

PROJETO: ESCRITÓRIO
MODELO AGRO-AMBIENTAL
(EMAM)

UNIVERSIDADE FEDERAL DO PARÁ

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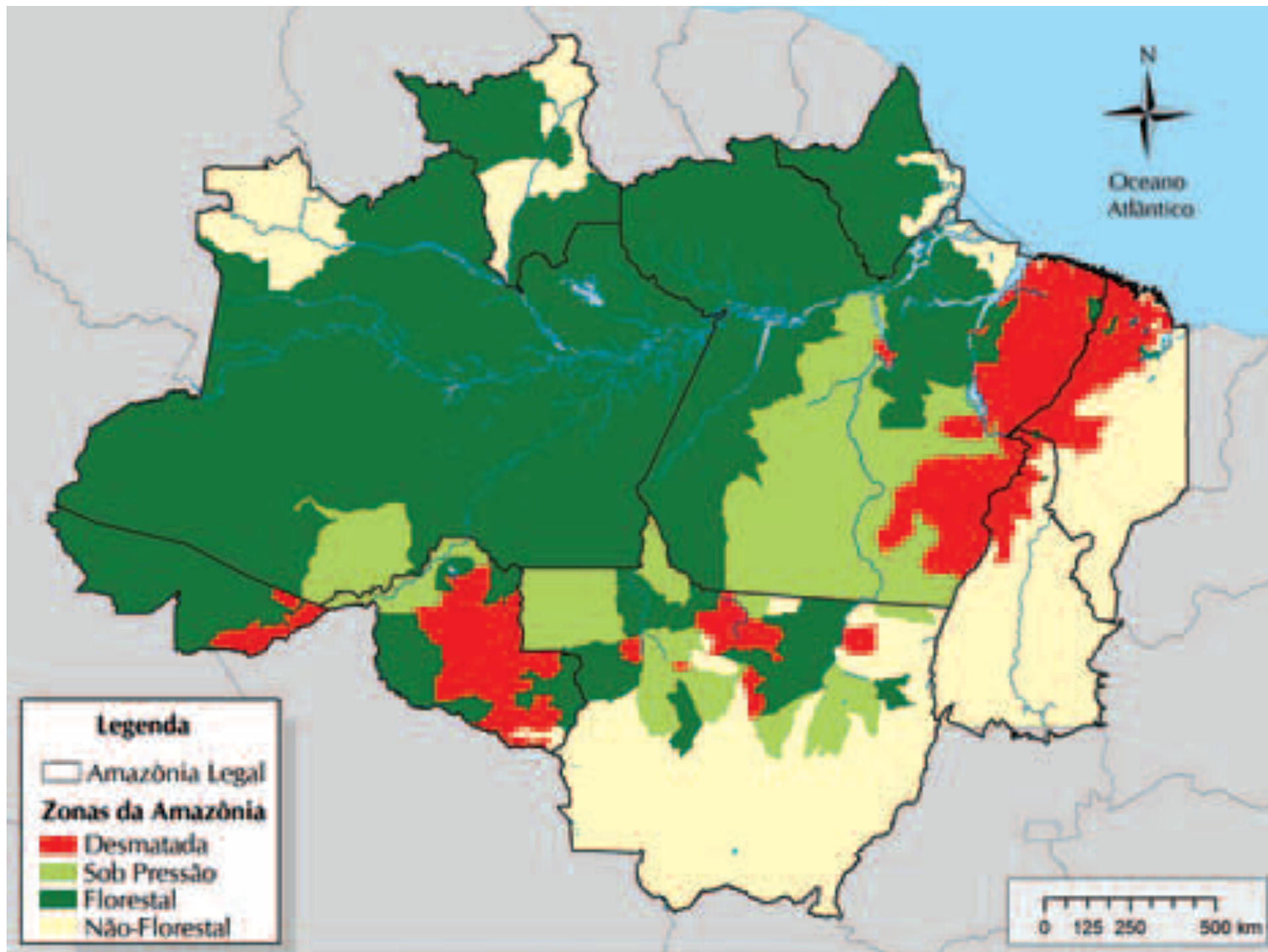
University of Florida / University of Costa Rica
Joint Program in Environmental Law

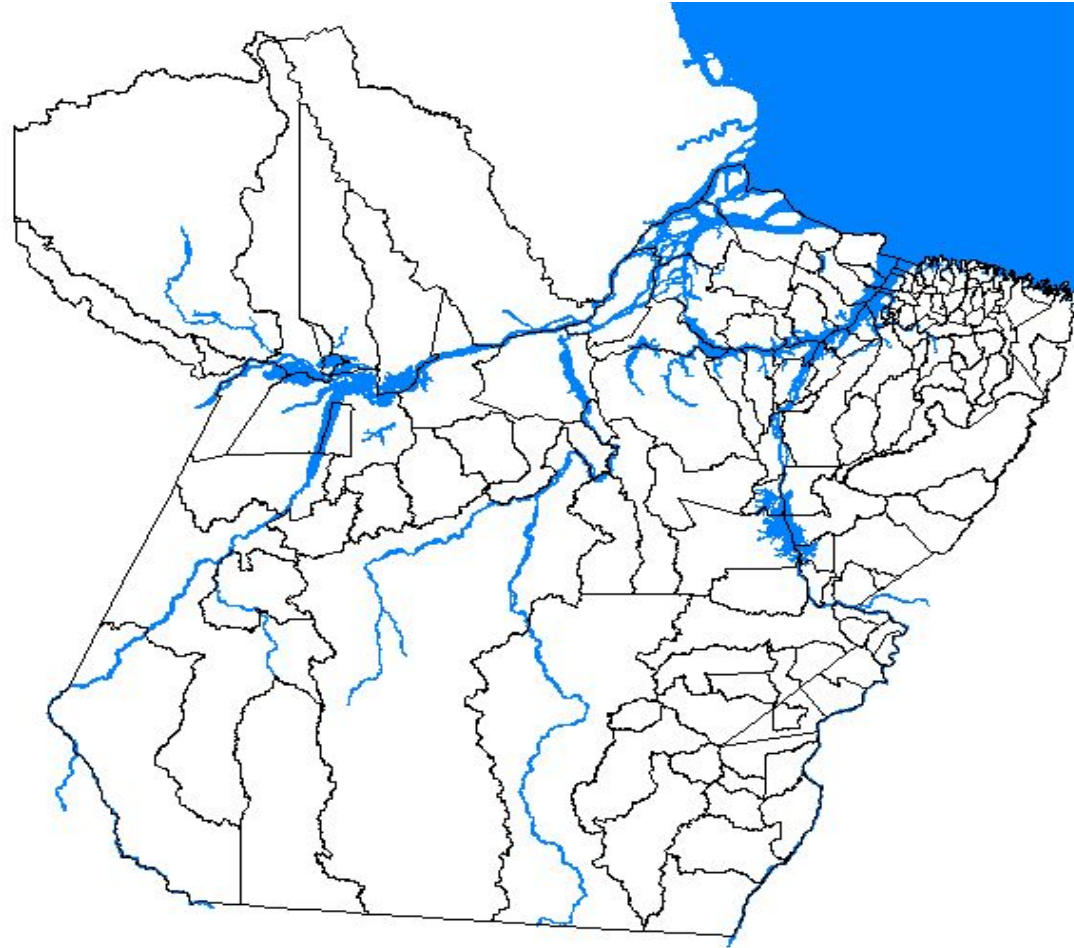
Structure



- Brazilian Background – agrarian & environmental problems and data
- Background on environmental clinics in other countries
- Background on environmental clinics in Brazil
- UFPA environmental clinics project

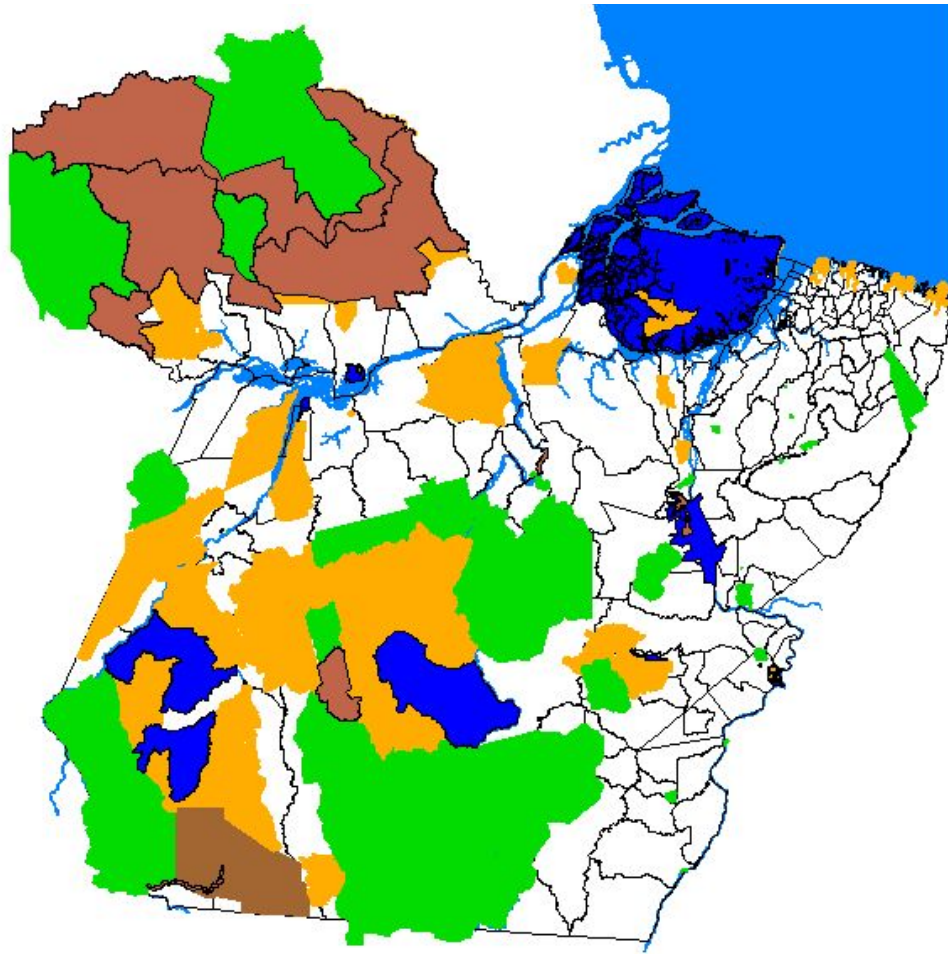






Agrarian & environmental problems in Pará

143 municipalities – 124 million hectares or 478.766,5 square miles (7 x Florida or 1,7 x Texas)



Federal Conservation Units:

18.032.187 hectares – 14,46%

State Conservation Units:

13.357.075 hectares – 10,71%

Land owned by the Army:

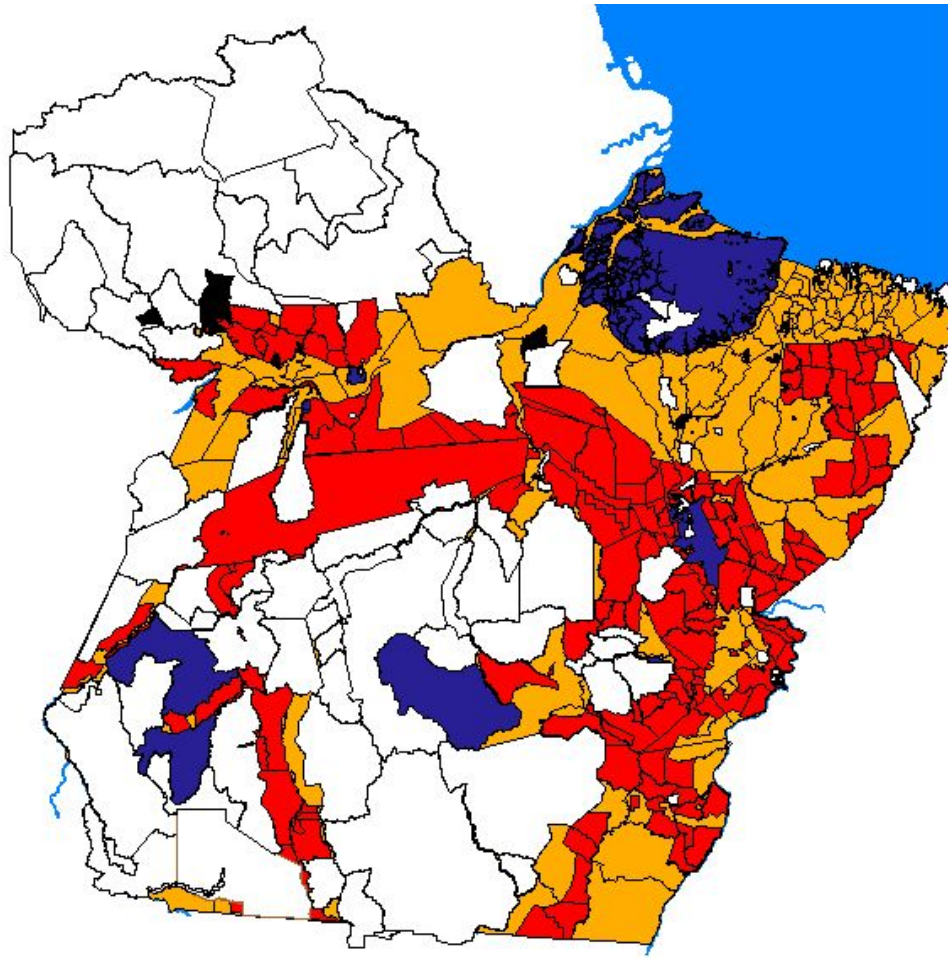
2.160.000 hectares – 1,73%

Indigenous Land :

30.367.029 hectares – 24,36%

Map of protected areas in Pará

51,26% (63.916.291ha) of Pará are Conservation Units and Indigenous Land



Federal Lands (INCRA):
29.923.992 hectares – 24,00%

Pará State Lands (ITERPA):
19.949.328 hectares – 16,00%

Federal and State APAs:
10.424.776 hectares – 8,36%

Lands to be legalized

60.398.096 hectares – 48,36% – are State and Federal Lands

Agrarian & environmental problems in Brazilian Amazon and the State of Pará

- **Rural conflicts over land tenure.**
 - ✓ 1997/2006 - 386 people were killed - 60% in the Amazon Region and Pará accounted for 67% of the murders in the region.
- **Deforestation of the Brazilian Amazon Rainforest (17% of its original forests).**
 - ✓ 2000/2008 – 2,25 million hectares (7.818 square miles) of deforestation inside Protected Areas.
 - ✓ August 2008/May 2009 - there was 1.084 km² (418 square miles) of deforestation, 42% of it in Para state.
- **Weak legal enforcement. Administrative and Judicial accountability systems are inefficient and ineffective.**
 - ✓ 5% of the fines issued by IBAMA are collected (6 billion dollars in fines are to be collected);
 - ✓ There is a huge backlog of cases in the Judiciary (74%). A great number of environmental crime cases reach the limiting time for prosecution.
 - ✓ Penalties applied to environmental crimes are not related to environmental protection.

Environmental clinics in other countries

UCR - Costa Rica

- **Objective:** Offer professional practice for students and legal advice;
- **Partners:** College of lawyers (BAR Association); UCR; University Environmental Management Program (technical assistance); Florida support;
- **Clients:** people with low economic resources
- **Services:** Clinics and Judicial Office: assistance for communities (also in participation processes – local and regional level) / institutions on environmental legislation. Legal opinions;

University of Florida - USA

- **Objective:** environmental and land use professional practice, applied research, and public policy analysis;
- **Partners:** University of Florida Levin College of Law Center for Governmental Responsibility;
- **Clients:** Governmental, non-governmental, and private entities involved in local, state, national, and international conservation objectives;
- **Services:** Non-litigation research project: Conservation arrangements; conservation-oriented development projects; plan drafting; Institutional framework design; Protected area management planning; Dispute resolution systems design; Proposals for legislative reform;

Environmental clinics in other countries

University of Victoria - Canada

- **Objective:** provide advocacy experience in public interest environmental law, and research;
- **Partners:** First Nations, Tula Foundation, University of Victoria Faculty of Law; Ecojustice; West Coast Environmental Law; Berman Environmental Law Clinic at the University of Washington School of Law;
- **Clients:** Community/Conservation groups and First nations;
- **Services:** legal representation and legal assistance; citizen handbooks and other public legal education materials' research for environmental law reform issues;

Denver University - USA

- **Objective:** develop practical legal skills for students interested in environmental law;
- **Partners:** Denver University; Animal Protection Institute; Biodiversity Conservation Alliance; Center for Biological Diversity; Friends of the Earth; Forest Guardians; Rocky Mountain Clean Air Action;
- **Clients:** environmental advocacy organizations at the state, regional, and national level and local community groups;
- **Services:** representation for organizations before courts and administrative agencies in a broad range of environmental matters including endangered species, public lands, and water quality;

Environmental clinics in Brazil

Universidade Federal do Mato Grosso - UFMT

- **Objective:** Offer professional practice for students and legal advice;
- **Partners:** UFMT; NGOs; State Government; financing support;
- **Clients:** Society (poor communities, NGOs); State Prosecutors` Office, Public Attorneys` Office, State Environmental Protection Agency;
- **Services:** Judicial support (advocacy) for NGOs before courts, consultancy for administrative agencies in a broad range of environmental matters, environmental law legal training in conferences, publications; research for the improvement of agrarian regulations and environmental laws.

Universidade Federal de Santa Catarina - UFSC

- **Objective:** Offer students professional legal practice and research skills; and legal advice for community`s associations.
- **Partners:** State Prosecutors` Office;
- **Clients:** Civil environmental associations and NGOs from Florianópolis without funds to start legal actions or get legal advice.
- **Services:** Judicial support (advocacy) and consultancy for NGOs and civil environmental associations.

UFPA Environmental clinics project

□ **Name**

- Escritório Modelo Agro-Ambiental - EMAM

□ **Objective**

- Extension activities (When research is applied to practice) - provide training to law students mixing professional practice and applied research in land use public policies for environmental protection;

□ **Partners**

- State Prosecutors` Office, Public Attorneys` Office, State Environmental Protection Agency and other UFPA courses linked to land use studies & natural resources management;

□ **Users**

- NGOs, State Prosecutors` Office; Public Attorneys` Office; State Environmental Protection Agency;

□ **Services offered**

- Judicial support (advocacy) for NGOs before courts, consultancy for administrative agencies in a broad range of environmental matters, environmental law legal training in conferences, publications; research for the improvement of agrarian regulations and environmental laws;

□ **Criteria for the selection of cases/clients**

- The cases must be selected considering: a) public interest promotion; b) paradigmatic cases; c) cases that negatively affect land use policies; the protection of the environment and property law;

□ **Financing**

- Florida University support (Amazon Conservation Leadership Initiative);
- UFPA & CNPq (=FIPSE) for scholarships;
- Ford Foundation;

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Thomas T. Ankersen, Director

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