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Why is Lula still silent on Brazil's 'Bill of devastation?'

(commentary)

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- *A bill that would essentially eliminate Brazil's environmental licensing system is moving rapidly toward approval by a large anti-environmental majority in Congress.*
- *An amendment has been added to the bill allowing "strategic" projects, such as the mouth-of-the-Amazon oilfields and the BR-319 highway, to get accelerated licensing with a deadline for approval, after which approval would be automatic.*

- *President Luiz Inácio Lula da Silva has not supported his environment minister in opposing the bill and has not mobilized his supporters in Congress to push against it.*
- *This post is a commentary. The views expressed are those of the author, not necessarily of Mongabay.*

Brazilian President Luiz Inácio Lula da Silva was [silent](#) while the “bill of devastation” (formally PL 2159/2021) moved through the Chamber of Deputies, the lower house of Congress, and passed by a vote of [290 to 115](#) on May 13. The [silence continued](#) while the Senate, the upper house, [added](#) damaging amendments and passed the revised bill on May 23 by a vote of [54 to 13](#). With the bill back in the Chamber of Deputies, a motion approved by the Chamber’s Commission on the Environment requiring a public hearing has been overridden by a measure invoking an “urgency” regime, and the president of the chamber has stated that he [plans to put the bill to a plenary vote](#) before the July 18-31 congressional recess. President Lula is [not expected](#) to try to avert the bill’s advancing to a vote.

When his minister of the environment and climate change, Marina Silva, came under a misogynistic attack by three senators on May 23, President Lula expressed his solidarity with Silva with regard to that, but [failed to comment](#) on any of the environmental issues that she was defending. President [Lula has stated](#) that he has not yet read the bill and will only do so and form an opinion when it reaches his desk. How can the president of Brazil remain deliberately uninformed about a matter that threatens the country’s future?

The assault on Brazil’s environmental licensing system being perpetrated by anti-environmental forces in Congress opens the country to devastation beyond anything that even the notoriously anti-environment administration of former president Jair Bolsonaro was able to achieve. When President Lula finally devotes some time to this matter, I suggest that he not only read the [bill itself](#), but also some of what has been written about it, such as the [text by Suely Araújo](#), the former head of Brazil’s federal environmental agency, IBAMA, titled “*A farsa da nova lei do licenciamento ambiental*” — “The farce of the new environmental-licensing law” — as well as [an analysis](#) by myself. He can find more information in the 114-page [technical note](#) by the Climate Observatory, the think tank with which Araújo is now affiliated.



The Brumadinho mine dam collapse in 2019 killed 272 people. Image by Fernanda Ligabue for Greenpeace.

To summarize the current bill, it creates a self-licensing procedure for projects deemed to have “small” or “medium” impact. These projects are often not as small as one might think: the mine tailings dams in [Mariana](#) and [Brumadinho](#) that burst, causing two of Brazil’s greatest environmental disasters, were in the “medium” category. The new procedure, officially termed a “License by Adhesion and Commitment” (*Licença por Adesão e Compromisso*, or LAC), would eliminate any analysis by staff at federal and state environmental agencies, submission of an environmental impact study (EIA), holding public hearings, and specifying compensatory measures in the event of accidents or other impacts. Licensing would be reduced to a self-declaration basically consisting of checking a series of boxes on an online form.

As amended by the Senate, the current bill also includes a “Special Environmental License (*Licença Ambiental Especial*, or LAE) for projects irrespective of the magnitude of their impacts if the projects are deemed “strategic” by a council representing political interests. This provision was added to the bill in a last-minute amendment introduced by Senate President Daví Alocumbre, apparently with a view to facilitating environmental approval of the proposed mouth-of-the-Amazon oilfields off the coast of his state of Amapá. This project risks both [uncontrollable oil spills](#) due to the water depth and complex ocean currents at the site, and sets in motion a [process that guarantees oil extraction](#) long after the world must cease to use petroleum as fuel.

The Special Environmental License also opens the door to other high-impact projects, such as the proposed reconstruction of the BR-319 highway between the Amazonian cities of Manaus and Porto Velho that, together with its planned side roads, would open the vast area of rainforest in the western half of the state of Amazonas to deforestation (see [here](#) and [here](#)). These projects would have a one-year deadline for approval, after which they would be automatically approved.



President Luiz Inácio Lula da Silva with his environment and climate change minister, Marina Silva, on the first day of his return to office, when he introduced an environmental decree to protect not just the Amazon Rainforest but all Brazilian biomes. Image by Ricardo Stuckert via Flickr (CC BY 2.0).

Clearly it should not be assumed that major projects like these will never be rejected, with the licensing always ending in approval. The licensing process also normally takes longer than a year, largely due to inadequate information provided by the proponents in the EIAs and their delays in rectifying these deficiencies. The perennial understaffing of IBAMA and other environmental agencies also means that the automatic approval of the projects is likely to be frequent.

So why is President Lula failing to oppose the “bill of devastation?” The answer appears to be that he lives in a “[disinformation space](#)” where he has surrounded himself with supporters of the projects that would be facilitated by the bill. He listens to his ministers of

transportation and mines and energy, plus the president of Petrobras, the state oil company, but not to his minister of environment and climate change.

Fundamentally, the problem is that President Lula supports the projects for [BR-319](#) and the mouth-of-the-Amazon oil drilling (see [here](#) and [here](#)). He is apparently unaware of the disastrous consequences for Brazil of these projects, which include putting in place processes that emit greenhouse gases in quantities that risk pushing global temperatures past tipping points, unleashing climate changes that would kill the Amazon Rainforest and devastate Brazil (see [here](#), [here](#) and [here](#)).

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This article is an updated translation of a text by the author that is available in Portuguese on [Amazônia Real](#).

Citations:

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