

<https://news.mongabay.com/2021/10/br-319-hearings-an-attack-on-brazils-interests-and-amazonias-future-commentary/>



## **BR-319 highway hearings: An attack on Brazil's interests and Amazonia's future (commentary)**

Commentary by **Philip M. Fearnside** on 26 October 2021



- *Brazil's proposed reconstruction of the BR-319, a highway connecting Manaus (in central Amazonia) with the "arc of deforestation" in southern Amazonia, would bring deforesters to vast areas of what remains of the Amazon forest.*
- *The forest areas in western Amazonia that would be opened by planned roads connecting to the BR-319 are vital to maintaining rainfall that supplies water to São Paulo and other major urban and agricultural areas outside the Amazon region.*

- *Holding public hearings allows a “box to be checked” in the licensing process — a key step in obtaining official approval for the highway project. The hearing was held despite impacted Indigenous peoples not having been consulted, among other irregularities.*
- *This post is a commentary. The views expressed are those of the author, not necessarily Mongabay.*

*This text is updated from an earlier Portuguese-language version of the author's column at [Amazônia Real](#).*

The fact that public hearings are now being held on the project to reconstruct Highway BR-319, which cuts through the heart of the Amazon, is a telling sign of how deficient Brazil's decision-making system is.

This highway was built in the early 1970s and abandoned in 1988; since 2015 a “maintenance” program has made it marginally passable. It has been known for decades that reconstructing the BR-319 (Manaus-Porto Velho) highway is [economically unfeasible](#), even in terms of immediate financial costs, let alone with an [adequate accounting](#) of the enormous environmental costs of the undertaking. The highway project even lacks the economic feasibility study (EVTEA) that is normally required for all major infrastructure projects, including reconstructions (such as the now-complete reconstruction of the BR-163 [Santarém-Cuiabá] highway).



The BR-

319 (Manaus-Porto Velho) Highway passes through large areas of intact rainforest, seen here in 2018 with road “maintenance” underway. Source: Folha de São Paulo.

It has also been apparent for some time that Brazil’s basic national interests would be threatened by the [loss of environmental services](#) from the forest destruction spurred by the highway and its associated side roads. Southeastern Brazil has been suffering from a major drought in 2021, and the “hydrological crisis” and its associated “energy crisis” could be even worse in 2022. In 2014 the city of São Paulo came close to running out of water, even for drinking. These droughts are not primarily due to the loss of the Amazon rainforest, but rather to [alterations in ocean temperatures](#) associated with global warming. However, the result would be catastrophic if the effect of the loss of water transport from the Amazon to São Paulo by the winds known as “flying rivers” were added to this current level of climate variability. The BR-319 and associated side roads threaten the forest block that is precisely the [most critical area](#) for maintaining the supply of water vapor to São Paulo: the [vast area](#) between the BR-319 and the Brazilian border with Peru (Figure 1).

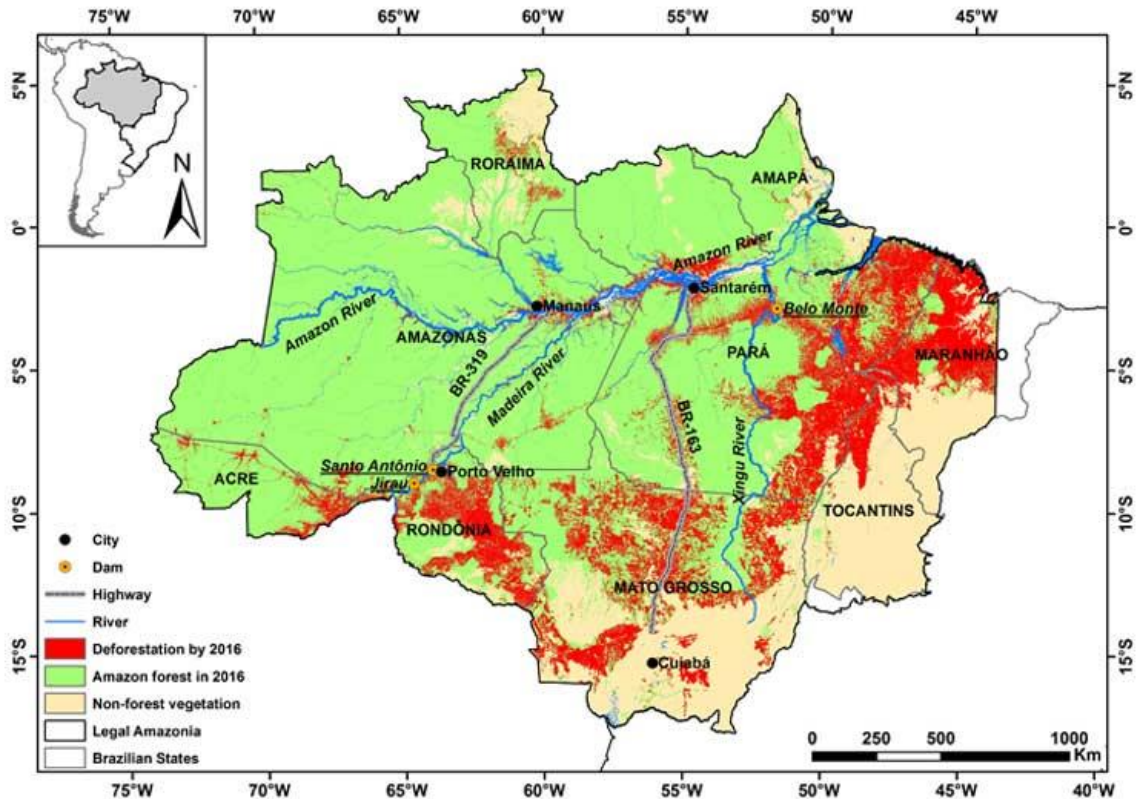


Figure 1. Deforestation in Brazil's Legal Amazon Region (Data from [INPE](#)). So far, deforestation has been concentrated in the "arc of deforestation" along the southern and eastern edges of the forest. Highway BR-319 (Manaus-Porto Velho) and associated side roads would give deforesters access to the vast area west of BR-319.

**The impacts of the BR-319 extend far beyond the area considered in the still-unapproved environmental impact assessment (EIA), which concentrates on the strip of land along the road itself. However, the EIA contains occasional passages that touch on the highway's broader impact, and the officials in IBAMA (the agency responsible for environmental licensing) therefore cannot claim that they were not warned. The most important connecting roads are the planned AM-366 highway, which would link BR-319 to Tapauá, Tefé and Juruá, and AM-248, which would branch off AM-366 to link Coari to BR-319 (Figure 2). The plans for these roads only exist because of the BR-319, and their impact is part of the impact of the BR-319 project. The EIA contains this statement: "there is a provision in the Master Plan of [the municipality of] Tapauá for the implementation of AM-366 after the restoration of BR-319/AM." ([EIA, Part 5](#), pp. 3565 & 2362). IBAMA officials cannot claim ignorance of this document.**



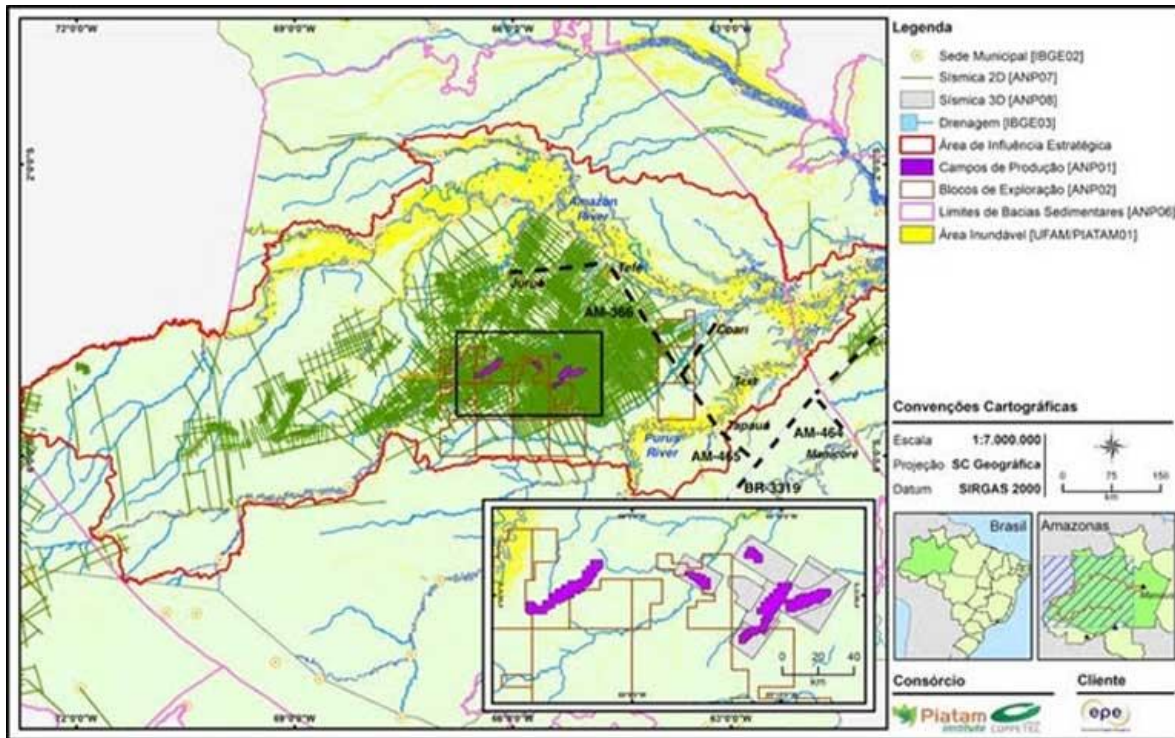


Figure 2. Route of the planned AM-366 highway linking to BR-319. The planned “Solimões Sedimentary Basin” oil and gas project is shown: the purple areas have wells currently in production while the green lines have undergone seismic surveying for future drilling. The project’s “strategic area of influence” (740,000 km<sup>2</sup>, or larger than the U.S. state of California) is outlined in red. Source for oil and gas project: [EPE 2020, p. 65](#); Source for planned roads: [DNIT](#).

The EIA also mentions that one of the oil and gas extraction blocks is located just 35 kilometers (21.7 miles) from the Purus River on the route of AM-366 to the west of Tapauá, and that this block has already been sold to Rosneft. [Rosneft](#) is the giant Russian oil company that Greenpeace-Russia accuses of causing more than 10,000 oil spills around the world. This company would be one of the major beneficiaries of the BR-319 and would certainly have an influence in accelerating the construction of AM-366 (see [here](#) and [here](#)).

The EIA mentions that “The question of the exploration of the blocks in the Solimões basin [the “Solimões Sedimentary Basin” oil and gas project] ... gains greater relevance precisely due to the possible interconnection between BR-319 and the municipalities of Tefé and Coari via the AM-366 highway, from which side roads could “branch off” to the locations of the oil installations” ([EIA, Part Apurinã](#), p. 106).

In addition to the construction of side roads by the government under pressure from the oil companies, the emergence of illegal endogenous side roads (“*ramais*”) is also likely. This is already happening in the case of the BR-319 itself (see [here](#) and [here](#)), and the EIA even mentions one of them explicitly ([EIA, Part 5](#), p. 3565). Virtually the entire route of AM-366 west of the Purus River is within an immense area of undesignated public land (“*terras devolutas*” or “vacant lands”), which is the land category that is most attractive to land grabbers, landless farmers, loggers, and other actors. What happens once a highway is built is largely beyond the government’s control. The image conveyed by the EIA and by the statements of politicians that governance would control these processes is simply fiction (see [here](#) and [here](#)).



Bridge built across a stream in February 2020 on an illegal side road (ramal) branching off of BR-319 and penetrating a protected area, the Lago do Capanã Grande Extractive Reserve. Image courtesy of Indigenous leader whose identity is withheld.

**Among other impacts, proponents of BR-319 bear responsibility for the catastrophic impacts expected from AM-366. The EIA mentions “[the] chain of events that somehow places the entrepreneur in some degree of responsibility for the eventual land link between BR-319 and the city of Tapauá” ([EIA, Parte Apurinã](#), p. 120). The EIA even cites a document (IT No. 24/2017 / COTRAN / CGLIC / DPDS / FUNAI) showing**

that DNIT (the federal highway department) had a formal meeting with FUNAI (the federal agency for Indigenous affairs) on June 21, 2016, initiating an effort to obtain permission from FUNAI to build AM-366 across two Indigenous lands ([EIA, Parte Apurinã](#), p. 120). The “entrepreneur” (DNIT) is not the only one with this responsibility: IBAMA employees who approve the BR-319 project will also be responsible, and not just for the stretch between BR-319 and Tapauá, which passes through a national park in addition to Indigenous lands, but also for the entire sequence of events arising from the opening of the “Trans-Purus” region by AM-366.

The BR-319 project has advanced to the point of holding public hearings despite multiple layers of illegality. The most revealing is the lack of consultation with any of the Indigenous peoples impacted by the highway, as required by [Convention 169](#) of the International Labor Organization (ILO) and by Brazilian law No. [10,088](#) of November 5, 2019; previously No [5051](#) of April 19, 2004; see [here](#)). The EIA mentions this, including the fact that the consultation must be carried out before any decision on the existence of the project is made ([EIA, Parte Apurinã](#), p. 26). The holding of public hearings before Indigenous people are consulted violates this international convention and Brazilian law, as detailed in the formal “[recommendation](#)” made by the Federal Public Ministry (MPF) — a federal prosecutor’s office for defending the people’s rights — to IBAMA requesting that it cease all licensing activities for the “middle section” of BR-319, including public hearings, until the consultation is completed. The MPF’s recommendation also highlighted the fact that Brazil is in the midst of a COVID-19 pandemic that is especially dangerous for any Indigenous participants in the hearings (see explanation in the BR-319 Observatory’s September 16, 2021 [Position Note](#)).





The “fishbone” forest fragmentation pattern created in the Amazon when a major road is constructed and then legal and illegal side roads are added later. Image courtesy of NASA.

**IBAMA and DNIT continued with the convening of the first hearing in Manaus on the night of September 27 in disregard of the MPF’s recommendation, but two hours before the start of the hearing an [injunction](#) by judge Mara Elisa Andrade partially endorsed the MPF’s recommendation, suspending hearings until the end of the pandemic. While the hearing participants waited (for approximately an hour and a half), this decision was overturned by a “[security suspension](#)” obtained through a phone call from the Minister of Transport to Ítalo Fioravanti Sabo Mendes, a “*desembargador*” (a high-ranking category of judges) in Brasília, who lifted the ban on the hearing. “Security suspensions” are a relic of Brazil’s 1964-1985 military dictatorship (Law 4348, of June 26, 1964), still in force (Law 8437 of June 30, 1992 and Law 12,016 of August 7, 2009), which allow any legal decision to be overturned if it would cause “serious harm” to “order, health, safety and the public economy” (see [here](#) and [here](#)). In this case the highway is difficult to defend on the basis of the national economy. The security suspension claimed that the highway is needed**



for transporting oxygen and other medical supplies to Manaus, an argument that is [also fallacious](#). The hearing then took place.

Continuing with the building of the BR-319 highway and associated roads would have disastrous consequences for Brazil, effectively opening up most of what remains of the country's Amazon forest to the migration of actors and processes from the "arc of deforestation," including a [migration to Roraima](#) and other areas already connected to Manaus by road and to the vast new areas to be opened by planned roads linked to BR-319 (see [here](#), [here](#) and [here](#)).

Avoiding these consequences would require — before undertaking the BR-319 reconstruction project — that a level of governance be achieved in this entire area. This can only be expected on a time horizon well beyond any politician's term of office. Hypocrisy is evident when politicians promote the current BR-319 reconstruction project to win votes in Manaus and at the same time claim to be concerned about sustainability and the global climate (see [here](#) and [here](#)). IBAMA's responsibility is to safeguard the people's constitutional right to an "ecologically balanced environment" ([Constitution](#), Article 225), not to serve the interests of politicians.

Postscript:

The author was able to read the first half of this text into the record at the public hearing. This is important because IBAMA is now obliged to take it into consideration in the licensing process. The reading was followed by a xenophobic attack by the leader of one of the factions of President Jair Bolsonaro supporters in Manaus; he questioned how a foreigner could opine on actions in Amazonia, proclaiming that "if we want to cut down all the trees, we will cut them down! It [Amazonia] is ours!" (see [here](#), [here](#), [here](#), [here](#) and [here](#)).

*Banner image: The BR-319 is now passable in the dry season due to a "maintenance" program begun in 2016. (Photo: P.M. Fearnside).*

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A portion of the unpaved BR-319 surrounded by thick tropical vegetation as it appeared in 2018. Image by Gustavo Faleiros for Mongabay.