



Destination of public forests in Brazil: an analysis of forest concessions

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ABSTRACT: The forest concession policy objective is to prevent forest degradation, transfer part of the functions and public responsibilities to the private sector and at the same time increase income and improving the life quality of local people. Of the total 310.7 million hectares of federal public forests in Brazil, 77% are destined areas and 23% hectares of are not destined areas. However, the areas under concessions are the National Forests, a conservation unit with the objective of sustainable multiple use of forest resources and scientific research. In this context, this paper aims to discuss two points related to the forest concession on destined areas, first regarding financial resources for monitoring activities of Public Forests under concessions and for the maintenance of conservation units; and the second regarding the indicators measured in the management area under forest concession.

Keywords: destined areas, national forests, national cadastre of public forests.

Destino das florestas públicas no Brasil: análise das concessões florestais

RESUMO: O objetivo da política de concessão florestal é prevenir a degradação das florestas, transferindo parte das funções e responsabilidades públicas para o setor privado e, ao mesmo tempo, aumentar a renda e melhorar a qualidade de vida das pessoas locais. Do total de 310,7 milhões de hectares de florestas públicas federais no Brasil, 77% são áreas destinadas e 23% são áreas não destinadas. No entanto, as áreas sob concessões são as Florestas Nacionais, uma unidade de conservação com o objetivo de uso múltiplo sustentável de recursos florestais e pesquisas científicas. Neste contexto, este artigo tem como objetivo discutir dois pontos relacionados à concessão florestal em áreas destinadas, primeiro em relação aos recursos financeiros gastos para monitorar atividades em Florestas Públicas sob concessões e a manutenção destas mesmas áreas como unidades de conservação; e o segundo relacionado aos indicadores medidos na área de gerenciamento sob concessão florestal.

Palavras-chave: áreas destinadas, florestas nacionais, cadastro nacional de florestas públicas

1. INTRODUCTION

The Federal Government implemented the forest concession policy in 2006 (Law 11.284/2006). It aims to conserve vegetation cover of the Brazilian forests, by improving the quality of life of communities at the borders of concession areas and by stimulating the formal economy with products and services provided from managed forests (BRASIL, 2014a).

The Brazilian National Forest Program was created, on January 26, 1998 and aimed to promote the sustainable forest management of timber and non-timber products, both in entrepreneurial and community initiatives. Nonetheless, given the scarcity of resources in the public sector and failures in monitoring and surveillance, emerges as a solution the implementation of a policy of public forest concessions for the exploitation of commercial timber by the private sector and local communities (GODOY, 2006).

The draft bill (Explanatory Memorandum 135) presented the law proposal for the concession regime of forest resources access and exploitation in National, State and Municipal Forests. The document features 14 items justifying the necessity of implementation of Public Forest concessions, of which stand out the items 6 and 10 that highlighted the

potential of forest concession processes in public forests (BRASIL, 2002).

It is considered public forests the natural forests or plantations located in different biomes of Brazil, under the domain of the Union, the states, the municipalities, the Federal District or indirect administration entities, except for the Integral Protection Conservation Units and priority areas for conservation of Brazilian biodiversity (BRASIL, 2006a). As reported by Annual Forest Grant Plan (PAOF, 2016) the public forest in Brazil has two different type of classification: destined or not destined areas. The destined areas represent 77% of the public forest already designated to a specific category (e.g. protected areas, indigenous lands, community use and military areas). The remaining 23% represents the part of public forests that has no destination, that is, areas with no utilization. It is known, notoriously, that the activities of land grabbing and land invasion involve mostly the untitled public forests considered not destined to a specific use.

For instance, it was found that 67% of deforestation in the state of Para, occurred in private areas, vacant (irregularly occupied) or various stages of possession, against 17% in protected areas, 15% in agrarian reform settlements and 1%

on indigenous lands (SALES et al., 2011). That shows that the public forest that are not destined areas are the most susceptible areas to forest degradation and occupation of land by *posseiros* (squatters).

In line with the Public Forest Management Law (11,284/2006) concessions may take place in public forests considered destined areas, meaning those already designated to a specific category, the National, State or municipality Forest, a classification of the National System of Conservation Units (SNUC, Law 9,985/2000). According to Godoy (2006), the advantage of forest concessions in destined public forests for the government is to transfer part of the functions and public responsibilities to achieve, at the same time, achieve the sustainable management of the National Forests (FLONAS). Additionally, the governmental cost reduction of administration, monitoring and surveillance of these areas. This allows, according to the same author, reconcile the ecological sustainability with the financial sustainability of public forests.

In this manner, this paper intends to analyze the environmental, social and economic aspects of the realization of the forest concessions in not destined areas since the destined areas already receive government budget for auditing, monitoring and surveillance activities. This research is based on secondary data characterized by a literature survey between 1968 and 2014 in relation to the subject of study, ranging from laws, scientific research, monographs, theses and reports. Grey literature (newsletters, newspapers, magazines) were used only to help creating the perception of forest concessions in society.

2. LITERATURE REVIEW

2.1 Management of Public Forests and the Forest Concessions Policies

Until recently, according to the Decree No. 1,298 of October 27, 1994, the conservation units areas were managed by the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA), under the supervision of the Ministry of Environment (MMA). With the approval of the Law No. 11,284 of 2006, the management of public forests for sustainable production was entrusted to the Brazilian Forest Service (Article 55); the same law created the National Forest Development Fund (FNDF) to finance the process and establish the CNFP. However, in 2007, with the approval of the Law No. 11.516 of August 28, 2007, IBAMA was dismembered, leaving to the Chico Mendes Institute of Biodiversity Conservation (ICMBio) the management of protected areas, including the development and coordination of the conservation units' Management Plans.

The law of public forest management comprises three forms of management for sustainable production (Article 4). The first is the direct management by the government (federal, state or municipal). The second form is the destination of the forest for community use, such as forest settlements, extractive reserves and maroon areas, and the third form, with economic purpose, is the concession of public forests, through public bidding processes (BRASIL, 2006a).

According to the Federal Government, the forest concession policy allows federal, state and local governments to manage their forest assets in order to combat land grabbing, avoid predatory exploitation of existing resources, thus preventing the conversion of land use to other purposes,

such as livestock and agriculture, and promoting an economy on a sustainable and long-term basis (BRASIL, 2014a).

In the National Public Forests Registry, the basis for preparation of the Union Annual Forest Concession Plans that make public forests eligible for concession, two types of public forests are inserted; the Public Forests type "A" (FPA) and the Public Forest type "B" (FPB). The Public Forest type "A" are forests already allocated to some category, such as protected areas, Indigenous Lands, Public Rural Settlements, military areas and other forms of allocation provided by law (destined areas), and the Public Forest type "B", are forests not yet allocated to some use (not destined areas) (BRASIL, 2013a).

Of the total 310.7 million hectares of federal public forests, 77% (about 239 million hectares) are destined areas (FPA) and 23% (about 71 million hectares) of are not destined areas (FPB) (BRASIL, 2013a). The methodology used for the selection of areas of public forests subject to concession occurs in two phases: in the first phase, all public forest areas that have impediments or legal restrictions to be submitted to forest concessions are excluded. On the second phase, are excluded the federal public forests that are not able to be submitted for forest concession in the year of effectiveness of the PAOF.

In the first phase, among others, the areas of federal public forests not destined (FPA) are excluded, and in the second phase the exclusion is for federal public forests that do not have management plan approved or perspective of approval during the year of effectiveness of the PAOF. Thus, the set of federal public forests, result of the application of the methodology for the selection of possible areas of establishing forest management units for concession from 2007 to 2015 are presented in Table 1.

After eight years of the forest concessions Law effectiveness, only five lots were submitted to the bidding process. Moreover, success was achieved in only three national forests under exploitation regimen totaling 646,340.043 hectares in the Amazon Forest. This fact can be attributed to the little economic attractiveness of concessions, given the lack of incentives to address the need of high investments to operationalize the forest concession and disability and / or absence of forest management plans for the areas of forest concession (BRASIL, 2015b). In addition, an Operation Audit report (n° 2176/2014) from the Federal Court of Accounts (TCU) indicates the lack of a coordination tool for the different bodies involved in the process.

According to the Brazilian Institute of Geography and Statistics (IBGE), out of the 5.2 million km² that compose the called Legal Amazon, 24% (about 1.2 million km²) are claimed as private land and another 47% (about 2.4 million km²) are public lands not destined, over which the State carries out precarious control. Comparing to the data present on the CNFP, 283.602.527 hectares of the Amazon is considered as Public Forests.

The absence of land use planning and land tenure in this large volume of public lands, combined with weak State presence, encourages land grabbing and other forms of improper use of land, stimulates the predatory exploitation of natural resources and the impunity of environmental crimes (BRASIL, 2004).

Thus, the areas under concession for the management of timber and other forest products, should be the not destined areas of public forests, avoiding the disorderly occupation

and land grabbing, besides saving to the public coffers the monitoring operations and control of these areas, leaving to the concessionary companies and agencies the responsibility for these activities by the Concessions Law (GRANZIERA, 2008).

Table 1. Areas of Public Forests apt to Concession in the 8 years of effectiveness of the Law.

Tabela 1. Áreas de Florestas Públicas aptas a Concessão nos 8 anos de efetividade da Lei.

Year of effectiveness of PAOF	Federal forests apt to concession	Total area (1,000 ha)
2007-2008	6 NF* 1 APA*	3,559
2009	28 NF 1 APA 1 small plot not destined	12,030
2010	24 NF	6,486
2011	11 NF	51,000
2012	10 NF	4,400
2013	10 NF 2 small plots not destined	5,300
2014	11 NF 2 small plots not destined	4,000

* NF: Nation Forest (type of conservation unit presented on the SNUC)
APA: Environmental Protected Area (protected areas under the Law 12,651/2012)

Regarding financial resources, included in the PAOF of year 2013, to the activities of Monitoring the Public Forest in Concessions (Implementation of forest monitoring system and implementation of the control of chains of custody), there is an estimated budget of BRL 1,480,000,000.00. On the other way, for predicting human and financial resources for auditing, monitoring and surveillance activities in 2013 of forest concessions for each environmental agency sum: BRL 2,459,710.00 for the Brazilian Forest Service, BRL 146,523,979.18 for ICMBio and IBAMA BRL 93,126,288.00 (BRASIL, 2013a).

Until 2014, the Brazilian Forest Service had contracts for forest concessions in four National Forests: Jamari National Forest and Jacundá NF in Rondônia state, Sacara-Taquera NF and Crepori NF in Para state. Each of these NF are foreseen under Concession the amounts of BRL 614,927.50 to the SFB, BRL 36,630,994.79 to ICMBio and BRL 23,281,572.00 to IBAMA for auditing, monitoring and surveillance activities. On the other hand, the sources of funds for the maintenance and conservation activities, raised only for Jamari NF in 2013, is approximately BRL 920,000.00 annually in budgetary resources, as shown in Table 2.

Beyond this value, it can be included the average value of BRL 757,824.12 for five permanent employees by ICMBio that manage the Jamari National Forest, reaching an amount of BRL 1,677,824.12 that a National Forest removes from public coffers for maintenance, control and payment of human resources employees. This value exceeds an estimated budget of BRL 1,480,000,000.00 of PAOF for monitoring activities of Public Forests in concessions.

Table 2. Detailed expenditure of the National Forest of Jamari, in Reais, with the reference month December 2013.

Tabela 2. Despesas detalhadas da Floresta Nacional de Jamari, em Reais, com o mês de referência de dezembro de 2013.

Nature of Expense	Available	Committed Expenditures	Performed Expenditures	Committed to Liquidate
Maintenance and Conservation	48,075.44	48,075.44	48,075.44	48,075.44
Ostensive Surveillance	748,940.50	748,940.50	748,940.50	748,940.50
Labor Rental	68,085.50	68,085.50	68,085.50	68,085.50
Subsistence Allowance – Civilian Personnel	55,712.98	55,712.98	55,712.98	55,712,98.00
Total	920,814.42	920,814.42	920,814.42	920,814.42

Source: Brasil (2013a)

By analyzing this data, it is possible to observe an overlap of budget for the same activities in National Forests and areas under forest concessions. This fact demonstrates that the statement of the Government, according to Godoy (2006), the advantage of forest concessions in public forests reducing government costs of administration, monitoring and surveillance of these areas is not actually being achieved.

2.2 Positive and negative aspects of Forest Concessions

The question is subjective and with little data available for analysis. In this manner, an assessment of the positive and negative aspects of the forests concession was carried out based on the wide collection and analysis of documents related to the forest concession.

Among the positive aspects we can mention the financial and social returns arising from payments for products that have been explored, which are distributed as follows:

a) The minimum value paid annually by the concessioner (corresponding to 30% of the total) will be destined to the Forest Service to carry out its activities;

b) The amount that exceeds the minimum will be divided as follows:

- 40% for the Chico Mendes Institute of Biodiversity Conservation (ICMBio), which uses the financial resources for the accomplishment of its activities.

- 20% for the state where the forest concession lots are located and 20% for the municipalities where the forest concession lots are located. The states and municipalities use the resources to support and promote sustainable use of forest resources and will be monitored by environment boards with social participation. These boards must approve the timeframe for applying the resources.

- 20% for the National Forest Development Fund (FNDF) applying the resources according to the Annual Plan of Regionalized Application (PAAR), planning document of the Fund.

The proportional distribution of funds raised with the forest concession in 2013 in the Jamari National Forest, corresponding to Forest Management Unit (UMF) I of the company Madeflona Industrial Madeireira Ltda. and UFM III of the company Amata S/A, are presented below in Table 3. The amount of resources are divided to the municipalities by the coverage area of the Forest Management Unit (UMF).

Table 3. Distribution of resources of the forest concession of the Jamari National Forest, harvest of 2013, to the ICMBio, FNDF, state and municipalities.

Tabela 3. Distribuição de recursos da concessão florestal da Floresta Nacional de Jamari, exploração de 2013, ao ICMBio, FNDF, estado e municípios.

UMF	Total Amount (BRL)	ICMBio (40%)	FNDF (20%)	State of Rondônia (20%)	Municipality of Itapuã do Oeste (20%)	Municipality of Cujubim (20%)
I	480,935.07	192,374.03	96,187.01	96,187.01	96,187.01	-
III	948,454.62	379,381.85	189,690.92	189,690.92	170,816.68	18,874.25
Total	1,429,389.69	571,755.88	285,877.93	285,877.93	267,003.69	18,874.25

Source: Brasil (2013a)

To demonstrate the distribution of financial resources by the concessioners to municipalities that have benefits from the forest concession, the Jamari National Forest in Table 2 was used as an example. When carrying out a comparison of the amount of Urban Land Tax (property tax) collected in the Transparency Portal of the Municipality of Itapuã do Oeste, in 2013 (BRL 82,978.73) with the amount raised by forest concession (BRL 267,003.69), it appears that the financial resources from the forest concession, outnumber the property tax in 300%, which would be of major importance to municipalities. However, the Municipality of Itapuã do Oeste was contacted to confirm this value, and the Municipal Office reported that this value is passed in three times (according to the contract) by the government as providing

service, which limits the application of this amount by the municipality (such as the purchase of equipment, payment of machine hours, construction of bridges, etc.).

Furthermore, if we compare the amounts collected by the forest concession of the Jamari National Forest, BRL 1,429,389.69, with the already presented amounts submitted for audits, monitoring and surveillance totaling BRL 920,814.42, it is perceived that the amount sold result of forest concessions appears not satisfying if compared to the maintenance costs of these protected areas.

Still referring to economic aspects, because of the sequence of information available, the following discussion (Table 4) will reference the Sacara-Taquera NF and Jamari NF.

Table 4. Data of production and the amount collected through forest concession in 2013.

Tabela 4. Dados da produção e quantidade arrecadada através da concessão da floresta em 2013.

Parameter	UMF	UMF Total Area (ha)	Authorized Annual Unit Production (UPA) Area (ha)
Jamari	I	17,176.36	433.84
	III	46,184.16	1.633.08
Sacará-Taquera	II	29,768.82	971.42
	III	18,933.62	583.97
National Forest	UMF	Authorized Volume (m ³)	Volume per hectare (m ³)
Jamari	I	11,143.16	25.68
	III	33,770.54	20.67
Sacará-Taquera	II	23,389.90	24.07
	III	13,994.54	23.96
Total Volume Produced		73,715.99 m ³	
Total Revenue	BRL	5,342,035.95	

Source: Brasil (2014c)

According to Brazil's Forests report published by the Brazilian Forest Service (BRASIL, 2013b), which analyzes the domestic trade of wood in the Legal Amazon, in the State of Para in 2012, logs trading reached 4,245,326 m³ and the production of lumber 2,319,020 m³ moving amounts of BRL 2.044 billion in the year. The Rondônia state sold 2,234,206 m³ of logs and 1,328,945 m³ of lumber, moving BRL 613 million. Thus, if we make an average of the amounts received by m³ in these states, we obtain the values of BRL 311.37/m³ for the State of Para and BRL 172.04/m³ for the State of Rondônia

In this analysis it is possible to perceive the undervalued m³ charged by forest concession contracts for the States of Para and Rondônia where the Sacara-Taquera NF and Jamari NF are located, respectively, which on average is around BRL 67, 55/m³. At the lower Amazon, Santana et al. (2012); Santana et al. (2011) also found similar economic value from the extraction and sale of standing timber in the local market, as average of R\$ 23.48/m³, with a minimum value of R\$ 9.06/m³ for the species in category of softwood and a

maximum of R\$ 55.63/m³ for the species of category special wood.

In view of this, it is noteworthy that, in the concession areas the concessioners do not need to acquire the land where the forest is located, becoming a very high onus to the State that is already so bankrupt. Moreover, mainly if we relate this with the budget of public bodies (in the case ICMBio that is the manager of these units) who spend a fairly representative amount for maintenance, leaving only the burden of protecting these areas to private companies. Being that this shows unfair competition for managers that are not part of forest concessions and manage their forests with own resources making the protection and maintenance of their areas without state aid and often with large institutional difficulties to approve their management plans. Furthermore, the bureaucratic systems in many cases contribute to avoid new companies interested on concession causing a low demand on that.

Concerning social benefits focused on local communities, the Audit Report prepared by the Secretariat of External

Control of Agriculture and the Environment (part 65), found that 50% of employees interviewed in three companies who exploited their areas in 2012 (Madeflona, Amata and Ebata), increased family income with work in the concession. For 20% of the employees, that was their first job, and 80% of them said they had received training to perform their activities (BRASIL, 2014b). However in 2014, the Executive Management of Forest Monitoring and Audit presented a process in favor of any administrative penalty of warning to the companies Amata S/A (Case No. 02209.012954/2014-68) and Golf Indústria e Comércio de Madeiras (Case No. 02209.012002/2014-44) for failure to comply with the job indicators for the forest concession, not reaching the minimum performance indicator. What should be noted is

that no report of an external audit in these concession areas was found, which is a legal requirement contained in the concession processes which could bring greater clarity to the technical, economic and social performance of these areas.

Another important fact that should be noted in the forest concessions politics is the possibility of formation of contracts in large tracts of land, creating large estates held by a single company, as shown in Table 5. While the systematic expansion of timber concessions chiefly strengthened the corporate sector with the capital and the professional expertise to comply with regulations and financial and technical requirements, rural dwellers were often disadvantaged (POKORNY; PACHECO, 2014; BONFIM et al., 2016).

Table 5. List of concessionaires, FLONA under concession and administered area.

Tabela 5. Lista de concessionárias, FLONA sob concessão e área administrada.

Company	National Forest	UMF	Area (ha)	Average of Fiscal Module	Concession period (years)
Amata S/A	Jamari	III	46,184.25	770	40
Brasad'Oc Timber Comércio de Madeiras Ltda.	Crepore	II	134,148.31	1.789	40
Brasad'Oc Timber Comércio de Madeiras Ltda.	Crepore	III	59,863.90	798	40
Ebata Produtos Florestais	Saracá-Taquera	II	30,063.00	400	40
Ebata Produtos Florestais Ltda.	Saracá-Taquera-loteS	IA	26,898.00	358	40
Golf Indústria e Comércio de Madeiras	Saracá-Taquera	III	18,794.00	251	40
Madeflona Industrial Madeireira Ltda.	Jamari	I	17,178.71	286	40
Madeflona Industrial Madeireira Ltda.	Jacundá	I	55,014.27	786	40
Madeflona Industrial Madeireira Ltda.	Jacundá	II	32,757.96	471	40
Sakura Indústria e Comércio de Madeiras Ltda.	Jamari	II	32,998.11	550	40
Samise Indústria, Comércio e Exploração Ltda.	Saracá-Taquera-loteS	IB	59,408.00	792	40

In the case of the Crepori National Forest, the company Brasad'Oc Timber Ltda. has accumulated nearly 195,000.00 hectares of land for logging, residual timber exploration and non-wood products. The company Madeflona Industrial Lumber Ltda. currently has three exploration areas, totaling nearly 105,000 hectares for exploration.

The company Sakura Industry and Timber Trade Ltda. had their activities suspended by the SFB, in violation of function of one of the clauses that lead to the suspension of the contract the non-payment of Value Annual Minimum for timber (BRASIL, 2012b). The company, with opening date on June 13, 2001, has as a description of the main economic activity, road transport cargo except dangerous products and changes, intercity, interstate and international case in the selection of the winning companies of adversity bids. The notice was published on March 5, 2012 in the Official Gazette, which states that the suspension can be reversed, since the company deposit the amounts outstanding, if it does not, the contract could be terminated, in which case no included a resolution to clarify who will bear this loss. To date there is no information on the situation of the company.

The approval of a specific company in the bidding process for forest concessions should be intertwined with a number of features in order to allocate the concessions efficiently and avoid the burden for the exploited areas. Gray (2002) proposes that such approval is based primarily on the financial condition, environmental performance, and previous experience with forest management and with the use plan for the area under concession.

In addition, the government once delimited the forest concession, "the legal person, in consortium or not", grants to populations living within the limits of conservation units

such as the extractive reserves and sustainable development reserves, a marginal and limited role. For the traditional populations to be able to compete, they must form community associations or cooperatives for, as legal entities, have the same treatment as the companies, which shows a reversal of values and priorities.

Another weak point are problems related to infrastructure and lack of technical knowledge on the subject, the information are not managed in a broad and freeway, making the pre-existing groups continue making the decisions, not allowing small local groups to be structured.

In the environmental aspect, the Public Forest Management report of the year 2012 has little or no positive evaluation in relation to forest fire protection, deforestation and illegal logging and other threats to the integrity of public forests. It was found that less than 0.2% of the timber volume extracted from the Amazon in 2012, have as origin a concession. The results achieved to date, do not reach the goal of forest concession policy to ensure that all or part of logging activity is carried out in a sustainable manner.

Moreover, Monteiro et al. (2013) conducted an evaluation of forestry quality in the field, visually detected in satellite images, which are presented in Table 6.

The study shows that the impact generated in the exploitation of the areas under forest concession is lower in comparison to the impact of illegal logging, but for some indicators, higher when compared to private management. However, it appears that the indicators for management under forest concession are in accordance with the standards established in the field of inspection manual for the plans of forestry management in the Amazon (BRASIL, 2006b).

Table 6. Comparison of the indicators measured in the management area under forest concession of the National Forest of Jamari and measured in forest management areas and areas of illegal logging on private property.

Tabela 6. Comparação dos indicadores medidos na área de gerenciamento sob concessão florestal da Floresta Nacional de Jamari medidos em áreas de manejo florestal e áreas de exploração ilegal de propriedade privada.

Indicators	Concession Management	Private Management	Illegal Exploitation
Storage Yard Dimension (m ²)	414	626	1,241
Main Road Width (m)	5.8	4.8	5.0
Secondary Road Width (m)	3.7	4.1	4.5
Canopy opening (%)			
Storage Yard (un.)	32	27	38
Main Road	25	20	22
Secondary Road	14	17	20
Felling trees	20	17	30

Source: Monteiro et al. (2013)

However, even under the environmental point of view, it is noteworthy that these areas where forest concession policy are being applied, the National Forests, are conservation units in which the main objective is sustainable forest management, and in the case of forest concessions there is no control of the diversity of species being exploited in the management units, being presented in the reports only the species with current commercial value. In addition, companies that sign forest concession contracts are beneficiaries of the right of exploitation of non-timber forest products; however, they fail to exploit these resources due to poor information and regulation process.

In addition to the points addressed, an important fact to consider is the current design of the management of forest concession policy. The Ministry of the Environment (MMA) is the granting authority, the Brazilian Forest Service (SFB) the manager agency of the contracts, the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA) is responsible for monitoring and environmental licensing the areas and the Chico Mendes Institute of Biodiversity Conservation (ICMbio) is the manager of the units. However, as regards the definition of the “organizational structure and operation of the SFB” the art. 56 of the Law No. 11,284 of 2006 which provide the approval of the internal regiment of SFB, the organization, the structure and decision-making under each board; has not been developed yet.

This lack of clarity regarding the role of the various actors in each phase of the process hinders compliance with the requirements of the concession holder, which must report to various actors and without guidance and clarity of when to use each. This institutional instability, according to the Court of Union Accounts (TCU) audit report (BRASIL, 2012a) may discourage participation in the grant, due to the expectation of having to deal with various government departments to operationalize it.

3. CONCLUSION

The National Forests has as its basic objective, established by law, sustainable multiple use of forest resources and scientific research, with an emphasis on methods for sustainable exploitation of native forests, however this goal has not been met by the forest concession policies, since only wood products are being exploited. Even the forest concession being a business, it cannot be against the principles and regiment of the conservation unit.

On the one hand, millions of hectares of public forests have not yet been allocated and are suffering from illegal logging and forest destruction. On the other hand, already

destined forests are receiving overlapping resources for their maintenance. Therefore, the question remains, why make forest concessions in areas that already have destination if millions of hectares are suffering with the abandonment of the state?

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