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The concession of the BR-163 highway in the Brazilian Amazon: Corporatization of territory and conflicts

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Abstract

The BR-163 highway in the Brazilian Amazon has become one of the most important corridors for the Brazilian agribusiness sector. It is a highway that synchronizes times, flows, logics, and economic chains, especially with its total paving in 2019, and its concession to the private sector in 2022. This article seeks to synthesize and analyze the complex recent and future territorial manifestations of the BR-163 concession (Sinop/Mato Grosso to Itaituba/Miritituba/Pará). The concession of the highway is a driver and inducer of new spatial orders and the expansion of corporate uses of the territory. Deforestation, land grabbing, violence and conflicts are already observable and the future scenario is its expansion. Thus, new governance arrangements are needed to push towards a variety of discursive and material practices: the respect for the laws, the environment, the different cultures. These arrangements would be important ways to promote territorial and food security for the Amazon peoples.

Zusammenfassung

Die Fernstraße BR-163 im brasilianischen Amazonasgebiet hat sich zu einem der wichtigsten Korridore für die brasilianische Agrarindustrie entwickelt. Es handelt sich um eine Bundesstraße, die Zeiten, Ströme, Logiken und Wirtschaftsketten synchronisiert, insbesondere seit der vollständigen Asphaltierung im Jahr 2019 und der Konzessionierung an den Privatsektor im Jahr 2022. Dieser Artikel zielt darauf ab, die komplexen aktuellen und zukünftigen territorialen Erscheinungsformen der BR-163-Konzession (Sinop/Mato Grosso bis Itaituba/Miritituba/Pará) zusammenzufassen und zu analysieren. Die Konzession der Fernstraße ist treibende Kraft und Auslöser neuer räumlicher Ordnungen sowie der Ausweitung der unternehmerischen Nutzung des Territoriums. Abholzung, Landraub, Gewalt und Konflikte sind bereits zu beobachten, und es ist anzunehmen, dass diese sich in Zukunft noch ausweiten werden. Deshalb sind neue Governance-Regelungen erforderlich, um eine Vielzahl von diskursiven und materiellen Praktiken zu fördern: den Respekt vor den Gesetzen, der Umwelt und den verschiedenen Kulturen. Diese Regelungen wären ein wichtiger Weg, um die territoriale Sicherheit und die Ernährungssicherheit der Amazonas-Bevölkerung zu stärken.

Keywords Amazon, infrastructure, highway, Brazil, neo-extractivism

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1. Introduction

The BR-163 is a 3,579 km long highway that connects the southern region to the northern region of Brazil. This highway was built under the purpose of connecting different regions by the means of road infrastructure and at the same time promoting the “occupation” process, border security, and expansion of economic dynamism (Torres 2005; Fearnside 2007; Castro 2008; Coy and Klingler 2014; Coy et al. 2017; Torres et al. 2017; Brito and Castro 2018). Beginning in the 2000s, it became an export corridor for agricultural commodities. The paving and maintenance of BR-163, starting in 2019, became a political and economic agenda (Ferrante and Fearnside 2019; Deutsch and Fletcher 2022) of agribusiness, represented by landowners, large agricultural producers, trading companies, multinationals, funds and banks in the construction of the Arco Norte project; in the case of large-scale infrastructure projects, particularly port complexes linked to agribusiness and the groups ADM, Cargill, Bunge, LDC, Hidrovias do Brasil, Cianport, Amaggi, and Caramuru (Rodrigues 2021). The presence of these large economic actors indicates that infrastructure development projects are linked to broader networks and flows and products of the visions and initiatives of multi-scale and multinational organizations (Marimón et al. 2021).

2. The paving and the concession of BR-163 Highway

In November 2019, the paving of the BR-163 highway has been completed, a section of more than 50 km long, between the municipalities of Novo Progresso and Itaituba, in the state of Pará. Also in 2019, the Brazilian government formulated the concession project for BR-163 through Decree No. 9,972. In July 2021 the concession was made effective, through an auction, and the contract was signed on April 4, 2022 between the concessionaire, “Via Brasil BR-163”, and the Brazilian government. The concession period established is ten years, extendable for two more years. The concession provides for investments of around R\$1.87 billion and operating costs of approximately R\$1.2 billion, over an extension of 1,009.52 km.

The concessionaire will operate the infrastructure and provide the services of repairs, operation, maintenance, monitoring, conservation, improvements and expansion of the highway (Fig. 1). The concessionaire

“Via Brasil BR-163” has been granted to four companies: Conasa Infraestrutura, Zeta Infraestrutura, Construtora Rocha Cavalcante and M4 Investimentos & Participações. However, it is part of the Grupo Conasa, particularly Conasa Infraestrutura, which is a holding company that manages Specific Purpose Companies (SPE) and operates in the sanitation, public lighting, and highway segments. The Group holds 100% of “Via Brasil BR-163” (Conasa 2022a).

The concession project foresees the installation of three toll plazas, four user service bases, three inspection posts, two Federal Highway Police (PRF) posts, and two new stopping and resting points for road transport professionals (Conasa 2022b). The concessionaire will charge a tariff of R\$ 7.867,00/100 km (Brazil 2022a) and will get generous tax breaks (of R\$ 68,851,769). They will also be in charge of the construction of definitive access (roads) to the port terminals of Miritituba, Santarenzinho and Itapacurá (39.32 km of new roads) (see Fig. 1) (Brazil 2022b). This will promote the structuring of technical networks and economic relations as well as having a series of environmental and social effects (Marimón et al. 2021). The concessionaire “Via Brasil BR-163” states that the purpose of the concession project is to modernize the highway, with appropriate assessment of risks, offering permanent traffic conditions for the flow of grains compatible with the existing port structure, in addition to reducing operating costs and travel time of vehicles, thus speeding up the transshipment of cargo on the Tapajós Hidrovia (Conasa 2022b).

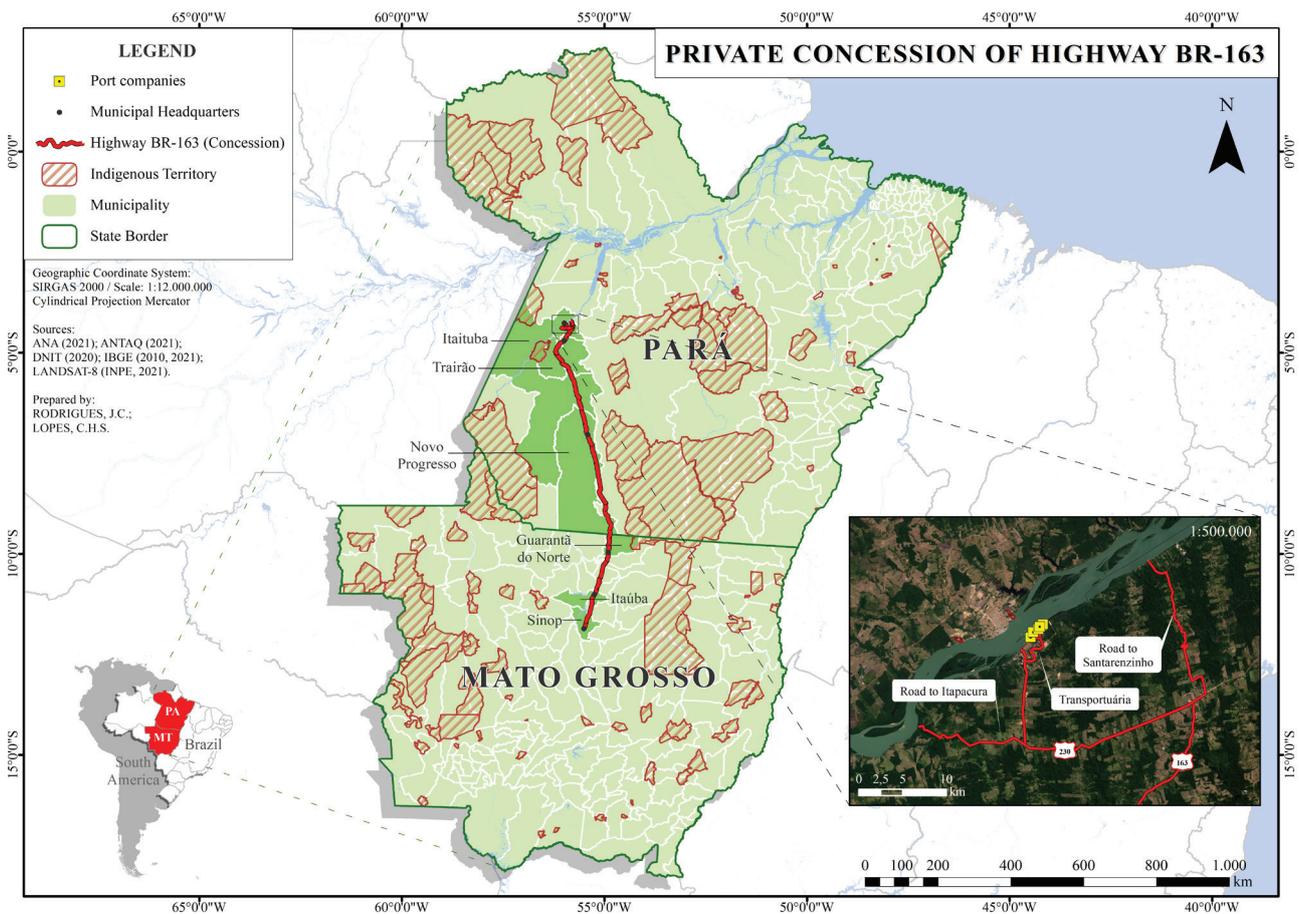


Fig. 1 Map of the extension and geographic area granted to the "Via BR-163" concessionaire. Source: own elaboration

3. About deforestation and conflicts

The BR-163 highway is a place where men, women, youth, children, the elderly, migrants, traditional peoples and communities live in a broad region permeated by traditional territories. These territories create and recreate practices, customs, beliefs, traditions and identities, through which territory is constituted as a place of life, existence, and reproduction of livelihoods (Castro 2008; Brito and Castro 2018; Torres et al. 2017). As this social agent of the Pastoral Land Commission (CPT) declares in an interview¹:

[...] first, the BR-163 is this soybean, grain, corridor that facilitates the logistics of agribusiness in that region. [...] it is a territory of vast environmental conservation units, where forests are standing still. It is important to always emphasize this because we still have this mosaic of conservation units, national parks, like the Jamanxim National Park, which is there between Novo Progresso and Mato Grosso. And it [the BR-163] is

also a whole, it is also the territory of traditional peoples and communities. Communities that are nurtured by their identity, their culture, but also by the river, the forest and all that nature still exists (interview held in August 2022).

The BR-163, since its construction in 1971, has been permeated with authoritarian, colonial, and capitalist actions that have resulted in conflicts, deforestation, expropriations, human rights violations, and genocide of indigenous peoples (Urzedo and Chatterjee 2021). This situation has intensified in recent years (from 2019 to 2021), with 2,329 conflicts throughout the Brazilian Amazon. This has given rise to an average of two conflicts per day, typically provoked by illegal mining, land grabbing, agribusiness, mining companies, and state regulations (CPT 2021)

Such intensification is related to the arrival of foreign investments in infrastructure, the expansion of agribusiness, and a policy encouraging the use of violence, illegalities, and impunity of criminal agents, with

support from the Bolsonaro government (Souza et al. 2022). For the CPT agent interviewed:

[...] the interests increase the conflicts, interests from outside and the current government itself also collaborates in this. To legitimize the violence here. So, the subjects that used to commit violence, threats, built process of assassinations, nowadays they are more legitimized by the hate speech of the current government itself. So, this also intensified and contributed to this scenario of violation of rights and violence that we are living there (interview held in August 2022).

All of this contributes to intensification of land concentration and multiple threats of deterritorialization, producing a set of interests and land use based on corporate tenure and land enclosure, consequently producing a space of hyperconflicting territorialities (Baletti 2012; Torres et al. 2017; Sauer 2018). For the CPT social agent interviewed there is an:

[...] intensification of conflicts between those who want to somehow take the land and those who want to continue resisting and remaining in their territories. Whether the conflict comes through the removal of wood, from some settlement areas, which are public lands, or for the expansion of the ports, also real estate speculation, land speculation either through the exploration of garimpo² mainly now in indigenous lands or by these large enterprises [...] (interview held in August 2022).

For example, the cities of Itaituba, Rurópolis, Trairão and Novo Progresso, which are municipalities along the BR-163 highway, have been experiencing a moment of significant rural migration and arrival of people since 2013 due to the expansion of agribusiness and port logistics infrastructure works. For the CPT social agent interviewed:

The city of Itaituba has swelled. We now have more violence in the city; more cars, more people, more population swelling and less infrastructure from the point of view of public policies in the territory. It also seems very obvious to me that with all of this that I just mentioned, the State was already neglecting public policies before, but now it seems that this neglect has been more intentional. What we realize is that the State is not in fact absent. It is present, supporting and favor-

ing these large undertakings, such as the ports. We can see this in the licensing processes themselves. So, what has changed? What used to be the State's disregard, which we evaluated, today is more of a presence within the projects, large enterprises, agribusiness, favoring this whole context of advancing enterprises (interview held in August 2022).

This swelling according to the municipality of Itaituba is mainly related to the implementation and operation of agribusiness ports and their logistics chain up to along BR-163 (Itaituba 2022). It should be noted that there is a relationship between the migration process with high and substantial land use (Richards 2015). Mataveli et al. (2021) state that infrastructure planning and works carry the ideas of promises and imagined futures, of progress, development, and jobs. There is also an intense process of land and real estate speculation, land grabbing, and land acquisition processes for the construction of infrastructure (ports, gas stations, and truck yards) and the expansion of grain monoculture in Trairão, Rurópolis, and Novo Progresso (Rodrigues 2021). This has had repercussions in the non-regularization of agrarian and urban properties, the increase of rents and the cost of living, as well as the intensification of traffic accidents, violence, death threats, and land conflicts. The scenario is described based on ongoing research in the region, including interviews with political leaders and social movements in the region, among them the Pastoral Land Commission (CPT) and the Movement of People Affected by Dams (MAB).

The land conflicts along BR-163 can be perceived through the growth, between 2014 and 2021, of assassination attempts, death threats and intimidation; more than 50 leaders have received death threats (CPT 2021, 2022a). Novo Progresso has numerous conflicts and violence against rural workers living in the Terra Nossa settlement, carried out by land grabbers, miners, mining companies, local elites and loggers. This settlement suffers from soybean expansion since 2019 and has been affected by criminal forest fires. The areas burned in 2019 (known as "Day of Fire") are now home to soybean fields, which corresponds to 300 hectares (Repórter Brasil 2022).

Such practice has been repeated historically and used as an enforced social technology for territorial control (Torres et al. 2017). The social technology is associated with government support in these last six years

(2017 to 2022) to land grabbing in the Brazilian Amazon (Carrero et al. 2022). Land grabbing is performed as a kind of usurpation and theft of collective and traditional territories, with violation of the people's right to "permanent sovereignty over natural resources" (Jurkevics et al. 2022: 32), over their territory(s) and over territorial autonomy, and promoted, above all, by agribusiness (Dell'angelo et al. 2021). Something similar has been occurring in settlements in Itaituba and Trairão, through invasion, squatting, and illegal sale of areas of collective use. The Areia Settlement, created in 1998, in the municipality of Trairão is exploited by loggers and there is illegal occupation of land tracts by ranchers (Torres et al. 2017).

Since 2014, Itaituba and Novo Progresso have been among the municipalities with the highest deforestation rates in the Legal Amazon, with an accumulated total from 2014 to 2021: 1,657.07 ha in Novo Progresso and 1,292.56 ha in Itaituba (INPE 2022), mainly for pasture production, speculation, and monoculture grain plantations. Deforestation and fires have the tendency to increase, since the simple act of communicating the intention to implement projects is enough to eografia the consolidation of new deforestation hotspots in the Brazilian Amazon (Mataveli et al. 2021).

It is also worth noting that the infrastructure investment project in the BR-163 proposed by the concessionaire is the construction of 42.88 km of additional lanes and 30.24 km of marginal roads, as well as 172.35 km of shoulders and improvements in another 340.05 km (Brazil 2022b), meaning an increase in deforestation and expropriation of populations living near the highway. Road transport systems have generated a trail of deforestation, environmental degradation and conflicts (Neves et al. 2021), particularly along BR-163 (Torres 2005; Fearnside 2007; Castro 2008; Coy and Klingler 2014; Coy et al. 2017; Torres et al. 2017; Brito and Castro 2018). So, the Via BR-163 project will contribute to the Amazon reaching an additional 70,000 km² of deforestation by 2050 (Neves et al. 2021), in order to feed the neo-extractivist sector, especially agribusiness.

The growth of deforestation is articulated with the very expansion of the dynamics and territorialization of agribusiness, mainly by the processes of expulsions, expropriations and struggles for land. Deforestation tends to advance over conservation units and Indigenous lands in the face of a state of environmen-

tal exception and stimulus to violence, led by the Jair Bolsonaro Government (Deutsch and Fletcher 2022). The growth on deforestation is already observable from January to September 2022, in which the area of Amazon deforestation reached 9,069 km², which corresponds to almost eight times the size of the city of Rio de Janeiro. It was the largest devastation in 15 years (Imazon 2022).

According to partial data by the Pastoral Land Commission (CPT), in the first semester of 2022, in the Legal Amazon there was a 33% increase in the number of registered conflicts in rural areas in relation to the same period in 2021. There were 425 occurrences of conflicts, involving 65,974 families, which also represents 55.85% of all rural conflicts registered in Brazil. Of these, there were 345 occurrences of conflicts over land, 63 occurrences of conflicts over water, 16 occurrences of labor conflicts (15 cases of slave labor and one case of overexploitation), and one occurrence of conflicts in a mining area (CPT 2022b).

The refusal to acknowledge the multiplicities of communities will still be immersed in the frontier dynamics in Luis Inácio Lula da Silva's government, as progressive governments have based their economic agendas on neo-extractivism and commodity exports (Svampa 2015, 2019). In these governments, indigenous, riverine, quilombola, and fisher populations have faced human rights violations and have been expelled from their territories by this economic model, as a way to expand extractive projects (Guerisoli and Mandirola 2022). In addition, the composition of the legislative chamber of 2023 has most of its caucuses connected to (the lobby of) agribusiness, mining, cattle ranching, and logging.

4. Conclusions

The BR-163 concession as well as BR-319 (highway connecting the municipalities of Manaus and Porto Velho, respectively in the states of Amazonas and Rondônia) are new deforestation hotspots in the Brazilian Amazon (Mataveli et al. 2021). It is worth emphasizing that the BR-163 area of influence has numerous infrastructure and mining projects, involving railroads, ports, hydroelectric dams, small power plants, and mining plants (Rodrigues 2021). These projects are not transparent or participatory and violate the human rights of traditional peoples, since, according to Convention 169 of the International Labor Organization, the State

must consult these peoples every time there are plans of policies or projects that affect their lives.

The concession of the Amazon section of the BR-163 highway transforms it into a privatized highway for corporate use and the stage for the increase in conflicts, violence, and threats to residents, workers, and traditional and indigenous peoples who have historically coexisted with exclusionary and violent political and economic activities linked to neo-extractivism.

Thus, new governance arrangements are needed, such as a system of governance along the lines of the Sustainable BR-163 Plan, developed by the Federal Government in response to civil society organizations, which claimed to combat the socio-environmental risks of highway opening and paving (Lacerda 2022). Furthermore, new governance arrangements are needed to push towards a variety of discursive and material practices: the respect for the laws, the environment, the different cultures. These arrangements would be important ways to promote territorial and food security for Amazonian peoples. In doing so, it can also challenge and question the centralizing, authoritarian and colonial pattern of executing large infrastructure works in the Amazon, especially the BR-163 concession and the Ferrogrão project.

Notes

¹ All interviews translated by the authors.

² Garimpo is the name given to the illegal extraction of mineral resources, mainly gold, from the soil or water streams. The extraction occurs on a small scale by small groups of extractors or by cooperatives, using artisanal techniques or machinery. This activity promotes a series of damages to the natural environment, such as deforestation and the contamination of river waters with toxic elements, like mercury. Moreover, the growth of illegal mining in Brazil, especially in the Amazon, has promoted conflict, threats, and assassinations of environmental defenders and traditional peoples and communities, particularly indigenous peoples (Rodrigues et al. 2022).

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