have no occupancy registration

### 2. OCCUPIED AREAS

## 56.4 million hectares

WHOSE LAND REGULARISATION MUST BE REVIEWED



33.5

MILLION HECTARES area refers to small lands with no recent deforestation<sup>5</sup>

22.9

MILLION HECTARES of land require amendments to laws for their regularization

### FUND FOR CONSERVATION

The regularisation of 56.4 million ha of land will likely raise around

# BRL 470

### BILLION

for the government<sup>7</sup>. This sum must be deposited in a fund to create new Environmental Conservation Areas.

Despite it, we must address the issue in the rest of the areas already occupied, where regularization would require amendments to current laws.



WITH THE REGULARISATION OF THE 56.4 MILLION HECTARES OF OCCUPIED LANDS the Amazon would have an area of 168 million hectares of private properties instead of the 111 million hectares presently.



Environmental conservation and land tenure regularisation in the Amazon must be closely related.



Areas in process of being regularised must be sold at market prices.



Land tenure regularisation presupposes a commitment to restore forests in areas that have already been deforested beyond what is permitted by law (environmental liabilities).



Procedures must guarantee respect for the rights of communities and traditional peoples.



BY REGULARISING THE 56.4 MILLION HECTARES of land, land owners would still be privately responsible for protecting

# 39.7

MILLION HECTARES of vegetation between the Legal Reserve and the Permanent Protected Area (APP) and bearing any environmental liabilities that may exist, i.e., restoring what has already been deforested beyond what is provided in law.

1. There are no overlapping land categories in the areas reported in this document. Zones with overlapping categories have been reviewed separately. Overlapping polygons of the Rural Environmental Registry (CAR) were excluded for the calculation of areas. 2. This includes undesignated public lands (60.9 mi ha) and areas that have not even undergone the proper recognition process by the State (57.1 mi ha). 3. The occupancy observed in public areas that have not even undergone the proper recognition process by the State may be either irregular areas or regular real estate properties without updated registration. To review the occupancy of the areas, the study relies on the records of the Rural Environmental Registry (CAR) and deforestation data from PRODES, based on data available in Nov/2022. 4. Rural Environmental Registry. 5. Occupancies of lands with area of up to 2,500 hectares and before 07/22/2008, as established by Law 11952/2009, supplemented by Law 13465/2017. 6. Considering approved and non-approved areas. 7. Considering the actual price of these lands on the market.