

MONTHLY OUTLOOK REPORT

November
2021

INITIATIVE:



SUPPORT:



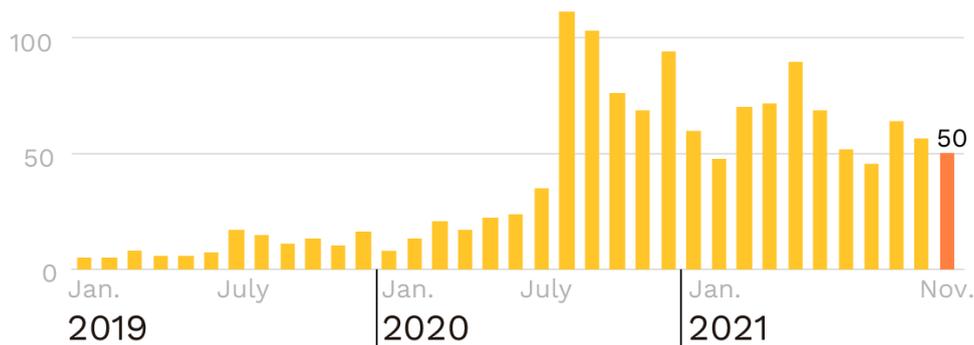
1. **Executive Branch**
2. **Legislative Branch**
3. **Analysis**
4. **Trends**
5. **Terms of Usage and Contact Information**

*This is the November 2021 Monthly Outlook Report on the Brazilian federal government's signals relevant to climate and environmental policies detected by our **Government Actions Tracker** (1. **Executive Branch**), and on the new proposals presented at the Federal Congress, identified by our **Legislative Initiatives Database** (2. **Legislative Branch**). We analyse Federal Official Gazette publications daily and classify relevant content using an actions typology¹ we have developed which allows us to understand trends in the government's agenda. This current edition provides an outlook on the number of relevant actions, their types, and a sector-by-sector analysis, followed by an assessment of the current political state in Brazil (3. **Analysis**) and a discussion of the main trends for the coming month (4. **Trends**). To quote from this report, please refer to our terms of usage (5. **Terms of Usage and Contact Information**).*

¹ The typology for Legislative branch actions is being tested and will be published soon.

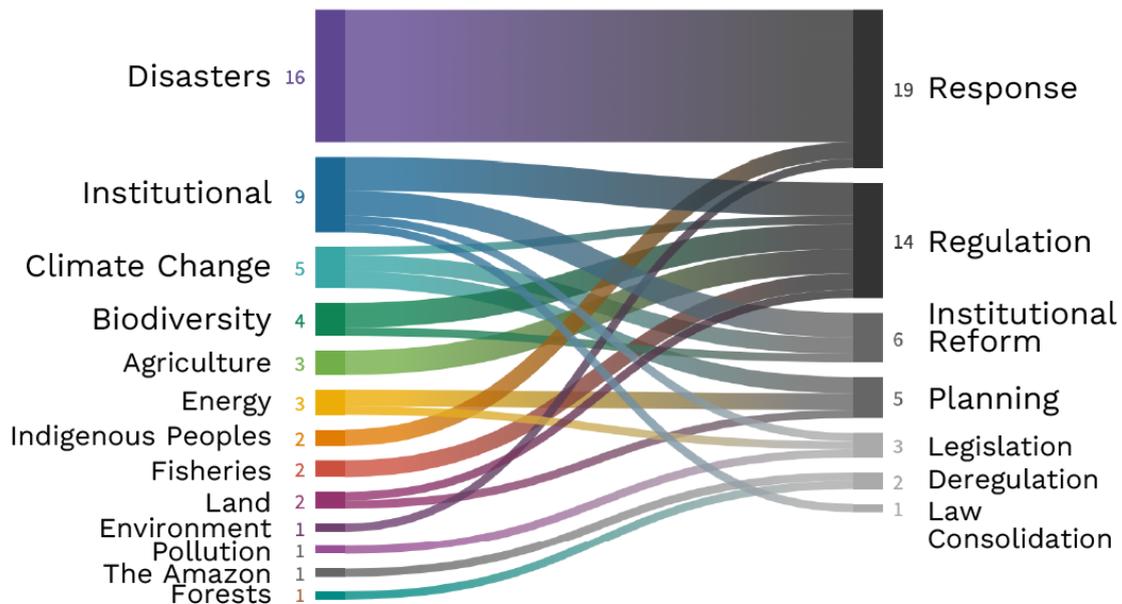
1. Executive Branch

In **November**, our **Government Actions Tracker** identified **50 actions** relevant to environmental and climate change policies from the federal Executive branch published in the *Federal Official Gazette*.



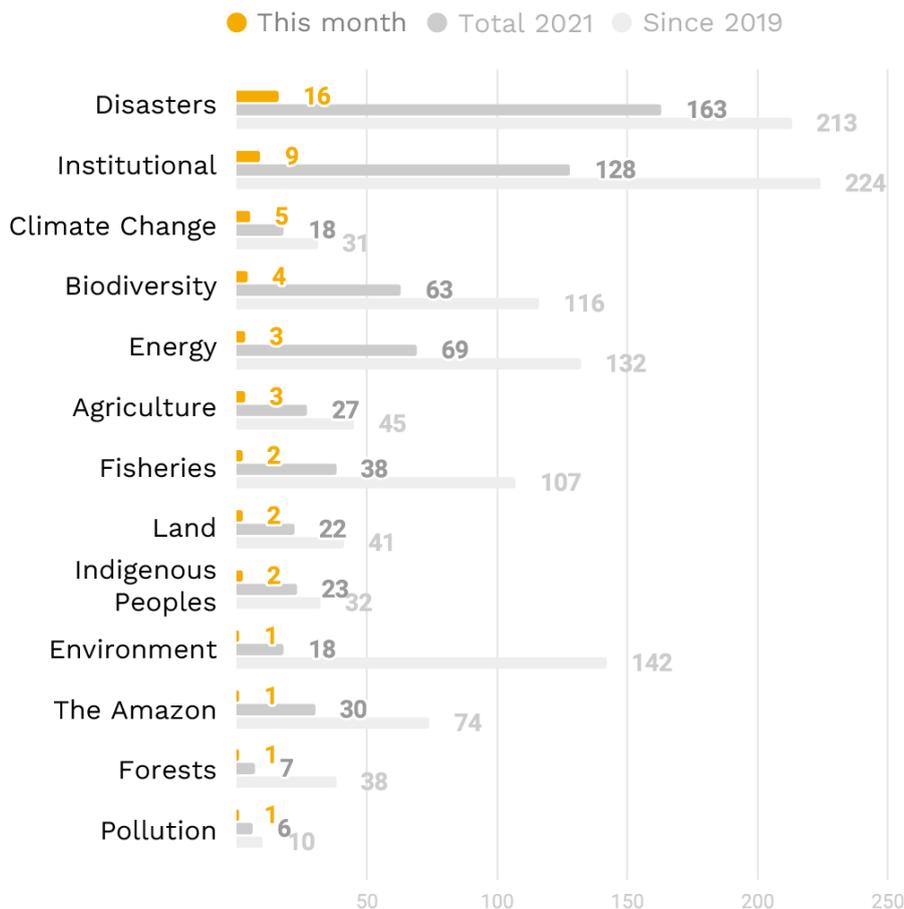
1.1 Classification of Executive branch actions

Actions organized by theme and by type:



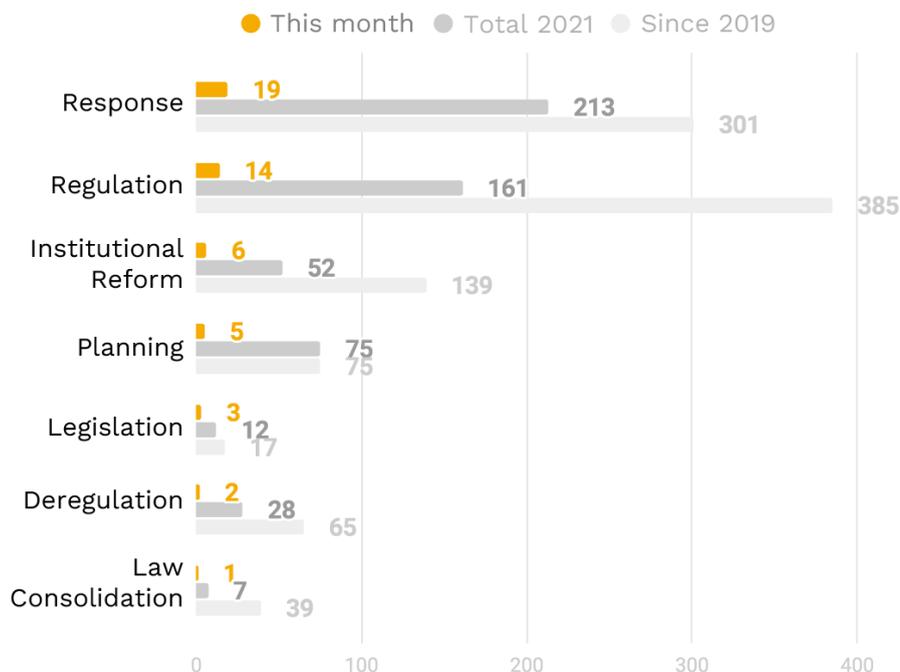
consultation for the regulation of the registration processes selection rite for priority pesticides for the Ministry of Agriculture, Livestock and Food Supply (MAPA). The following themes accounted for 2 actions each: *Fisheries, Land, and Indigenous Peoples*. Among these actions, we highlight, under *Indigenous Peoples*, the use of the National Public Security Force (FNSP) to support the National Indian Foundation (Funai) in the Alto Turiacu, Awá and Caru indigenous lands in the state of Maranhão, and Kawahiva do Rio Pardo in the state of Mato Grosso. Under *Land* we highlight the creation of the Managing Group for the Land Tenure Regularization General-Coordination (DFR). Only one action was listed under each of the following themes: *Environment, The Amazon, Forests and Pollution*. We highlight Law No. 14,250, on the controlled disposal of materials contaminated by polychlorinated biphenyls (PCBs). Under *Forests*, we emphasise the public consultation on the review of Normative Instruction Ibama No. 15, addressing procedures for export authorization of native timber products and by-products.

ACTIONS BY THEME – NOVEMBER



The most common classification type in November was Response, with 19 actions listed. In addition to states' acknowledgments of emergency, it includes actions authorizing the use of the National Public Security Force to support Funai (the National Indian Foundation) and the Federal Police. Fourteen actions were listed under *Regulation*, including the setting of mandatory annual greenhouse gas emission reduction goals for fuel marketing. Six actions were listed under *Institutional Reform*, among which we highlight the amendment to ICMBio's Managerial Integration and Nucleation Policy (PINGe). Five actions were listed under *Planning*, including the extension of the Inter-ministerial Committee on Climate Change and Green Growth's Temporary Technical Group for updating the National Policy on Climate Change (GT-PNMC). Three actions were listed under *Legislation* in November, including the creation of the National Biokerosene Programme. Two actions were listed under *Deregulation*, one related to the Manaus Free Trade Zone basic productive processes (PPB), and the other related to the amendment and revocation of the previous rule on procedures for the export authorization of native timber species products and by-products. There was only one action listed under *Law Consolidation*, from the Ministry of Agriculture, Livestock and Food Supply (MAPA).

ACTIONS BY TYPE – NOVEMBER



Theme: Institutional

DECREE No. 10,861, of 19 NOVEMBER 2021 – **Institutional Reform**

Amends the Annex of Decree No. 9,660, of 1 January 2019, including the National Nuclear Safety Authority (ANSN), created by Law 14,222, of 15 October 2021, as linked to the structure of the Ministry of Mines and Energy (MME).

ORDINANCE SEDGG/ME No. 13,804, of 23 NOVEMBER 2021 – **Regulation**

Ordinance No 13,804 authorizes the reduction of the minimum period between the publication of the notice and the actual civil-service examination to two months. The civil-service examination aims at filling 568 staff positions at IBAMA (Brazilian Institute for the Environment and Renewable Natural Resources), following Technical Note SEI No. 54,600/2021/ME by the Staff Management and Performance Secretariat, which recommended deadline reductions to speed up the process and to guarantee that examinations take place in the first semester of 2022.

NOTICE No. 1, of 29 NOVEMBER 2021 - **IBAMA - Regulation**

Notice No. 1 was published for filling 568 staff positions of environmental analyst and environmental technician at IBAMA. Environmental analyst positions are available only in the DF. There are positions for environmental technicians available in all states in Brazil.

ORDINANCE SEDGG/ME No. 13,802, of 23 NOVEMBER 2021 – **Regulation**

Ordinance No 13,802 authorizes the reduction of the minimum period between the publication of the notice and the actual civil-service examination to two months. The civil-service examination aims at filling 171 staff positions at ICMBio (Chico Mendes Institute for Biodiversity Conservation), following Technical Note SEI No. 54,411/2021/ME by the Staff Management and Performance Secretariat, which recommended deadline reductions in order to speed up the process and to guarantee that examinations take place in the first semester of 2022.

NOTICE No. 1 of 26 NOVEMBER 2021 - **ICMBio - Regulation**

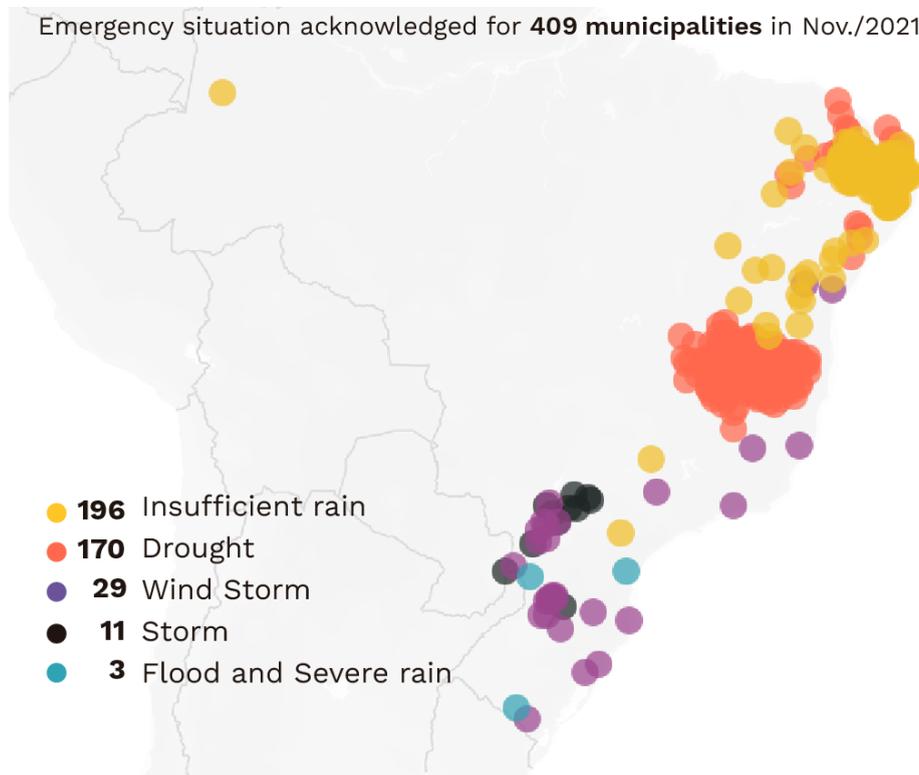
Notice No. 1 was published aiming at filling 171 staff positions of environmental analyst and environmental technician at ICMBio.

Candidates approved in the examination will be allocated to facilities in the six Legal Amazon states: AC, AM, AP, MA, PA and RO.

LAW No. 14,251, of 25 NOVEMBER 2021 – Legislation

Law No. 14,251 provides for supplementary credit of R\$15,259,324 for various federal agencies, including ICMBio, aimed for the Conservation and Sustainable Use of Biodiversity and Natural Resources, the Prevention and Control of Deforestation and Fires in the Biomes, and the Environmental Inspection and Prevention and Combating of Forest Fires.

Theme: Disasters



List of affected municipalities:

- **INSUFFICIENT RAINFALL** – Baixa Grande/BA, Condeuba/BA, Sao Miguel do Aleixo/SE, Araci/BA, Bom Jesus da Serra/BA, Sao Pedro/RN, Caririacu/CE, Assuncao do Piaui/PI, Bom Jesus da Lapa/BA, Marcionilio Souza/BA, Planaltino/BA, Carnauba dos Dantas/RN, Sao Jose do Campestre/RN, Taboleiro Grande/RN, Itabera/SP, Ajustina/BA, Barro Alto/BA, Rio do Antonio/BA, agua Branca/PB, Alcantil/PB, Algodao de Jandaira/PB, Aparecida/PB, Arara/PB, Araruna/PB, Areia/PB, Areial/PB, Aroeiras/PB, Assuncao/PB, Bananeiras/PB, Barauna/PB, Barra de Santa Rosa/PB, Barra de Santana/PB, Barra de Sao Miguel/PB, Belem do Brejo do Cruz/PB, Bernardino Batista/PB, Boa Ventura/PB, Boa Vista/PB, Bom Sucesso/PB, Bonito de Santa Fe/PB, Brejo dos Santos/PB, Cabaceiras/PB, Cachoeira dos indios/PB,

Cacimba de Areia/PB, Cacimba de Dentro/PB, Cacimbas/PB, Cajazeiras/PB, Cajazeirinhas/PB, Camalau/PB, Campina Grande/PB, Caraubas/PB, Carrapateira/PB, Casserengue/PB, Catole do Rocha/PB, Caturite/PB, Conceicao/PB, Condado/PB, Congo/PB, Coremas/PB, Coxixola/PB, Cubati/PB, Cuite/PB, Curral Velho/PB, Damiao/PB, Desterro/PB, Diamante/PB, Dona Ines/PB, Emas/PB, Esperanca/PB, Fagundes/PB, Frei Martinho/PB, Gado Bravo/PB, Gurjao/PB, Imaculada/PB, Inga/PB, Itabaiana/PB, Jerico/PB, Joca Claudino/PB, Juazeirinho/PB, Junco do Serido/PB, Juru/PB, Lagoa/PB, Lagoa Seca/PB, Lastro/PB, Livramento/PB, Mae Dagua/PB, Manaira/PB, Marizopolis/PB, Massaranduba/PB, Matinhas/PB, Mato Grosso/PB, Matureia/PB, Mogeiro/PB, Montadas/PB, Monte Horebe/PB, Mulungu/PB, Natuba/PB, Nazarezinho/PB, Nova Floresta/PB, Nova Olinda/PB, Nova Palmeira/PB, Olho Dagua/PB, Olivedos/PB, Parari/PB, Passagem/PB, Patos/PB, Pedra Branca/PB, Pedra Lavrada/PB, Pianco/PB, Picui/PB, Pocinhos/PB, Poco Dantas/PB, Poco de Jose de Moura/PB, Pombal/PB, Princesa Isabel/PB, Puxinana/PB, Queimadas/PB, Quixaba/PB, Remigio/PB, Riachao/PB, Riacho de Santo Antonio/PB, Riacho dos Cavalos/PB, Salgadinho/PB, Salgado de Sao Felix/PB, Santa Cecilia/PB, Santa Cruz/PB, Santa Helena/PB, Santa Luzia/PB, Santa Teresinha/PB, Santana dos Garrotes/PB, Santo Andre/PB, Sao Bentinho/PB, Sao Bento/PB, Sao Domingos/PB, Sao Domingos do Cariri/PB, Sao Francisco/PB, Sao Joao do Cariri/PB, Sao Joao do Rio do Peixe/PB, Sao Joao do Tigre/PB, Sao Jose da Lagoa Tapada/PB, Sao Jose de Caiana/PB, Sao Jose de Espinharas/PB, Sao Jose de Piranhas/PB, Sao Jose de Princesa/PB, Sao Jose do Bonfim/PB, Sao Jose do Brejo do Cruz/PB, Sao Jose do Sabugi/PB, Sao Jose dos Cordeiros/PB, Sao Mamede/PB, Sao Sebastiao de Lagoa de Roca/PB, Sao Sebastiao do Umbuzeiro/PB, Sao Vicente do Serido/PB, Serra Branca/PB, Serraria/PB, Solanea/PB, Soledade/PB, Sossego/PB, Sousa/PB, Tacima/PB, Taperoa/PB, Tavares/PB, Teixeira/PB, Tenorio/PB, Triunfo/PB, Uirauna/PB, Umbuzeiro/PB, Varzea/PB, Vieiropolis/PB, Zabele/PB, Serrinha dos Pintos/RN, Amatura/AM, Feira de Santana/BA, Ipujiara/BA, Mansidao/BA, Ruy Barbosa/BA, Iracema/CE, Taua/CE, Timbauba/PE, Sao Jose da Bela Vista/SP, Apodi/RN, Rodolfo Fernandes/RN, Tucano/BA, Sao Francisco de Assis do Piaui/PI, Vila Nova do Piaui/PI, Campo Redondo/RN, Agrestina/PE, Altinho/PE, Angelim/PE, Calçado/PE, Canhotinho/PE, Cupira/PE, Jupia/PE, Jurema/PE, Lajedo/PE, Paelas/PE, Sao Joao/PE, Sao Joaquim do Monte/PE

• **DROUGHT** – Tobias Barreto/SE, Pau dos Ferros/RN, Sitio Novo/RN, Venha-Ver/RN, Aiuaba/CE, Morada Nova/CE, Pereiro/CE, Curral Novo do Piaui/PI, Jaicos/PI, Poco Redondo/SE, Oros/CE, Guamare/RN, Sao Francisco do Oeste/RN, Caninde de Sao Francisco/SE, Senador Eloi de Souza/RN, aguas Formosas/MG, aguas Vermelhas/MG, Almenara/MG, Angelandia/MG, Aracuai/MG, Aricanduva/MG, Arinos/MG, Augusto de Lima/MG, Bandeira/MG, Berilo/MG, Berizal/MG, Bertopolis/MG, Bocaiuva/MG, Bonito de Minas/MG, Botumirim/MG, Brasilandia de Minas/MG, Brasilia de Minas/MG, Buenopolis/MG, Buritizeiro/MG, Cachoeira de Pajeu/MG, Campo Azul/MG, Capelinha/MG, Capitao Eneas/MG, Carai/MG, Carbonita/MG, Carlos Chagas/MG, Catuji/MG, Catuti/MG, Chapada do Norte/MG, Chapada Gaucha/MG, Claro dos Pocos/MG, Comercinho/MG, Conego Marinho/MG, Coracao de Jesus/MG, Coronel Murta/MG, Crisolita/MG, Cristalia/MG, Curral de Dentro/MG, Diamantina/MG, Divisa Alegre/MG, Divisopolis/MG, Engenheiro Navarro/MG, Espinosa/MG, Felisburgo/MG, Formoso/MG, Francisco Badaro/MG, Francisco Dumont/MG, Francisco Sa/MG, Franciscopolis/MG, Fruta de Leite/MG, Gameleiras/MG, Glaucilandia/MG, Gouveia/MG, Grao Mogol/MG, Guaraciama/MG, Ibiai/MG, Ibiracatu/MG, Icarai de Minas/MG, Indaiabira/MG, Itacambira/MG, Itacarambi/MG, Itambacuri/MG, Itaobim/MG, Itinga/MG, Jacinto/MG, Jaiba/MG,

Janauba/MG, Januaria/MG, Japonvar/MG, Jequitai/MG, Jequitinhonha/MG, Joaima/MG, Joaquim Felício/MG, Jordania/MG, Jose Goncalves de Minas/MG, Josenopolis/MG, Juramento/MG, Juvenilia/MG, Lagoa dos Patos/MG, Lassance/MG, Leme do Prado/MG, Lontra/MG, Luislandia/MG, Mamonas/MG, Manga/MG, Mata Verde/MG, Matias Cardoso/MG, Mato Verde/MG, Medina/MG, Minas Novas/MG, Mirabela/MG, Miravania/MG, Montalvania/MG, Monte Azul/MG, Monte Formoso/MG, Montes Claros/MG, Montezuma/MG, Ninheira/MG, Nova Porteirinha/MG, Novo Cruzeiro/MG, Novo Oriente de Minas/MG, Novorizonte/MG, Olhos-Dagua/MG, Padre Carvalho/MG, Pai Pedro/MG, Patis/MG, Pavao/MG, Pedra Azul/MG, Pedras de Maria da Cruz/MG, Pintópolis/MG, Pirapora/MG, Ponto Chique/MG, Ponto dos Volantes/MG, Porteirinha/MG, Riachinho/MG, Riacho dos Machados/MG, Rio Pardo de Minas/MG, Rubelita/MG, Rubim/MG, Salinas/MG, Santa Cruz de Salinas/MG, Santa Fe de Minas/MG, Santa Maria do Salto/MG, Santana do Riacho/MG, Santo Antonio do Jacinto/MG, Santo Antonio do Retiro/MG, Sao Francisco/MG, Sao Joao da Lagoa/MG, Sao Joao das Missoes/MG, Sao Joao do Pacui/MG, Sao Joao do Paraíso/MG, Sao Romao/MG, Serranopolis de Minas/MG, Setubinha/MG, Taiobeiras/MG, Teofilo Otoni/MG, Ubai/MG, Umburatiba/MG, Urucuia/MG, Vargem Grande do Rio Pardo/MG, Varzea da Palma/MG, Varzelândia/MG, Verdelandia/MG, Veredinha/MG, Virgem da Lapa/MG, Tabuleiro do Norte/CE, Ladainha/MG, Riacho da Cruz/RN, Carira/SE, Japi/RN, Messias Targino/RN, Caucaia/CE, Iguatu/CE, Ocara/CE, Pedra Preta/RN

• **STORM** – Pirassununga/SP, Pedras Altas/RS, Euclides da Cunha Paulista/SP, Sem-Peixe/MG, Maragogipe/BA, Paracambi/RJ, Santo Amaro da Imperatriz/SC, Itaberaba/BA

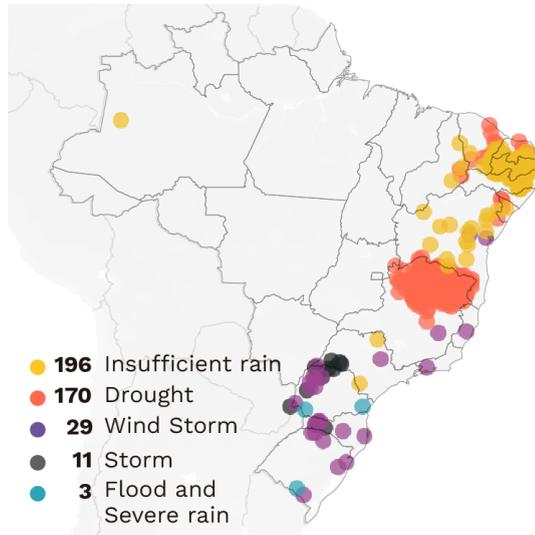
• **FLOOD AND SEVERE RAIN**– Bage/RS, Santa Izabel do Oeste/PR, Morretes/PR

• **WIND STORM** – Alvorada do Sul/PR, Foz do Iguacu/PR, Terra Rica/PR, Paranavai/PR, Irani/SC, Quata/SP, Jesuitas/PR, Lupionopolis/PR, Mandaguacu/PR, Paraguacu Paulista/SP, Regente Feijo/SP

• **OTHER** – Entre Rios/SC, Indianopolis/PR, Itati/RS, Marema/SC, Ipuacu/SC, Farol/PR, Ourizona/PR, Rondon/PR, Faxinalzinho/RS, Ouro Verde/SC, Cruzeiro do Oeste/PR, Sao Miguel do Iguacu/PR, Sao Cristovao do Sul/SC, Lajeado Grande/SC, Santa Teresa/ES, Goioere/PR, Charrua/RS, Glorinha/RS, Gramado dos Loureiros/RS, Bom Jesus/SC, Abelardo Luz/SC

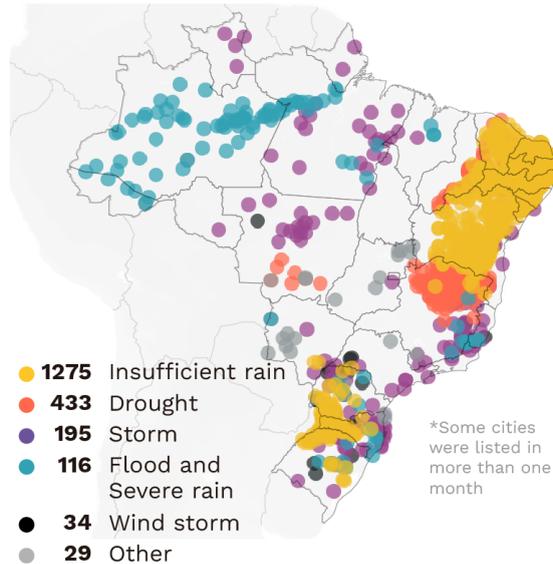
DISASTERS IN NOVEMBER

Emergency situation acknowledged for
409 municipalities in Nov./2021



TOTAL FOR 2021

Emergency situation acknowledged for
2,082 municipalities* between January and November 2021



Theme: Energy

LAW No. 14,248, of 25 NOVEMBER 2021 – Legislation

Law No. 14,248 creates the National Biokerosene Programme for fostering research and the production of energy based on biomass that does not compete with food production, aiming at the sustainability of Brazilian aviation, with the goal of developing clean technology for biofuel production. For joining the National Biokerosene Programme it is necessary to prove compatibility of biokerosene with current propulsion technologies, so that it is not necessary to make changes to existing motors, aircrafts, and distribution infrastructure, as well as not compromising the safety of the aviation system.

PRESIDENTIAL ORDER – Planning

It approves Resolution 19/2021, which creates the Working Group (GT) - Planning Area Offers WG, aiming at proposing strategies to increase the synergy between planning of areas to be offered for oil and natural gas exploration and production, and the environmental licensing process. The GT Planning Area Offers will be composed of representatives from the following agencies: Ministry of Mines and Energy (coordination); Chief of Staff of the Presidency; Ministry for the Environment; Ministry of Finance; National Agency for Petroleum, Natural Gas and Biofuels (ANP); Energy Research Office (EPE); Brazilian Institute for the Environment and Renewable Natural

Resources (IBAMA) and the Chico Mendes Institute for Biodiversity Conservation (ICMbio). Representatives from the Brazilian Institute of Oil and Gas (IBP) and the International Association of Geophysical Contractors (IAGC) will be invited to participate in the Working Group without voting rights. The GT has 180 days, counting from the publication of the list of its members by the Ministry of Mines and Energy, to submit a final report to the National Energy Policy Council (CNPE). Read the [exclusive material](#) prepared by POLÍTICA POR INTEIRO on this topic.

PRESIDENTIAL ORDER – Planning

It approves Resolution 20/2021, which creates the Working Group (GT) - Environmental Licensing WG, aiming at proposing strategies for optimizing the environmental licensing process related to oil and natural gas exploration and production. The WG will be composed of representatives from the following agencies: I – Ministry for the Environment (coordination); II – Chief of Staff of the Presidency; III – Ministry of Mines and Energy; IV – Ministry of Finance; V – National Agency for Petroleum, Natural Gas and Biofuels (ANP); VI – Energy Research Office (EPE); VII – Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA); and VIII – Chico Mendes Institute for Biodiversity Conservation (ICMbio). Representatives from the Brazilian Institute of Oil and Gas (IBP) and the International Association of Geophysical Contractors (IAGC) will be invited to participate in the Working Group without voting rights. The GT has 180 days, counting from the publication of the list of its members by the Ministry of Mines and Energy, to submit a final report to the National Energy Policy Council (CNPE). Read the [exclusive material](#) on this topic prepared by POLÍTICA POR INTEIRO.

Theme: Forests

ORDINANCE No. 2,969, of 18 NOVEMBER 2021 – Deregulation

Ordinance No. 2,969 submits to public consultation, for 30 days, the proposal for a normative corresponding to the initial proposal for review of Normative Instruction IBAMA No. 15, of 6 December 2011, addressing the regulation of procedures for export authorization of native timber products and by-products from natural or planted forests. The Normative Instruction in force states that the export of native timber products and by-products, subject to domestic control, depends on authorization from IBAMA at the export location. The draft presented proposes that it will depend on an authorization by IBAMA at

the port of jurisdiction for export or at the closest jurisdictional unit. According to the law in force, authorization must be given through IBAMA's licence issuing service, also for specimens, products and by-products of Brazilian wild fauna and flora, and of Brazilian exotic fauna and flora, whether included or not included in the Convention on International Trade in Endangered Species – CITES. The new draft proposes that for loads containing finished, packaged, manufactured products for final consumption containing species listed in the CITES annexes, the CITES license will act as an authorization instrument in itself. For charcoal, the draft determines that its dispositions address only native charcoal, while it formerly addressed "charcoal" in a broad sense. It revokes Normative Instruction No. 77/2005, Normative Instruction No. 15/2011 and Normative Instruction No. 13/2018.

Theme: Environment

ORDINANCE MJSP No. 504, of 12 NOVEMBER 2021 – Response

Ordinance No. 504 authorizes the use of the National Public Security Force (FNSP) to support the Federal Police combat illegal deforestation and other environmental crimes in the state of Pará, in activities and services essential to the preservation of public order and the safety of people and property, on an episodic and planned basis, from 15 to 19 November 2021.

Theme: Climate Change

ORDER of 4 NOVEMBER 2021 – Institutional Reform

Draft of the Bill of Law that creates the National Policy on Climate Change, the Inter-ministerial Committee on Climate Change and Green Growth, and establishes additional measures. It revokes Law No. 12,187, of 29 December 2009. Read here [POLÍTICA POR INTEIRO's exclusive material](#) on this topic.

RESOLUTION No. 5, of 20 OCTOBER 2021 – Institutional Reform

Resolution No. 5 approves the public consultation on the draft of the Bill of Law that creates the National Policy on Climate Change, and the Inter-ministerial Committee on Climate Change and Green Growth, available at the Annex of the Resolution and developed by the Temporary Technical Group created by Resolution No. 2, of 17 August 2021.

RESOLUTION No. 6, of 20 OCTOBER 2021 – Planning

Resolution No. 6 approves the Final Monitoring and Assessment Report of the National Plan for Adaptation to Climate Change (PNA) 2016-2020 Cycle, revised and approved by the Temporary Technical Group for revision of the first cycle and development of guidelines for the second assessment cycle of the National Plan for Adaptation to Climate Change, created by Resolution No. 3, of 17 August 2021. The report will be published on the following website:

<http://adaptaclima.mma.gov.br/>

PRESIDENTIAL ORDER – Regulation

It approves Resolution 17/2021, which sets the mandatory annual greenhouse gas emission reduction goals for fuel marketing. It presents scenarios from 2022 to 2031. For 2022, it sets 35.98 million Decarbonization Credits (CBIOS). It maintains mandatory goals for 2019, 2020 and 2021, which were set by Resolution CNPE No. 8, of 18 August 2020.

ORDINANCE No. 511, of 11 NOVEMBER 2021 – Planning

Ordinance No. 511 extends for 60 more days, counting from 13 November 2021, the activities of the Temporary Technical Group of the Inter-ministerial Committee on Climate Change and Green Growth for updating the National Policy on Climate Change – GT-PNMC, created by Resolution No. 2, of 17 August 2021. The group, created on 22 September 2021, was initially supposed to work for 60 days after its initial meeting.

Theme: Pollution**LAW No. 14,250, of 25 NOVEMBER 2021 – Legislation**

Law No. 14,250 addresses the controlled disposal of materials contaminated by polychlorinated biphenyls (PCBs) and of its residues, and the decontamination and elimination of transformers, capacitors and other pieces of equipment considered as contaminated by PCBs by this Law. It also adds to the rules of the Stockholm Convention on Persistent Organic Pollutants, ratified by Decree No. 5,472, of 20 June 2005. Transformers, capacitors, and other pieces of equipment contaminated by PCBs shall have their environmental final destination adequately processed in up to 3 years after decommissioning, since the disposal does not take place after the deadlines established by the

Stockholm Convention on Persistent Organic Pollutants, ratified by Decree No. 5,472, of 20 June 2005.

Theme: Agriculture

ORDINANCE SDA No. 451, of 19 NOVEMBER 2021 – Regulation

The proposal of an Ordinance regulating the registration processes' selection rite for priority pesticides and similar products for agricultural purposes that will be in the priority list of the Ministry of Agriculture, Livestock and Food Supply (MAPA) is submitted to public consultation for 30 days. The draft states that the Department of Plant Health and Agricultural Inputs of the Agricultural and Livestock Defence Secretariat shall publish the list of priority pests on the Ministry's website. The department will choose 10 pests from the priority list, which will be listed according to the priority set by the Department of Plant Health (DSV). Applicants for registration processes for pesticides already filed may, in 30 days, present up to 20 processes in the selection process. The maximum of 30 products will be chosen for prioritization.

ACT No. 47, of 9 NOVEMBER 2021 – Regulation

Act No. 47 publicizes the summary of the registration of 47 pesticides and similar products.

Theme: Indigenous Peoples

ORDINANCE MJSP No. 478, of 12 NOVEMBER 2021 – Response

Ordinance No. 478 authorizes the use of the National Public Security Force (FNPS) to support the National Indian Foundation (Funai) in the Alto Turiaçu, Awá and Caru Indigenous Lands, in the state of Maranhão, in activities and services essential to the preservation of public order and the safety of people and property, on an episodic and planned basis, from 16 to 26 November 2021.

ORDINANCE MJSP NO. 503, of 11 NOVEMBER 2021 – Response

Ordinance No. 503 authorizes the use of the National Public Security Force (FNPS) to support the National Indian Foundation (Funai) in the Kawahiva do Rio Pardo Indigenous Land, in the state of Mato Grosso, in activities and services essential to the preservation of public order and the safety of people and property, on an episodic and planned basis, for 30 days.

2. Legislative Branch

POLÍTICA POR INTEIRO's [Legislative Initiatives Database](#), a tool for monitoring new legislative proposals related to the environment and climate change, identified **11 relevant legislative proposals** in November: 7 Bills of Law (PL), 3 Motions (RQS, REQ, RIC) and 1 Draft Legislative Decree (PDL).

2.1 Proposals Presented

We highlight the following proposals presented in November 2021:

- **Bill of Law (PL) 3,915/2021**, by representative Zé Vitor (PL/MG), aiming at amending Law No. 11,952, of 25 June 2009, which “Addresses land tenure regularization for settlements in federal lands within the Legal Amazon; amending Law No. 8,666, of 21 June 1993, and Law No. 6,015, of 31 December 1973; among other matters”.
- **Bill of Law (PL) 4,028/2021**, by senator Marcos do Val (PODEMOS/ES), addressing general guidelines for the regulation of the carbon market in Brazil.
- **Bill of Law (PL) 4,043/2021**, by representative Tábata Amaral (PSB/SP), addressing general guidelines for the implementation of plans on adaptation to climate change.
- **Motion (RQS) 2,246/2021**, by senator Jader Barbalho (MDB/PA), requesting the minister on the Environment information regarding the Forest+ Programme.
- **Bill of Law (PL) 4,169/2021**, by representative Lúcio Mosquini (MDB/RO), aiming at forbidding the destruction of instruments used for environmental offenses.
- **Bill of Law (PL) 3,871/2021**, by representative Célio Studart (PV/CE), aiming at establishing non-stop operation of Police Stations Specialized on combating Environmental crime.
- **Bill of Law (PL) 4,088/2021**, by representative Cleber Verde (REPUBLIC/MA), creating the Green Carbon Statute, addressing the regulation of the Brazilian Emissions Reduction Market

(MBRE) related to traditional peoples, agribusiness, and coastal ecosystems, following the National Policy on Climate Change, in conformity with the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC), *inter alia*.

- **REQ 79/2021 (CTUR)**, by representative Felipe Carreras (PSB/PE), requesting the presence of Joaquim Leite, minister for the Environment, to discuss environmental licensing and the impacts on tourism from oil exploration at the Potiguar Basin.
- **RIC 1,358/2021**, by representative Vivi Reis (PSOL/PA), requesting Joaquim Leite, minister for the Environment, to provide information regarding the Brazilian pavilion at COP-26 in Glasgow, Scotland.
- **Bill of Law (PL) 4,129/2021**, by representative Tábata Amaral (PSB/SP), addressing general guidelines for the implementation of plans on adaptation to climate change.
- **Draft Legislative Decree (PDL) 1,077/2021**, by representative Bohn Gass (PT/RS), aiming at stopping the effects of authorization rules granted by permits to mine, issued by the Director-General of the National Mining Agency (ANM), relative to mining processes No. 850,307/2018; 851,122/2018; 850,307/2018; 851,122/2018; 851,121/2018; 851,120/2018; 851,119/2018; 851,118/2018; 851,117/2018; 851,116/2018; 851,113/2018; 851,112/2018; and 851,111/2018, all by Mr. Silvio Berri Junior, for mining of gold and cassiterite ores in the municipalities of Jacareacanga in the state of Pará, and of mining processes No. 850,677/2019; 850,680/2019; 850,679/2019; 850,678/2019; 850,676/2019; 850,916/2019; 850,694/2019; 850,691/2019; 850,690/2019; 850,689/2019; 850,688/2019; 850,687/2019; 850,686/2019; 850,685/2019; 850,684/2019; 850,683/2019; 850,682/2019; and 850,681/2019, by Mr. Heverton Soares, all for mining gold ore, in the municipalities of Itaituba in the state of Pará.

2.2 Approvals

- **Bill of Law (PL) 6,539/2019**, aiming at amending Law No. 12,187, of 29 December 2009, which creates the National Policy on Climate Change (PNMC), to update it regarding the Paris Agreement context and new climate change challenges. It was approved.

- **Bill of Law (PL) 2,405/2021**, by representative Gustavo Fruet (PDT/PR), aiming at amending Law No. 7,797, of 10 July 1989, which creates the National Environment Fund, to address the priority application of funds on clean and renewable energy projects. It **was approved for proceeding with urgency**.
- **Motion (REQ) 33/2021**, by senator Humberto Costa (PT/PE), requesting a Public Hearing to discuss the situation of the Yanomami Indigenous Community. It was approved by the Committee on Human Rights and Participative Legislation (CDH).
- **Bill of Law (PL) 415/2020**, by senator Jorge Kajuru (CIDADANIA/GO), aiming at creating the Fundo Amazônia, a non-profit civil association, a private company which aims to allocate donations in kind to non-refundable applications in actions to prevent, monitor and combat deforestation and to promote conservation and sustainable use of the Legal Amazon. It was **approved** by the Senate's Committee on the Environment (CMA).
- **Bill of Law (PL) 4,199/2020**, by the Chamber of Deputies, aiming at creating the Coastal Shipping Fostering Programme (BR of the Sea). It was **approved** by the Senate.
- **Bill of Law (PL) 2,732/2011**, by representative Arnaldo Jardim (PPS/SP), aiming at setting guidelines for ground contamination prevention, creating the Contribution of Intervention on the Economic Domain on Hazardous Substances, and the National Fund for Decontamination of Contaminated Orphan Areas, and amending Article 8 of Law No. 12,305, of 2 August 2010. It was **approved** by the Chamber of Deputies' Committee on the Environment and Sustainable Development, now proceeding to the Finance and Tax Committee, and the Committee on the Constitution, Justice and Citizenship (CCJ).

2.3 Relevant Actions

Climate Change in Congress: Bill of Law No. (PL) 528/2021 is proceeding in the Chamber of Deputies, aiming at creating the Brazilian Emissions Reduction Market (MBRE). It was approved in November to proceed with urgency and, **according to** rapporteur Carla Zambelli (PSL/SP), it was likely to be voted soon, which has not occurred. The Bill is widely supported by members of parliament, but finds **resistance**

mainly from the Ministry for the Environment. During the “Sustainable Agribusiness in Brazil and Creative Economy in the Amazon Exhibition” Seminar, which took place in Portugal, Rodrigo Pacheco, the president of the Senate, **defended** combating illegal deforestation in the Amazon and incentives to local communities and technological innovations for the agribusiness, especially for meeting climate goals and guaranteeing the increase of Brazilian productivity.

Energy Crisis: **Act 78/2021** by the National Congress was published in November publicizing the expiration of Provisional Measure (MP) 1,055/2021, which created the Chamber of Exceptional Rules for Hydro-energy Management (CREG) for setting emergency measures for optimizing the use of hydro-energy resources and for facing the current water scarcity situation, in order to guarantee the continuity and the security of the electric power supply in Brazil.

Oil: The presence of Bento Albuquerque, the minister of Mines and Energy was **confirmed** at the Chamber of Deputies' Committee on Tourism, by request of representative Felipe Carreras (PSB/PE), to discuss the environmental licensing at the Potiguar Basin for oil exploration and its impacts on tourism in the North-eastern coastal zone. The session shall take place on 1 December 2021.

Araucárias: Bill of Law (PL) No. 5,967/2019, by representative Aroldo Martins (REP/PR), which **originally** addressed the economic use of *Araucaria angustifolia* is being discussed. However, representative Aline Sleutjes (PSL-PR) introduced a Clean Bill at the Livestock, Agriculture and Rural Development Committee, including many "tortoises" (a 'tortoise' is a parliamentary amendment that alters or distorts the original purpose of a Bill) expanding on the proposed scope. Thus, the Bill of Law summary now reads: “it creates the National Biodiversity Sustainable Management Plan, sets criteria for the inclusion of endangered species in the list, among other matters”. The Clean Bill presented distorts several concepts and rules established by the Federal Constitution and by the Convention on Biological Diversity (CBD). We draw attention to the Technical Note from the Socio-environmental Institute (ISA) addressing the unconstitutionality found on the Clean Bill, which you may read [here](#).

3. Analyses

COP 26 – a summary

Remarkable speech: A highlight of November was COP 26 in Glasgow, Scotland. Brazil's delegation was the second largest to attend, with **479 members**, second only to the host, the United Kingdom. **Txai Suruí**, the only Brazilian woman to speak during the opening, emphasized the urgency of efficient measures to slow down climate change, besides underlining the importance of indigenous peoples in the protection of the Amazon. She said: “We will stop emissions from untrue and irresponsible promises, we will end the pollution of empty promises, and we will fight for a future and a present that we can inhabit”.

Do we have a goal or not? President Bolsonaro did not go to Glasgow. He made a brief speech during a side event, broadcast by the Ministry for the Environment's (MMA) YouTube channel, when Joaquim Leite, minister for the Environment, announced a **new goal of reducing carbon emissions** in 50% by 2030. It was an attempt to improve Brazil's image at COP 26. This new goal reduces the “climate pedal thrust” (from accounting, a delayed transfer for masking purposes), but it does not solve the problem, as described in **an analysis found on** POLÍTICA POR INTEIRO's blog. There was no arrangement with the government itself to **make the announcement**. The government's official letter to the UNFCCC brings no figures. Both statements that Brazil adhered to (on forests and on methane) are more of a political character, not formal decisions. Brazil **needs to make both commitments formal in an NDC**.

Lack of communication: Exposing the complete lack of communication in the government, Brazil announced adherence to the agreement for the reduction of methane emissions without an internal agreeing with the ministries for the Environment and of Agriculture, which, as **published**, were not consulted on the matter.

“Silicon Jungle” (What?): During a side event, the Minister of Finance, Paulo Guedes, once again addressed the need to change the

vocation of Manaus and its surroundings, highlighting that Brazil may give 20-year tax exemptions to companies like Tesla, Google, and Amazon, transforming the Amazon into the “[Silicon Jungle](#)”, going totally against what an appropriate bioeconomy for the region would be according to [Brazilian scientists](#).

Questionable data: During the second week of COP 26, there was, generally speaking, pressure for more ambitious emission reduction goals. When minister Joaquim Leite arrived in Glasgow, the federal government's actions started. The minister's [speech](#) caused some repercussion for including questionable data and [controversial statements](#) such as “where there is much forest there is much poverty”.

Governors take the lead: In face of the absence of federal government leaderships, 22 Governors took the opportunity of COP 26 to launch the [Green Brazil Consortium](#), coordinated by Renato Casagrande, the governor of the state of Espírito Santo. The goal of the articulation of governors is to enable foreign fund raising without depending on negotiations by the federal Executive branch.

It is possible: While the Bolsonaro administration portrays a Brazil “to make an impression”, with the proposal to [reduce emissions in 50% by 2030 and to zero deforestation by 2028](#), the [Climate and Development – Visions for Brazil 2030](#) initiative shows that the country's actual capacity is much greater: from 66% to 82%. Introduced at the [Brazil Climate Action Hub](#), the project conducted consultations throughout the year with over 300 people from various groups and lines of expertise (indigenous people and representatives from the civil society, the government and the private initiative) for developing decarbonization scenarios for Brazil 2030. [Watch the event in Glasgow here](#). “The most ambitious scenario we proposed, of -82% in relation to 2005, would put Brazil in the avant-garde in the world”, says Natalie Unterstell, president of [Talanoa Institute](#), of which POLÍTICA POR INTEIRO is a part. The initiative was presented in meetings and panels during COP 26, and an [article](#) was published on the initiative. According to the article, “Brazil already knows the good strategies in the decarbonization game, and has good conditions to employ them, but has made bad bets in the last decade”, and it also affirms that “it is necessary for the transition of the financial system to go beyond only adding resources to low carbon measures”.

Ocean of hope: A positive fact is that, after five COPs, due attention was paid to the ocean at the Climate Conference. Being responsible for absorbing around 90% of excess heat and 25% of the CO₂ we produce,

the ocean plays a fundamental role against climate change. For a better understanding of this relationship, read this [article published on our blog](#).

USA and China: The USA government has taken a direction, via John Kerry, who [stated](#) that the relationship with the Brazilian government “is not based on trust, it is based on steps; it is based on concrete things that people do”. The USA and China have announced a cooperation agreement on the climate agenda, especially to reduce deforestation. The announcement, however, was [criticized](#), especially for the lack of anything new and for internal problems in each country.

Paris Rulebook Finalized: After two weeks of intense negotiations and movements, the Conference delivered the Paris Rulebook, including transparency and reporting rules for all parties of the Paris Agreement, and mechanisms defined in Article 6, with basic rules for the global carbon market. Additionally, during this COP, there was a global agreement on the reduction of methane emissions, as well as movements towards the end of funding coal as an energy source. Another key aspect was the consolidation of climate justice and fair transition as relevant themes.

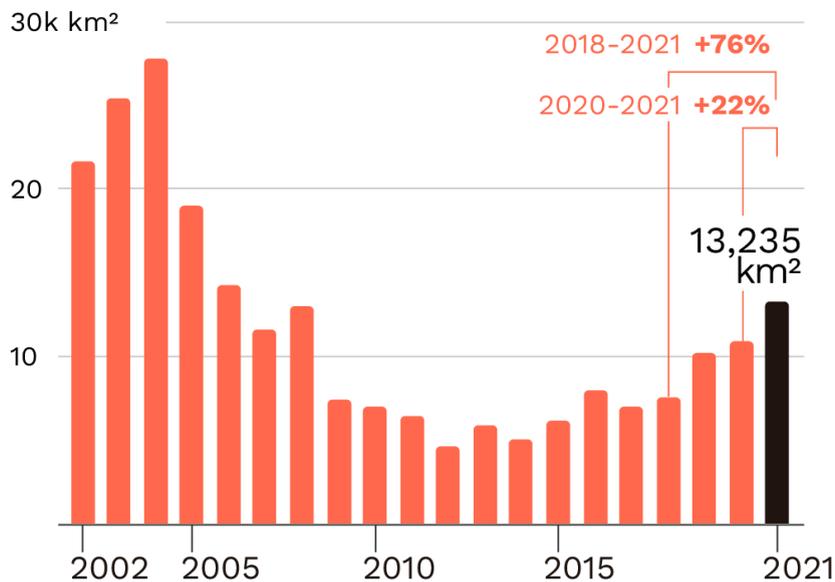
Do you want to learn more on this topic? Read the [COP 26 Diary](#) by the Talanoa Institute and POLÍTICA POR INTEIRO.

Crises / Setbacks / Controversy

Deforestation: The report of the Project for Monitoring Deforestation in the Legal Amazon by Satellite (Amazon Deforestation Calculation Programme - [PRODES](#)), of the National Institute for Space Research (Inpe) was publicized less than a week after the end of COP 26, showing that deforestation was the highest in 15 years. Between 1 August 2020 and 31 July 2021 (the so-called “Prodes year”), 13,235 sq. km were deforested in the Amazon, an increase of 22% in comparison with the same period last year. Between 2018 and 2021, there was an observed increase of 76%.

Despite the date of the report being 27 October 2021, prior to the first week of COP 26, the [federal government delayed its communication](#) until after the global event, according to news reports.

AMAZON DEFORESTATION IN 20 YEARS



The data contrast with [President Bolsonaro's speech](#) in Dubai, during the visit of the Brazilian delegation to EXPO. According to the president, the government is unfairly attacked when speaking of the Amazon. He said: “There, over 90% of that area is preserved. It is exactly the same as when Brazil was discovered in the year 1500”. He added that: “A trip and a tour of the Amazon is something fantastic, even for you to see that our Amazon, since it's a humid forest, it doesn't catch fire”. It is not the first time that the government questions data from Inpe – an internationally respected governmental institution.

Still on deforestation, the [Technical Cooperation Agreement Extract 05/2021](#), was published, signed by the Ministry for the Environment (MMA), Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA), Chico Mendes Institute for Biodiversity Conservation (ICMBio) and the Ministry of Justice and Public Security (MJSP) to set terms for actions of cooperation and technical support to integrate data and public policies aimed at the combat of illegal deforestation, at strengthening environmental protection actions and fighting environmental offences, focusing on the investigation of administrative misconduct and criminal offences, on ostensive police power actions, and on the adoption of integrated operational protocols.

Legal Amazon: Vice-president Hamilton Mourão [stated](#), after a meeting of the National Council for the Legal Amazon (CNAL), that he

could not “promote coordination and integration for it to work”, taking responsibility for the Amazon deforestation. His statement is related to PRODES data, publicized by INPE (*above*). Regarding the CNAL meeting, it is noteworthy that Joaquim Leite (MMA) and Anderson Torres (MJSP) were absent. It is worth remembering that Guarantee of Law and Order (GLOs) Operations have been implemented since 2019 focusing on environmental offences, especially on illegal deforestation. To understand GLOs, read POLÍTICA POR INTEIRO's [exclusive material](#).

Mourão also [spoke](#) at the Chamber of Deputies in reference to his role at the National Council for the Legal Amazon (CNAL) and at a public hearing at the Committee on Foreign Relations and National Defence: “I don't command anyone. If I could give orders and people had to follow them, and if I had resources at hand, I would have much more flexibility and capability of fulfilling the task I was given”.

At COP 26, the Legal Amazon was represented by four governors: Mauro Mendes (Mato Grosso), Gladson Cameli (Acre), Marcos Rocha (Rondônia), Helder Barbalho (Pará). The states of Amapá, Amazonas and Maranhão sent their secretaries for the Environment. Currently, all representatives of states from the Legal Amazon participate in the [Governors for the Climate Consortium](#).

On the sub-national level, the government of the state of Acre published on the *State Official Gazette*, on 24 November, [Law No. 3,807](#), amending Law No. 3,161, of 2016, which addresses the creation of a registration, collection and instalments system for environmental offence fines. From now on, after the deadline for payment of instalments of the fine, the Acre Environment Institute (IMAC), will place it in the registry of overdue tax liabilities, for foreclosure via the Office of the Prosecutor-General of the State (PGE/AC).

Indigenous Peoples and Traditional Communities: A report was [produced](#) by the Regional Office for South America of the High Commissioner for Human Rights (OHCHR), by request of the Chamber of Deputies' Committee on Human Rights and Minorities, expressing concern regarding [Bill of Law \(PL\) 490/2007](#), which discusses the validation of demarcations of indigenous lands and is proceeding in the Chamber of Deputies.

In [Petition for Non-compliance with Fundamental Precept \(ADPF\) 709](#), proceeding in the Federal Supreme Court (STF), rapporteur Judge Luís Roberto Barroso [determined](#) that the federal government shall provide,

within five consecutive days, detailed information on the Yanomami population and their situation regarding: (i) nutrition, (ii) access to drinking water and (iii) access to health services and medication, adopting all necessary measures to guarantee them minimal condition in these respects, as well as conditions for their safety.

Still at the Federal Supreme Court (STF), Judge Luiz Fux **decided**, regarding the Suspension of Preliminary Injunction (SL) 1480, for the return to the decision made by the Federal Regional Court of the 1st Region (TRF1), which cancelled permits for mining and prevented the issuing of new permits in the surroundings of Cinta Larga ethnicity Indigenous Lands (TIs): Roosevelt, Aripuanã, Aripuanã Park and Serra Morena, in Rondônia, also due to the risk of damage to the public interest for the “increased numbers of shooting crimes and the loss of territory and of culture, and the increased prejudice, discrimination and violence against indigenous people”.

In the last Monday of November, Txai Suruí and Almir Suruí were featured in the **Roda Viva TV programme**, by TV Cultura. They are important indigenous leaders, and they addressed topics related to the protection of indigenous rights and issues concerning the carbon market and the value of standing forest. “We have answers for what the world is going through, which is climate change”, said Almir Suruí, affirming the full interest of his people to resume the Suruí Carbon project, a pioneering initiative that blends development and preservation. To answer Natalie Unterstell's (president of Talanoa Institute, of which POLÍTICA POR INTEIRO is a part) question, Almir Suruí elaborated on why the project did not progress earlier on. In his view, the present moment shows that the Suruís were visionaries and challenged his people to improve governance mechanisms and to resume the initiative in the new carbon market scenario.

Txai Suruí's participation in the Roda Vida TV programme came in the wake of the strong impact of her speech at COP 26. A **Bill of Law** was proposed in Rondônia granting the Honour Title of Citizen of the State of Rondônia to the young leader for her participation in the Conference, giving voice to the indigenous peoples and in defence of humankind.

The importance of Traditional Peoples and Communities (PCTs) in the preservation of forests was once again affirmed by an opinion of the Chico Mendes Institute for Biodiversity Conservation's (ICMBio) Counsel which was made public during the X Symposium of Protected Areas and Social Inclusion - SAPIS, that took place between 3 and 5 November. **Data show** that PCTs (Traditional Peoples and

Communities) account for only 5% of the world population, but they hold approximately 80% of the planet's biodiversity in their ancestral territories. The opinion, being of normative character and based on studies and technical and legal approaches to the issue of the presence of PCTs in integral protection Conservation Units (UCs), sets a change of direction in the policy for protected areas in Brazil. Although, in 2006, the **decree** that created the National Strategic Plan for Protected Areas (PNAP) had recognized and valued the contribution of traditional peoples and communities to the effectiveness of biodiversity conservation policies in broader scenarios, beyond the limits of Conservation Units (UCs), the implementation of this policy of social inclusion and integration has never seen the light. A **new legal interpretation** was necessary to shed light on this issue and to recognize that “the right of traditional populations to remain in their territories is in the Federal Constitution (Articles 215, 216 and 231 of the CF/88 and Article 68 of the Act of Temporary Constitutional Provisions) and in Convention No. 169 of the ILO on Indigenous and Tribal Peoples”. Many environmentalist organizations **are speaking up** contrary to the decision, which should cause some controversy in the coming weeks.

The Chico Mendes Institute for Biodiversity Conservation (ICMBio) addressed the topic by hosting the **webinar** “Traditional Populations in Conservation Units: a possible interaction”. The webinar raised questions and issues to be addressed on the opinion of ICMBio's Counsel.

In addition to indigenous peoples, traditional maroon communities were also on the spotlight. According to **Rubens Valente's weekly Column**, five traditional maroon leaderships located in the state of Sergipe were subpoenaed by the Federal Police to depose by request of the regional superintendent of INCRA (National Institute of Colonization and Agrarian Reform) regarding three civil-servants who allegedly “granted or agreed to granting credit to over 2 thousand families in traditional maroon territories who live in social vulnerability and food insecurity situations”.

Illegal Mining: One powerful image from November was the picture of hundreds of dredges in the Madeira River, illegally mining gold in Autazes (AM). The Federal Prosecution Office (MPF) started an extra-judicial procedure and **demanding responses** from the Army, the Superintendency of the Federal Police in the Amazon, from the Itacoatiara River Agency, from the Navy, from the Amazon Environmental Protection Institute (IPAAM), from IBAMA's presidency

and from the superintendency of the National Mining Agency (ANM). **Federal authorities stated** they are planning a joint action including the Navy.

According to vice-president **Hamilton Mourão**, this type of irregularity always happens: “It happens every year. Normally they remain closer to Muaitai. This year gold has appeared up there. The Navy has to check the issue, who is there illegally, which are legal vessels, and those illegally there will have their vessels seized”. However, an intense repercussion was needed, **even abroad**, for any action to be announced by the government.

What happens nowadays with mining and panning in the Amazon may be a result of the constant statements of President Jair Bolsonaro on the topic. **In a column**, in the beginning of 2020, Natalie Unterstell commented he had set the regulation of clandestine mining as his priority. “He has a very clearly defined side in this story. He even stated he had requested, already as president, a study to create ‘little Serras Peladas’ around the country.” (Serra Pelada was a famous Brazilian open pit in the 1980s)

Fisheries and Water: During the 24 November public hearing, the **Federal Prosecution Office (MPF) stated** that the rights of artisanal fishermen and other traditional peoples and communities have been systematically violated by the Brazilian government. What is being criticised is the way the government has operated the registration update process for professional fishermen. **POLÍTICA POR INTEIRO** has followed these actions since 2019 (read more on the **Pesca Por Inteiro** publication).

The **Superior Court of Justice (STJ) decided** on the competence of the 1st Federal Court of Sergipe to have jurisdiction over civil public actions related to the oil spill in Brazilian North-eastern waters in 2019. It was the biggest environmental disaster along the Brazilian Coast.

Nomination to the Federal Supreme Court (STF): On halt for months, the confirmation hearing of André Mendonça for the position of STF Judge was scheduled for 1 December 2021. (Update: *The confirmation hearing took place and Mendonça was approved by 47 votes in favour (6 more than necessary) and 32 against for the position of Marco Aurélio Mello who retired in July. He is the second Federal Supreme Court judge to be nominated by Bolsonaro.*)

Environmental fines: The state of Ceará's State Environment Superintendency (SEMACE) **announced a Black Friday** of environmental fines, with discounts of up to 50% on the monetarily adjusted principal amount and of up to 100 % on the interest. The generous opportunity for offenders comes after the publication of state rules on self-composition by extra-judicial transactions (i.e., agreements outside judicial processes) for “closure on the procedure of investigation or collection of state environmental fines not in the registry of overdue tax liabilities and originating from environmental offense fines up to 13 January 2021”.

Ongoing Policies

Climate Change: The government tries to pass a new National Policy on Climate Change (PNMC). A public consultation lasting one month will end on 4 December 2021) on its draft, revoking Federal Law No. 12,187/2009. It seems that it will be difficult for this proposal to be approved in the National Congress. An [analysis by POLÍTICA POR INTEIRO](#) shows why it is positive that this proposal does not advance the way it was presented. Among other issues, there is no adjustment of the PNMC's goals to the Paris Agreement, in addition to governance problems.

GMOs: On 11 November, the 246th Ordinary Meeting of the National Biosecurity Commission (CTNBio) **approved** the commercialization of genetically modified wheat flour, event IND-00412. Genetically modified wheat is produced in Argentina and contains the gene HaHB4 from the sunflower. The variety tolerates drought and many herbicides, including some restricted in Europe. Its approval is for import and exclusive use on food, animal food or by-products. This way, Brazil becomes the first country in the world to approve a genetically modified variety of wheat.

Rehearsal

Green Growth Programme: There is still no information about the programme's initiatives, progress, goals, or ambitions. The programme was launched in the last week of October and constantly referred to by minister Joaquim Leite.

On Hold

Adopt a Park: The Adopt a Park Programme, launched in February 2021 with great publicity and full of promises, is still stopped. Since June 2021, there has been no public session on new proposals. From the 132 Legal Amazon Conservation Units offered in the first stage of the programme, only 8 proposals have been formalized so far, and no working plan has been communicated to the public. Little is known about the proceedings and the definition of what is to be “adopted”. The programme, that was always emphasized by former minister Ricardo Salles, was seldom mentioned by the Joaquim Leite administration, seeming to be left in a corner by the federal government's agenda (despite the launch of the Adopt a Park Caatinga Trails last month, with no results communicated so far).

Forest+: Another federal government project, the Forest+ remains on the ministerial speeches, without the communication of results or progress, either of the main programme, or of its sub-programmes (Forest+Carbon, Forest+Bioeconomy, among others). So far, we have more speeches and broad statements than concrete information, despite the programme's aim being, in theory, to enable the Payment for Environmental Services.

Green Rural Product Note (CPR): The Green Rural Product Note was also launched during Joaquim Leite's term in office and shortly before COP26. The Green CPR, so far, has not produced effective results. Little is known about how this initiative will develop, about who the players involved are, and about how the market will be prepared for it, among other extremely important aspects of it. In parallel, the private sector has taken autonomous initiatives, like Itaú BBA, that **issued** the first Rural Product Note (CPR) Legal Reserve+ of R\$1.4 million.

CONABIO: There is still lack of information on the activities of the National Biodiversity Commission (CONABIO). The proposal for the new list of endangered flora and fauna species was on the agenda for the last meeting, in June 2021. Read **POLÍTICA POR INTEIRO's post** on the matter.

Judiciary: In the Federal Supreme Court (STF), important lawsuits related to socio-environmental and climate guidelines are pending decision, having been held up for months, such as:

- *ADPF 623 (Petition of Non-compliance with Fundamental Precept)* – requires the declaration of unconstitutionality of Decree No. 9,806/2019, which changed the composition of the National Council for the Environment (CONAMA)
 - Trial started on 5 March 2021 but was adjourned on 10 March by Judge Nunes Marques’ request to see the record. Awaiting return to the Plenary for decision.
- *ADPF 708 (Petition of Non-compliance with Fundamental Precept)* - Federal government omission by not adopting administrative measures for the functioning of the “CLIMATE FUND”.
 - After public hearings on 21 and 22 September 2020, transcriptions of public hearings were added to the records on 16 March 2021, and a decision is awaited since then.
- *ADPF 760 (Petition of Non-compliance with Fundamental Precept)* - omissive and commissive acts by the federal government are making it impossible to effectively carry out the State policy aimed at fighting deforestation in the Legal Amazon and the Action Plan for Prevention and Control of Deforestation in the Legal Amazon (“PPCDAm”).
 - Awaiting decision.
- *ADPFs 747, 748 and 749 (Petition of Non-compliance with Fundamental Precept)* - request the unconstitutionality of CONAMA Resolution 500/2020 (which revoked CONAMA Resolutions CONAMA 284/2001, 302/2002 and 303/2002) and CONAMA Resolution 499/2020 (licensing the activity of co-processing waste in clinker production rotary furnaces) and, on a subsidiary basis, the resolutions on the agenda of the 135th Ordinary Meeting of CONAMA.
 - After preliminary injunction granted by Judge Rosa Weber on 20 October 2020 and Plenary confirmation on 30 November 2020, they await decision.
- *ADO 59 (Direct Action of Unconstitutionality by Omission)* - omission of the Federal government regarding the adoption of a measure aiming at interrupting the standstill of the “AMAZON FUND”.
 - Awaiting decision.
- *RE 1017365* - analyses the right to usufruct in areas of traditional indigenous occupation (time framework thesis for the demarcation of indigenous lands), as well as ownership of the area by the Xokleng people.

- After full communication of the vote of rapporteur Judge Edson Fachin and of Judge Nunes Marques, Judge Alexandre de Moraes requested to see the record, halting procedures in September 2021. Awaiting resumption.

On the Radar

Signs on Twitter: In partnership with the *Folha de São Paulo* newspaper, POLÍTICA POR INTEIRO identifies, in an automated way, tweets from over 350 Brazilian authorities (president, ministers and congressmen, and others) and experts, using key-words related to environmental policies categorized in subgroups, such as The Amazon, Transportation or Energy. In November, the most prominent themes in our monitoring were: Energy, The Amazon, Forests and Climate Change. In all, 1,807 tweets by 240 authorities were monitored. The most commented topics related to:

- actions and connections at COP 26;
- Amazon deforestation – repercussions of the publication of the report by Inpe, and Bolsonaro's speech to investors in Dubai;
- invasion of illegal miners on Madeira River;
- Petrobras Biocombustível (PBio) privatization process – due to opinion from the Federal Prosecutor's Office (MPF) for the suspension of the process

MOST TWEETED TOPICS



Topics in english: government, oppositionatcop26, climate change, petrobras, biofuel, sustainabilityisnotforsale, forest, cop, planet, bolsonaro administration, environment, petrobrás biofuel, deforestation, inpe, president, glasgow, minister, country, brazil, bolsoexpensive, effect, bolsonaro, world, petrobras, cop26, the Amazon, petrol, sustainability, deforestation in the Amazon

On the Radar (international agenda)

OECD: On the international level, we highlight the **speech** of Drago Kos, Chair of the OECD Working Group on Bribery. He indicated that the increase of corruption in Brazil contributes to deteriorate the economy in the country, and said: “If you asked me three or four years ago about the fight against corruption in Brazil, I'd have a very simple answer: Brazil is one of the best, it proved it can go from zero to 100% in the fight against corruption, and this could be said about all institutions in Brazil. Now there are only a few individuals and one or two institutions engaged in fighting corruption”. It is important to keep in mind that the country's environmental policies also **negatively contribute** to Brazil's access to the OECD.

4. Trends

COP 26, the preparation for it, and its developments summarize the current state of public climate policies in Brazil and how the different players move around this scenario. With the lack of direction and of consistent actions on the part of the federal government, sub-national entities, the market, and the civil society take the lead looking for adaptation and mitigation solutions. It is evident that, in the short term, the acceleration of the transition towards decarbonization in Brazil will depend on what is imposed by agents other than the federal government, despite official policies.

The global goal is to limit warming to 1.5 °C. The Paris Rulebook is finalized. The challenges for paving a green economy with a fair transition are known. In the case of Brazil, following the direction indicated by COP 26 and advancing with the necessary regulations will demand the continuation of the many-sided mobilization that culminated in Brazil Climate Action Hub in Glasgow, with broad coordination. An indication of how this progress is how Congress will advance (or not) the carbon market Bill of Law (PL 528/2021). It is expected to be approved in the Chamber of Deputies still in 2021.

Another relevant matter is the result of the public consultation on the review of the National Policy on Climate Change (PNMC). Bill of Law (PL) No. 6,539/2019, aiming at amending Law No. 12,187/2009 (the current PNMC), is already proceeding in the Senate, to update it to the context of the Paris Agreement and the new climate change challenges. Therefore, a review such as the one proposed in the draft under consultation is unnecessary.

Other matters harmful to the socio-environmental and climate agendas may advance in the National Congress, like in the cases of environmental licensing and land tenure regularization. It is expected that final reports on these two initiatives be presented before 15 December and proceed to voting in the Senate's Committees on Agriculture and on the Environment. It is possible that the Senate concludes addressing these matters still in 2021.

Additionally, in the Judiciary, the second Judge nominated by Bolsonaro will occupy his position at the Federal Supreme Court (STF), possibly still in December, before recess. There are many topics very sensitive to the climate and socio-environmental areas in the STF, and judicialization has been a way to advance public protection policies or to brake harmful and irreversible dismantling promoted by the federal government. It remains to be seen how the new STF judge will vote on these matters.

Special attention is required to the actions of the Executive branch in the last month of 2021. In December 2020, the *Federal Official Gazette* brought surprises such as the IBAMA Normative Instruction on the creation of artificial reefs by sinking boats, airplanes, and others. Thus, it is important not to decrease monitoring, especially in the last week of the year.

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