



Roundtable

Trends in Brazilian Environmental Law and Enforcement Under the New Administration

May 22, 2019 | Washington, DC

Beveridge
& Diamond 



Brazilian Environmental Enforcement and IBAMA

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Federal Government Structure

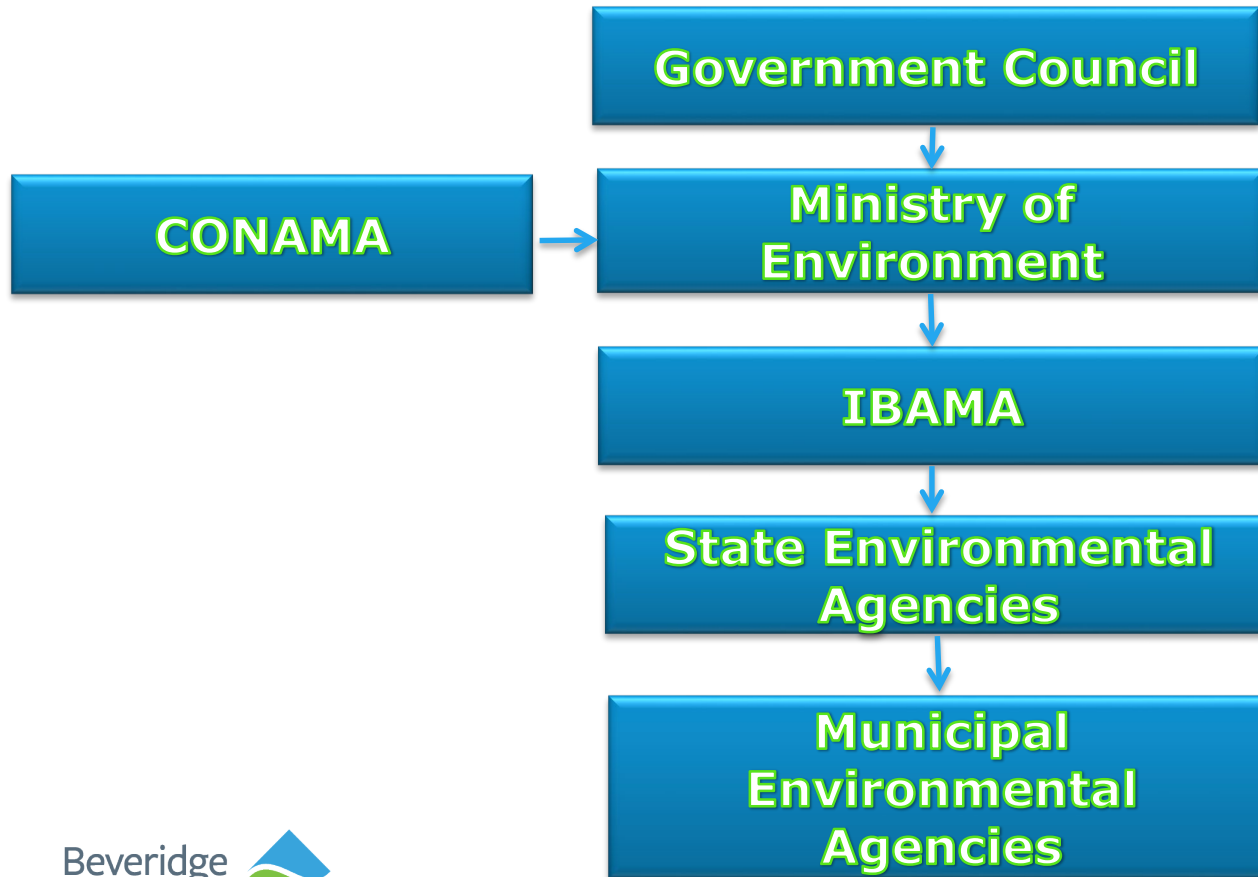
President: Mr. Jair Messias Bolsonaro

Ministry of Environment: Mr. Ricardo Salles

President of IBAMA: Eduardo Fortunato Bim



Country Structure – Environmental Enforcement



IBAMA's Functions

- Environmental police power: environmental inspection and the application of administrative penalties
- Implementation of NEPA policies: environmental licensing, environmental quality control, authorization for the use of natural resources use, environmental monitoring, monitoring and control
- Norms and standards of environmental quality
- Zoning and assessment of environmental impacts
- Implementing the Federal Technical Registry (CTF IBAMA): mandatory registration of natural and legal persons that carry out activities subject to environmental control
- Generate and disseminate information related to the Environment
- Conduct environmental monitoring to prevent and control deforestation, forest fires and forest fires;
- Support to environmental emergencies (disasters, accidents, incidents)
- Execute environmental education programs
- Develop the information systems
- Establish criteria for the management of the use of faunal, fishery and forest resources, among others.

IBAMA's Jurisdiction

- Environmental Permitting: Offshore or in two or more states (Oil & Gas, gas pipes, railroads etc.); related to radioactive material or nuclear energy; military
- Chemical and Biological agents/products: Registration for importation and exportation, commercialization and use
- Oil, fuels and hazardous products registration
- Persistent Organic Products (POPs) - Stockholm Convention
- Import and export of substances controlled by the Montreal Protocol
- Fauna: Wildlife Use and Management of invasive exotic fauna
- Flora: Authorization for Vegetation Suppression
- Waste: Import/export of waste – Basel Convention

Main Areas of Concern

- Rain forest environmental protection/Amazon
- Climate Change – need to boost adaptation initiatives
- Environmental Permitting – enhance efficiency
- Environmental Fines – New Decree on Mediation Council
- Wood extraction
- *Pirarucu* (fish), *Chelonia* (turtles) and Crocodiles

Recent Developments

- Oil & Gas: 16th bidding round ANP Blocks – [Note](#)
- Pesticides and bio-remediators
- National Water Agency and Forestry Services relocation (true or false?)
- Extinction of Climate Change Secretariat from the Ministry of Environment (true or false?)

Questions

Thank you!



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