

Brasília, 6 September 2022

Honorable Roberta Metsola  
President of the European Parliament

H.E. Charles Michel  
President of the European Council

H.E. Ursula von der Leyen  
President of the European Commission

H.E. Edita Hrdá  
Permanent Representative of the Czech Republic to the European Union  
Presidency of the Council of the European Union

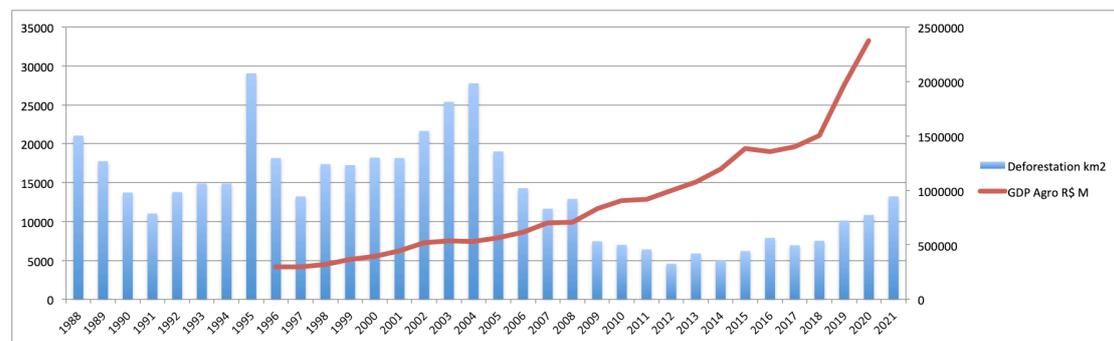
Dear Excellencies,

As representatives of Brazilian environmental organizations and research institutes, we were dismayed at both tone and content of the letter sent to you by ambassadors of 14 tropical countries, including our own. While sovereign nations certainly do have the right to grieve over whatever they may consider “unfair” treatment or “discriminatory” measures, we believe that any meaningful debate over so critical an issue as the EU regulation on deforestation-free products should be based on evidence, which is awfully lacking in the ambassadors’ quibble.

In our view, the corollary of the ambassadors’ argument – that it is inherently illegitimate to tackle environmental issues through trade – is flawed. It amounts to saying that sovereign countries have no say over what they buy, which is of course preposterous.

The drought that right now wreaks havoc on harvests in Somalia and threatens millions with famine; the extreme rains that killed hundreds in Southeast Brazil this year; the deadly Pakistan floods, the megadrought in Europe and the monster heatwave in China are eloquent statements of the urgency of fighting the climate crisis. And, while developed countries have no excuse for keeping immoral fossil fuel subsidies, maintaining their addiction to oil and refusing to pay their fair share of climate finance, it is likewise unacceptable not to tackle tropical deforestation – which is both the most wasteful form of climate pollution and the cheapest way to cut emissions. In the process, ending deforestation also means protecting human rights, since the process of grabbing forested land for agriculture, especially in Latin America, entails murder, displacement of local communities and slave labor. The latter, it is worth recalling, has been dealt with through trade in the past.

None of the arguments listed in the ambassadors' letter holds true in the case of the world's biggest tropical forest country, Brazil, which alone accounts for 41% of all tropical deforestation<sup>1</sup>. Between 2004 and 2012, Brazil slashed Amazon deforestation rates by 83%, while agricultural GDP experienced a steady increase<sup>2</sup>, as shown below. This was accomplished through a package of public policies and private sector commitments that included near-real-time satellite monitoring, credit cuts to wrongdoers and a voluntary moratorium on new deforestation by the soya sector that has been in place since 2006.



The claim that traceability and geo-location requirements in the EU regulation are “impractical” and “costly” is simply counterfactual: Brazilian farmers have been applying monitoring at polygon-level for more than a decade, and satellite technology for farm monitoring is widely available to other developing countries through public institutions such as the National Space Research Institute or non-governmental initiatives like the MapBiomias Consortium. The Brazilian ambassador should not pretend to be shocked at the retroactive cut-off date, given the 16 year-old soy moratorium in place in the Amazon.

Likewise, evoking concern with smallholders is disingenuous. Of all 5 million rural properties in Brazil, less than 2% incur on deforestation<sup>3</sup>, and very few of those are smallholder or family farms. Most deforestation and conversion is done either by industrial-scale farmers or land grabbers, often with ties to organized crime<sup>4</sup>. If one wished to stretch the argument, it could be argued that deforestation in Brazil works against smallholders, by leveraging against them the predatory minority of large-scale farmers and ranchers. It is regrettable that diplomatic representatives of a nation should choose to act as mouthpieces of parochial lobbies and not in the best interest of the country and the planet.

Finally, we couldn't fail to notice the abuse of the Rio Principle of common but differentiated responsibilities in the ambassadors' missive. The document seems to imply that, since EU countries have a “historical role in deforestation activities and climate change”, they have no right to take further action against deforestation. Your excellencies, we all know that the CBDR works the other way

<sup>1</sup> <https://research.wri.org/gfr/latest-analysis-deforestation-trends>

<sup>2</sup> For agricultural GDP data, see <https://www.cepea.esalq.usp.br/br/pib-do-agronegocio-brasileiro.aspx>; for deforestation data, see Prodes figures at <http://terrabrasilis.dpi.inpe.br/en/home-page/>

<sup>3</sup> See MapBiomias Alerta:

[https://s3.amazonaws.com/alerta.mapbiomas.org/rad2020/RAD2020\\_MapBiomiasAlerta\\_FINAL.pdf](https://s3.amazonaws.com/alerta.mapbiomas.org/rad2020/RAD2020_MapBiomiasAlerta_FINAL.pdf)

<sup>4</sup> <https://www.coalizaobr.com.br/home/index.php/boletim-n-64/2436-o-crime-organizado-tomou-conta-do-interior-da-amazonia-diz-diretora-de-ciencia-do-ipam>

around: for their historical responsibility, developed countries should take the lead on both adopting measures to fight climate change and (we can't stress that enough) financing mitigation and adaptation in developing nations. The new EU regulation seems fit to the purpose. Furthermore, if historical responsibility for deforestation (and thus land-use emissions) is to be brought to the table, then Brazil is a debtor, not a creditor: according to recent science<sup>5,6</sup>, the South American country is the world's 4<sup>th</sup> biggest historical contributor to observed global warming when land-use change is factored in.

We acknowledge that the proposed regulation is not perfect. It has several glitches that, if not corrected, could turn it into a benchmark for deforestation, the opposite of what it sets out to do. As it is, it leaves non-forest biomes largely unprotected; the 2020 cut-off date is a reward to criminals that have been ravaging the Amazon since 2019; it also might create loopholes for several commodities; and, should it resort to certification, mass balance or other surrogates for traceability, it could enshrine business-as-usual. We also understand some African nations might need a larger transition period than Latin America or Indonesia, which has been successfully reining in deforestation in recent years. We believe these and other issues should be addressed within EU governance, making the final text balanced, fair and effective. Brazilian civil society is, and shall always be, available for a constructive and fact-based dialogue with all interested stakeholders.

Please accept, your Excellencies, the assurance of our highest consideration.

Yours truly,

Observatório do Clima – Steering Committee

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<sup>5</sup> <https://iopscience.iop.org/article/10.1088/1748-9326/9/1/014010/pdf>

<sup>6</sup> <https://www.carbonbrief.org/analysis-which-countries-are-historically-responsible-for-climate-change/>