

MONTHLY OUTLOOK REPORT

FEBRUARY
2022



**politica
por inteiro**

REPORT ON THE RELEVANT
SIGNALS TO CLIMATE AND
ENVIRONMENTAL POLICIES
IN BRAZIL



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THE EXECUTIVE BRANCH

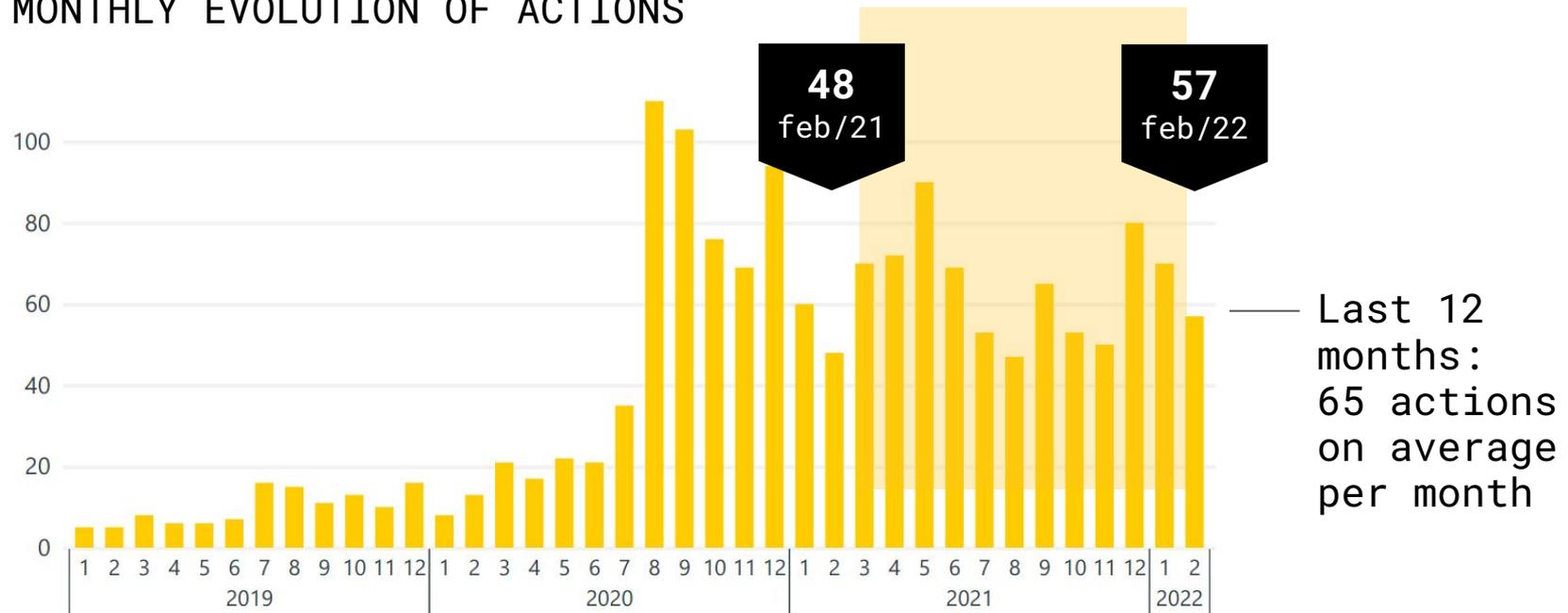
TRACKING THE FEDERAL
OFFICIAL GAZETTE

PHOTO: ROBERT STUCKERT FILHO/PR



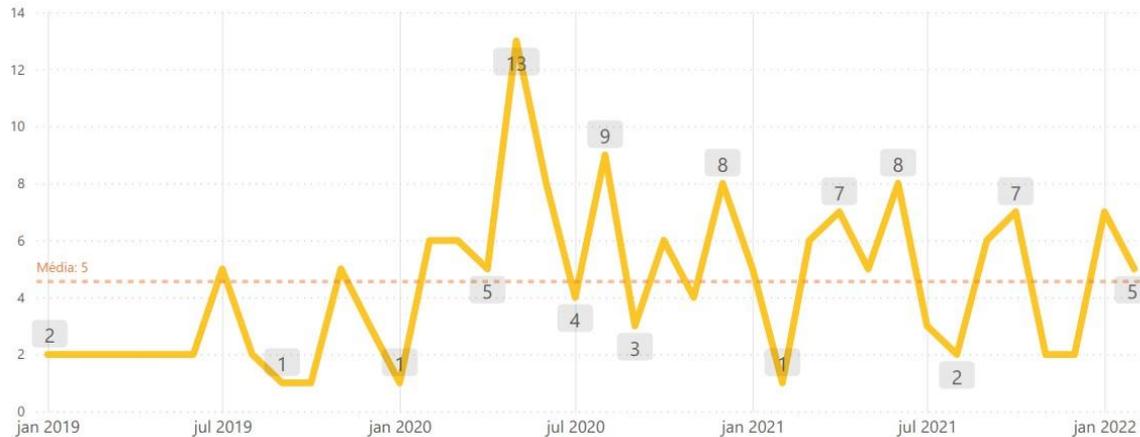
In February, our Government Actions Tracker identified **57 actions** relevant to environmental and climate change policies from the Federal Executive Branch published in the *Federal Official Gazette*.

MONTHLY EVOLUTION OF ACTIONS



Uptrend

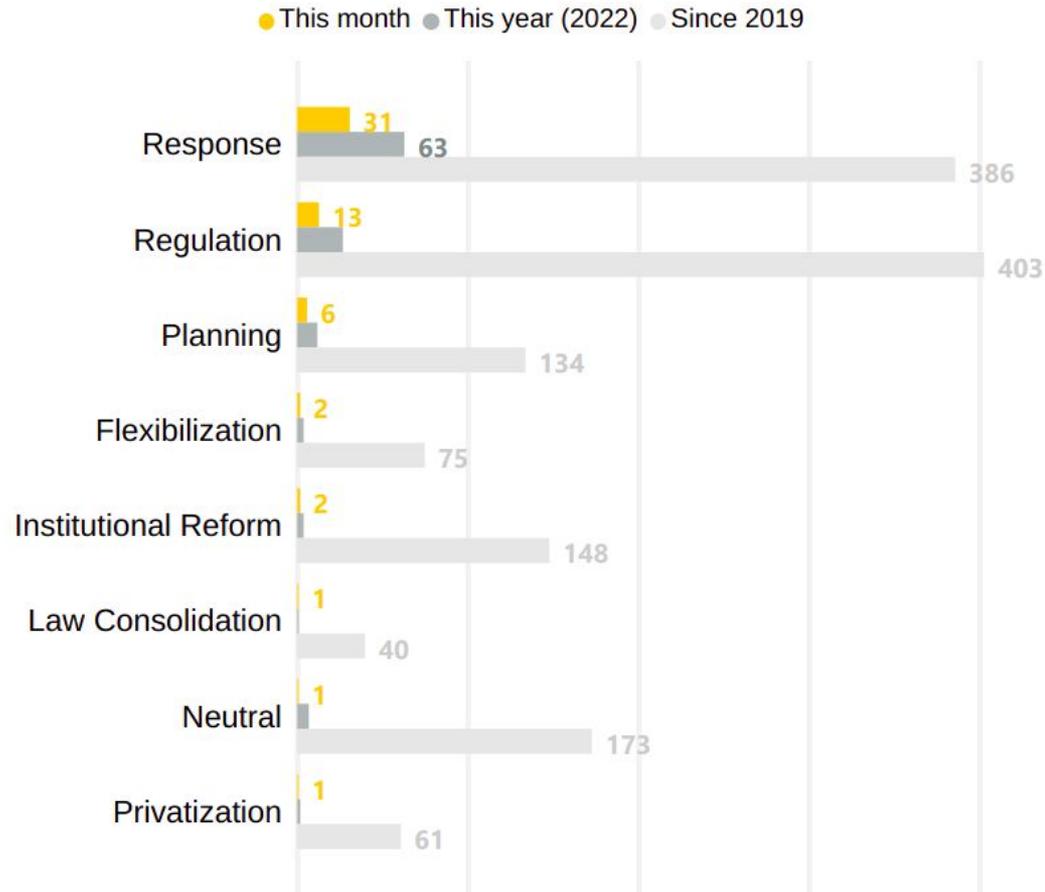
- Comparing to January (70 actions), there has been 13 actions less – the difference attributed to the fewer number of days in February.
- Although the value is under the monthly average of 2021 (63 actions), the comparison to the last February (48 actions) indicates we are in an uptrend.
- There has been 5 presidential decrees, superior actions between the infralegal measures and that have been more frequent since May 2021. In February last year, just one action of this type had been published. This increase signs the government is leading politics to new directions, which might reflect into terms, as ordinances.



MONTHLY
EVOLUTION OF
PRESIDENTIAL
DECREEES

FEBRUARY ACTIONS BY TYPE

- The distribution among types was very similar to January actions.
- The Response actions (31) were predominant, again because of the acknowledgement of emergency, followed by the Regulation (13) and Planning (6) actions.
- There have been critical Flexibilizations.
- There has been no Deregulation action registered.



EVOLUTION OF ACTIONS BY THEME

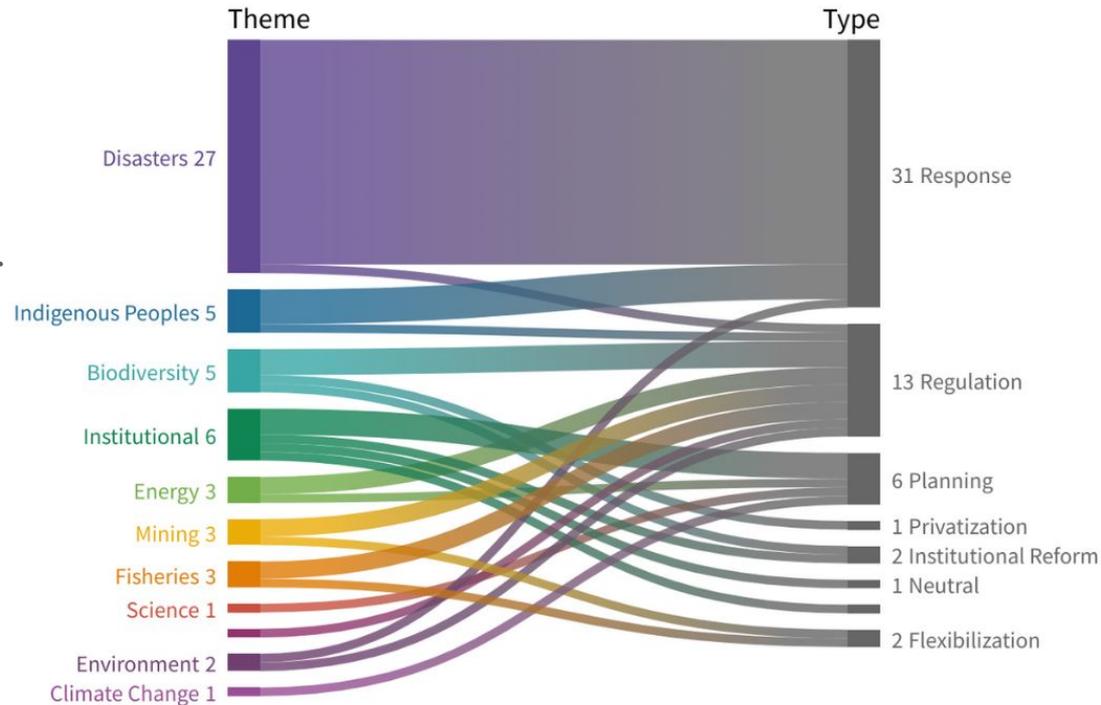
FEV
2022

	Year 2020												Total	2021												Total	Overall			
	Month	1	2	3	4	5	6	7	8	9	10	11		12	1	2	3	4	5	6	7	8	9	10	11			12	Total	
Disasters								2	9	10	10	18	49	12	10	18	16	21	14	14	16	9	17	16	17	180	29	27	56	285
Institutional	1			1			1	4	18	17	23	24	89	8	13	12	16	25	8	11	8	15	4	9	5	134	2	6	8	231
Energy				3	4	2	6	5	17	5	5	13	60	7	3	4	5	13	10	6	8	9	2	3	10	80	10	3	13	153
Biodiversity	1		2	2		3	16	1	8	10	7	50	3	3	5	8	12	6	2	1	11	7	4	11	73	11	5	16	139	
Environment	5	3	6		5	6	6	17	18	7	3	6	82	2	1	3	3	4	1		2		1	1	3	21	5	2	7	110
Fisheries	3	1	9	5	2	3		3	2	1	4	8	41	5			3	4	8	6	3	4	3	2	5	43	5	3	8	92
The Amazon	2	2	3	4	5	3	4	1	8	6	2	40	6	2	3	7		3	5			3	1	1		31				71
Ocean		2					26	1	3	2	2	36	1	1	2	1	1	2				2				10		1	1	47
Agriculture	1	1		2		2	4	4		1		15	3	5	4	3		2		1	1	5	3	4	31				46	
Indigenous Peoples			1							3	2	1	7	1	2	1	4	4	2	2		2	3	2	4	27	3	5	8	42
Land	1	1	1			1	1	1	5		3	14	1	3	5	1	2	3	2		1	3	2	2	25	1		1	40	
Mining					3	2	3	4		1	3	16	4	1	4	1	3	3			1			3	20	1	3	4	40	
Climate Change		1				3		2	2	2	1	11	1		2	3			2			3	2	5	5	23	1		1	35
Science							11	9	2		2	24		1						2				1	4	1	1	2	30	
Water						3	3	7	1	1	1	15			5			3	1	2	1	2		1	15				30	
Forests	1			2	1	3	6	1	1	1	1	16	1		1				1		1	1	2	1	4	11				27
Pollution								3	1			4					1				2	1	1	1	4	10	2		2	16
Transportation		1			1		1	3	1	1	1	8	2	1	1	1				1	1	1			8				16	
The Antarctic							4					4	1					2				1			4				8	
Tourism					1			2				3	2	2											4				7	
Cities				1		2			1	1	1	5												1	3				5	
Tradicional Maroon Communities																			2					1	3				3	
Total per month	8	13	21	17	22	21	35	110	103	76	69	94	589	60	48	70	72	90	69	53	47	65	53	50	80	757	70	57	127	1.473

Themes and types

Most frequent themes in the month:

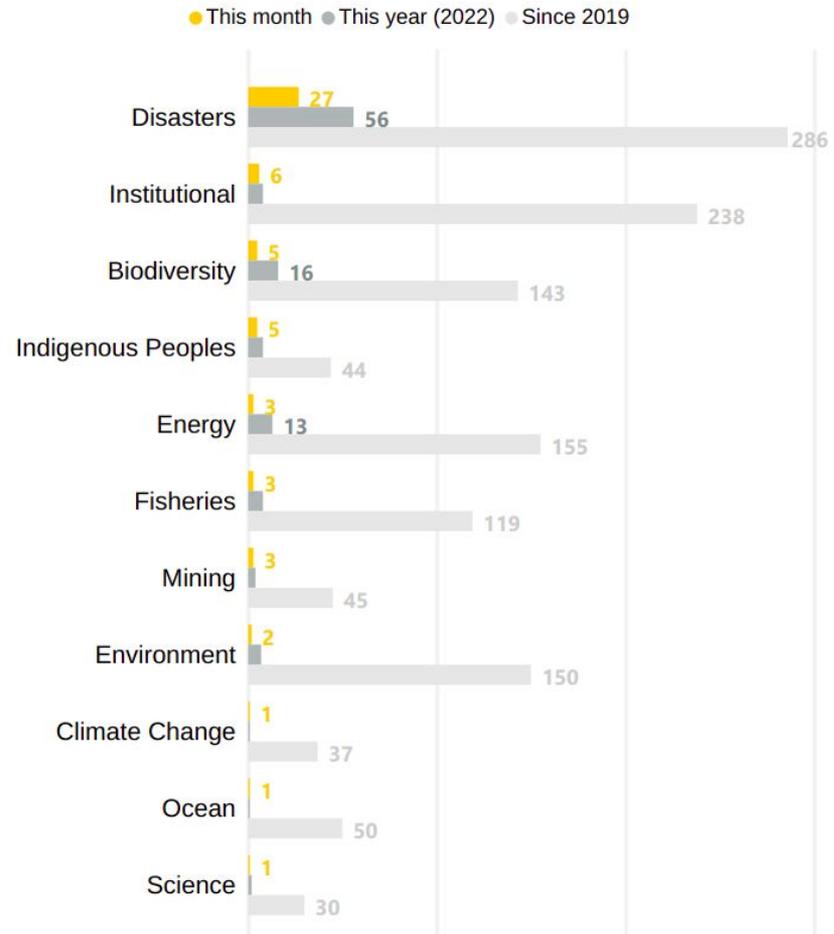
1. **Disasters** (27): Emergency situation acknowledgements.
2. **Institutional** (6): Approval of plans and councils alterations.
3. **Biodiversity and Indigenous Peoples** (5): Conflicts in Indigenous Lands; Measures to Conservation Units.



Highlights in the most frequent types of the month

- **Response:** Emergency situation or public calamity acknowledgement; Extension of the use of the National Public Security Force (FNSP) in Indigenous Lands.
- **Regulation:** Approval of the Annual National Environmental Protection Plan (PNAPA); Creation of the Support Program for the Development of Artisanal and Small-Scale Mining (Pró-Mape).
- **Planning:** Open Data Plan (IBAMA); Federal Government Priority Legislative Agenda 2022; Appointment of the members of the Technical Commission of the Interministerial Committee on Climate Change and Green Growth.
- **Flexibilization:** Simplification of mining activities licenses; Facilitation of export quotas of shark fins of the species *Isurus oxyrinchus*

ACTIONS BY THEME - FEBRUARY



MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Disasters

ORDINANCE N° 260, OF 2 FEB. 2022 REGULATION

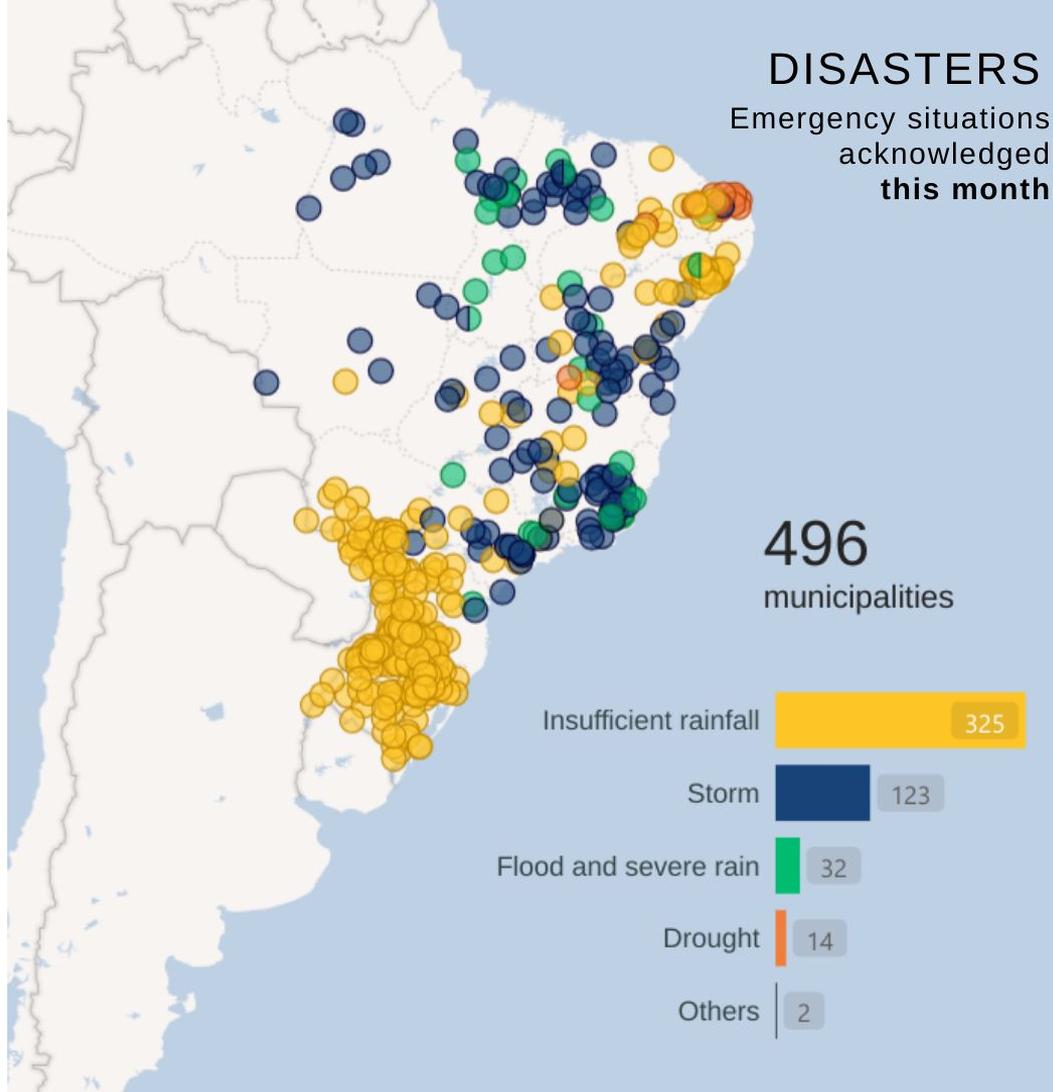
Establishes the procedures and criteria for federal acknowledgement and declaration of emergency situation or state of public calamity by the Municipalities, States, and Federal District. The disasters can be: Level I or low intensity, Level II or medium intensity, Level III or high intensity.

A specific normative act may establish the term, parameters, criteria and procedures for federal recognition, considering the specificities of the types of disasters. Revokes Normative Instruction 36, of 4 December, 2020, by the Ministry of Regional Development.

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Disasters

The 26 Disaster acknowledgement actions added up to 496 municipalities in emergency and public calamity situations. The most reported events are Drought and Storm.

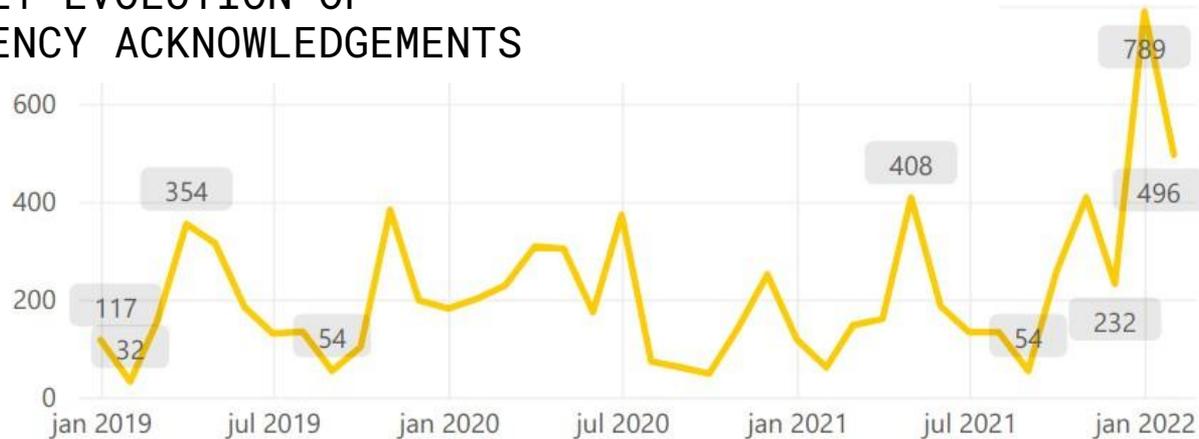


MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Disasters

In February, actions in Disasters remained on the rise, falling just short of last January in the number of emergency situation acknowledgements in the Federal Official Gazette since 2019, the beginning of this survey. All data are available at [Disaster Monitor](#).

MONTHLY EVOLUTION OF EMERGENCY ACKNOWLEDGEMENTS



MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Institutional

ORDINANCE N° 667, OF 9 FEB. 2022

PLANNING

Presents the *Federal Government Priority Legislative Agenda 2022*, including:

- Bill of Law (PL) 490/2007 (Timeframe for demarcation of Indigenous Lands)
- PL 4847/2019 (Resources for environmental inspection and reforestation actions)
- PL 3729/2004 (Environmental licensing)
- PL 6539/2019 (National Policy on Climate Change)
- PL 528/2021 joined to PL 290/2020 (Carbon Market)
- PL 5518/2020 (Forest Concessions)
- PL 6299/2002 (Agricultural Defensive Products or Safer Food Law)
- PLS 510/2021 and PL 2633/2020 (Land Tenure Regularization)
- PL 191/2020 (Mining on Indigenous Lands)
- PL 414/2021 (Modernization of the Electricity Sector).

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Institutional

NORMATIVE ORDINANCE N° 3, OF 22 FEB. 2022 PLANNING

Establishes the Open Data Plan of the Brazilian Institute of Environment and Renewable Natural Resources for the period 2022-2023, which can be accessed at the [link](#). There is a schedule of data to be opened, which, if fulfilled, will bring information to society on topics such as pesticide sales (July/2022) and prioritized alerts of deforestation in the Legal Amazon (September/2023). This type of initiative contributes to the OECD accession process, in which transparency of public data is an important requirement.

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Mining

DECREE N° 10.966, OF 11 FEB. 2022 REGULATION

Stimulates gold mining (“garimpo”), called in the action *Artisanal Mining in Small Scale*, instituting a program aimed at the Support and Development of the activity (Pró-Mape), with priority in the Legal Amazon. It establishes an inter-ministerial commission for the topic, Comape, composed of representatives from the following agencies: I - Ministry of Mines and Energy, which will coordinate it; II - Civil House of the Presidency of the Republic; III - Ministry of Citizenship IV - Ministry of Justice and Public Safety; V - Ministry of Environment; and VI - Ministry of Health. Learn more at [Política Por Inteiro Blog](#).

RESOLUTION N° 95, OF 7 FEB. 2022 REGULATION

Consolidates the regulatory measures applicable to mining dams, revoking previous norms on the subject.

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Mining

DECREE N° 10.965, OF 11 FEB. 2022 FLEXIBILIZATION

Amends Decree No. 9,406, of 12 June, 2018, making the regulation more flexible by:

- simplifying the licensing of mining activities: the “National Mining Agency (ANM) will establish simplified criteria for the analysis of procedural acts and granting procedures, especially in the case of small-sized enterprises or the use of mineral substances dealt with in art. 1 of Law No. 6,567, 1978.”;
- decreasing the responsibility of the entrepreneur, established to the concession holder only "until the mine is closed";
- establish that the "request for addition of substances contained in tailings, waste rock and mining waste will be subject to decision within the maximum period established by ANM," and may be tacitly approved if the decision-making body does not manifest within the established period, invoking the Economic Freedom Law (Law No. 13,874/2019). Learn more at [Política Por Inteiro Blog](#).

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Biodiversity

DECREE N° 10.958, OF 7 FEB. 2022 **PRIVATIZATION**

Qualifies to the Presidential Investment Partnerships Program (PPI) and includes the following conservation units in the National Privatization Program (PND): I - Restinga de Jurubatiba National Park (RJ); II - Serra da Canastra National Park (MG); III - Serra do Cipó National Park (MG); IV - Caparaó National Park (MG and ES); and V - Ipanema National Forest (SP).

NORMATIVE INSTRUCTION N° 2/GABIN/ICMBIO, OF 28 JAN. 2022 REGULATION

Republishes the National Biodiversity Monitoring Program (Monitora Program) of ICMBio with few changes to the concepts and procedures for implementing the program (published in 2017). Highlight for the insertion of the need for a term of adhesion for the UCs and removal of the goal of coverage all biomes by 2022 (another deadline does not establish).

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Fisheries

PUBLIC CALL NOTICE N° 3, OF 23 FEB. 2022 REGULATION

Opens the selection for society organizations linked to fishing activities, in order to make up the Permanent Committees for Management and Sustainable Use of Fishing Resources, for the period 2022 to 2026. The committees were created by the National Collaborative Network for the Sustainable Management of Fishing Resources (Rede Pesca Brasil), **instituted** in June 2021 and **regulated** in January 2022.

With nine months of delay, the notice continues to bring in its scope the problems related to the representativeness of its participants. The representatives will be "selected" by SAP/MAPA and not nominated by their respective sectors. In addition, the organizations will not have support for the cost of their participation, which practically prevents the artisanal fishing segments from being present in the committees. To understand the importance and the absence of participative committees and collegiate bodies in fisheries management, see the publication **Pesca por Inteiro**, by POLÍTICA POR INTEIRO.

MAIN ACTIONS OF THE EXECUTIVE BRANCH - BY THEME

Fisheries

INTER-MINISTERIAL ORDINANCE SBIO-MMA/SAP-MAPA/SECEX-SECINT-ME N° 1, OF 8 FEB. DE 2022 FLEXIBILIZATION

Establishes contingency quotas for the export of products, byproducts, parts and the entire species of shark *Isurus oxyrinchus* until December 31, 2022, for specimens fished until December 21, 2021. This shark is listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

The act makes it possible to export sharks that had already been caught and were awaiting authorization to be sold, as they are subject to international control by CITES.

Due to its status as an endangered species, the **Brazilian Society for the Study of Elasmobranchs - SBEEL** has already formally manifested against the exploitation of this species.



THE LEGISLATIVE BRANCH

ANALYSIS OF THE MOVEMENTS
AND TRACKING OF LEGISLATIVE
PROPOSALS

LEGISLATIVE MOVEMENTS

Pesticides

Congress returned from recess, already moving forward the Federal Government's Priority Legislative Agenda, with the approval in the House of Representatives of the Bill of Law (PL) 6299/2002. The "Poison Package", called by the government as "Bill of Law on Plant Protection Products " or "Safer Food Law", eases the rules for the use of pesticides, centralizing in

the Ministry of Agriculture, Livestock and Supply (MAPA) the registration of these substances, taking the weight off the Health and Environment Ministries in this process. The bill is now in the Senate, where it will follow the normal procedure, according to the president of the Senate, Rodrigo Pacheco, unlike what happened in the House, where it passed under urgency regime.

LEGISLATIVE MOVEMENTS

Land tenure regularization

- Bills of Law (PLs) **2633/2020** and **510/2021**: are in the Senate.
- Strong rumors that it will pass through the Senate Environment and Agriculture Committees, and then to the Floor before the elections.
- What are the risks? The approval of the Bill means that those who have recently deforested (until 2016 or 2017, depending on the final text) will not have to comply with any type of environmental condition (for example, recovery of degraded areas) to receive the title deed. It also means that incentives/expectations that future deforestation will be forgiven again will be created.
- It could cause additional deforestation of between 11,000 and 16,000 km² by 2027 (Source: Imazon).
- The Brazilian legislation in force since 2009 provides for the regularization of the situation of the areas occupied until 2011 and the destination of the 43 million hectares of public lands vulnerable to invasions. This means that 90% of the liability of areas still without title deeds can be solved with the current legislation. INCRA is already advancing with technology to speed this up. There is no need to approve a new legislation, but to effectively implement the current one.

LEGISLATIVE MOVEMENTS

Environmental licensing

- **Bill of Law (PL) 2159/2021:** approved by the House of Representatives on May 13, 2021, it awaits public hearings in the Senate.
- Besides being on the Government's Priority Agenda, it is one of the Priorities of the Ministry of Economy for 2022 in Congress.
- There are strong rumors that it will be prioritized in the Senate Environment (CMA) and Agriculture (CRA) Committees and may go to the Floor before the elections.
- This bill exempts 14 sectors from existing Environmental Impact Assessment obligations, including livestock, agriculture, logging, dams, and road construction.
- It could cause an additional deforestation of up to 53,000 km² by 2030 (Source: ISA & UFMG).
- As explained further down in the Analysis section, there is extra strong pressure to vote on this issue due to the government's attempt to link it to the fertilizer supply crisis, an effect of the war between Ukraine and Russia.

LEGISLATIVE MOVEMENTS

Mining on Indigenous Lands

- **Bill of Law (PL) 191/2020** is a 2018 presidential campaign promise and was presented by the Executive in 2020 (in a **message jointly signed by** the then Minister of Justice, Sérgio Moro, and the Minister of Mines and Energy, Bento Albuquerque). It has been awaiting the creation of a Temporary Committee by the Board of the Chamber since then.
- The project regulates articles 176 and 231 of the Constitution and authorizes activities currently forbidden inside indigenous territories, such as mining - including gold mines -, electricity generation and exploration and production of oil, natural gas and other hydrocarbons.
- There is extra strong pressure for the consideration of this matter, pulled by the ruralist benches, as well as environmental licensing, in the context of the fertilizer crisis with the unavailability of Russian supply.
- Recently, the President of the Republic tried to reignite the issue, using the possible shortage of fertilizers to defend mining on indigenous lands. A day later, the government leader, Deputy Ricardo Barros (PP-PR), began collecting signatures and managed to file an urgency regime request for a vote.

LEGISLATIVE MOVEMENTS

Fuels

- Inflationary pressure and the increase in the international price of petroleum raise the importance of the theme, which is extremely sensitive in an election year.
- Two bills that discuss ways to reduce the price of fuel were on the Senate's voting agenda:
 - **Bill of Law (PL) 1.472/2021** - creates a fund to stabilize oil derivative prices;
 - **Complementary Bill of Law (PLP) 11/2020** - stipulates single collection of Tax on the Circulation of Goods and Services (ICMS) on fuels
- The President of the Senate postponed the vote until March.
- **Obstacles:** the states, through the Governors' Forum, defend the creation of the Stabilization Fund, while the Ministry of Economy does not agree with the proposal to double the scope of the gas allowance. For the government, for example, it is important to include in the projects the authorization for federal taxes to be reduced. One of the obstacles overcome during February was the withdrawal of the provision that foresaw the creation of a tax on crude oil exports.
- The leader of the MDB in the Senate, Eduardo Braga, suggested an exemption on renewable fuels, to favor and accelerate the transition and reduce greenhouse gas emissions.

LEGISLATIVE MOVEMENTS

Carbon markets

- The government has included regulation of the carbon market in its list of priorities for the legislative year, and the Minister of the Environment, Joaquim Leite, has spoken publicly about the formulation of a substitute by the Ministry of Economy. However, Paulo Guedes' Ministry did not highlight the matter among its priorities for 2022 in Congress.
- The [Bill of Law \(PL\) 2148/2015](#), to which was joined the PL 528/2021, by Marcelo Ramos (PSD-AM), is proceeded under urgency regime and is ready to go to the Floor.

Marine Lands

- Approved in the House of Representatives, by 377 votes, the "sea land grabbing" in areas that are strategic allies for climate change mitigation and adaptation. An analysis in [Política Por Inteiro Blog](#) showed that beyond this Draft Constitutional Amendment (PEC), the House approved [Bill of Law \(PL\) 442/91](#), which regulates gambling. The two projects, if passed, may lead to a race for the [construction of large areas by the sea](#), including clubs and resorts to host casinos.

LEGISLATIVE MOVEMENTS

Tax Reform

- **Draft Constitutional Amendment (PEC) 110/2019**, on a broad tax reform, is on the agenda of the Constitution and Justice Commission of the Senate (CCJ).
- The matter is considered a priority for the government.
- Senator Roberto Rocha (PSDB-MA), rapporteur for the Tax Reform, is yet to present his report.
- There is talk of “request of examination” after the presentation and low chances that the matter will be on the Floor still in 2022.

Fertilizers

- The Senate presses the federal government for the publication of the National Fertilizer Plan.
- In a session on February 17, the Senate Committee on Agriculture and Agrarian Reform (CRA) approved a request for a public hearing on this subject with representatives of the Ministry of Agriculture (MAPA), the Ministry of Mines and Energy (MME) and the Special Secretariat for Strategic Affairs of the Presidency (SAE).

PROPOSALS PRESENTED

Bills of law*

Subject	Proposal(s)
Creates the National Policy for the Security of Indigenous Peoples	Bill of Law (PL) 366/2022 – by senate Telmário Mota (PROS/RR)
Prohibits trawling by motorized vessels in continental waters and in the territorial sea and exclusive economic zone	Bill of Law (PL) 347/2022 – by representative Carlos Gomes (REPUBLIC/RS)
Excludes Mato Grosso State from Legal Amazon	Bill of Law (PL) 337/2022 – by representative Juarez Costa (MDB/MT)

**We highlight the most relevant Bills of Law among those presented during the month*

PROPOSALS PRESENTED

Legislative Decrees*

Subject	Proposal(s)
<p>Aiming at stopping the effects of Decree 10,935 of 2022, which provides for the protection of caves</p>	<p>Draft Legislative Decree (PDL) 4/2022 – by representative Áurea Carolina (PSOL/MG). PDL 5/2022 – by representative Marília Arraes (PT/PE). PDL 6/2022 – by representative Rodrigo Agostinho (PSB/SP), PDL 8/2022 – by representative Rafael Motta (PSB/RN). PDL 9/2022 – by representative Túlio Gadêlha (PDT/PE). PDL 13/2022 – by representatives Reginaldo Lopes (PT/MG) and Nilto Tatto (PT/SP).</p>
<p>Aiming at stopping the effects of Decree 9,806/2019, which changes the composition and functioning of the Conama</p>	<p>Draft Legislative Decree (PDL) 26/2022 - by representative José Guimarães (PT/CE)</p>

**We highlight the Legislative Decrees that propose to stop normative actions of the President of the Republic.*

PROPOSALS PRESENTED

Legislative Decrees*

Tema	Proposta(s)
<p>Aiming at stopping the effects of Decree 10,666/2022, that created the Program of Support to the Development of Artisanal and Small-Scale Mining and the Interministerial Commission for the Development of Artisanal and Small-Scale Mining</p>	<p>Draft Legislative Decree (PDL) 31/2022 (Helder Salomão – PT/ES). PDL 33/2022 (Reginaldo Lopes – PT/MG). PDL 34/2022 (Joenia Wapichana – REDE/RR , Túlio Gadêlha – PDT/PE). PDL 35/2022 (Professor Israel Batista – PV/DF, Célio Studart – PV/CE). PDL 39/2022 (Professor Israel Batista – PV/DF , Célio Studart – PV/CE). PDL 40/2022 (Sâmia Bomfim – PSOL/SP, Vivi Reis – PSOL/PA, Glauber Braga – PSOL/RJ, Luiza Erundina – PSOL/SP, Fernanda Melchionna – PSOL/RS, Áurea Carolina – PSOL/MG, Ivan Valente – PSOL/SP, Talíria Petrone – PSOL/RJ). PDL 37/2022 (Orlando Silva – PCdoB/SP). PDL 41/2022 (Perpétua Almeida – PCdoB/AC).</p>

**We highlight the Legislative Decrees that propose to stop normative actions of the President of the Republic.*

THE JUDICIAL BRANCH

THE MOVEMENTS IN THE MAIN
ACTIONS ON CLIMATE AND
ENVIRONMENT



PHOTO: MARCELLO CASAL JR/AGÊNCIA BRASIL

JUDICIAL BRANCH

Caves (ADPF* 935)

The virtual trial was initiated and suspended, due to a request of examination by Minister Dias Toffoli, of the injunction that barred the effects of [Decree 10,935/2022](#). The norm, issued in January, reduced the protection of Brazilian caves. The ADPF is filed by Rede Sustentabilidade, which argues that the rules brought by the decree "violate the National Biodiversity Policy and several international treaties to which Brazil is a signatory, such as the Convention on Biological Diversity. Justice Lewandowski and Justice Cármen Lúcia voted in favor of confirming the injunction granted by Lewandowski on January 24, 2022, suspending, until final judgment, the effectiveness of articles 4, I, II, III and IV and 6 of Decree 10,935/2022. See complete analysis in [our blog](#).

Indigenous (ADPF* 709)

The reporting Justice Luís Roberto Barroso granted the requests of the Articulation of the Indigenous Peoples of Brazil (APIB), highlighting the determination that "the implementation of territorial protection activities in the indigenous lands by FUNAI, regardless of **whether they have been homologated**".

**ADPF: Petitions of Non-compliance with Fundamental Precept*



STOP WAR
IN UKRAINE

ANALYSIS

THE MAIN FACTS AND POLICIES
IN PROGRESS

CRISES

War in Ukraine and the transition to low carbon

- Just before war broke out, the Munich Security Conference (2/18) listed the crisis between Russia and Ukraine among the geopolitical tensions that could hamper efforts to curb international global warming.
- During the conference, U.S. Special Envoy for Climate John Kerry **warned that rising energy costs caused by the political crisis could heighten caution in taking necessary tough measures to reduce greenhouse gas emissions.**
- Following the outbreak of the conflict, uncertainties have increased over how to combine energy security and the goals of the Paris Agreement as governments seek to offset rising fuel prices for consumers via subsidies.
- The Russian invasion puts pressure on the European Union to accelerate the transition to renewable energy to reduce its dependence on gas from Russia.
- Germany has suspended operation of the Nord Stream 2 gas pipeline, owned by Russia's state-owned Gazprom.
- The price of a barrel of oil soared above \$100. Analysts say that the longer the war lasts, the greater the chance it will remain above this mark.
- The price of a ton of carbon in the EU-ETS has fallen to €70.
- Nuclear power has come up again as an option in countries like Finland, Germany, and even the Philippines.
- Elon Musk, founder of Tesla, **has vocalized his desire** that oil and gas production be resumed "as an exceptional war measure".

CRISES

War in Ukraine and risk of crisis in Brazil

- There is a risk that the war will result in a shortage of agricultural inputs - especially potash, a product on which Brazil depends on imports.
- Also accompanying the global scenario is inflationary pressure due to the price of petroleum. The government is studying a program to subsidize fuel.
- The Minister of Agriculture, Tereza Cristina, said that the war in Ukraine should lead to food inflation in Brazil. She pointed out that Brazil has enough fertilizers for planting until October.
- The minister will travel to Canada and is also in talks with Iran. In addition, there has been talk of possible domestic sources.
- The government began to use the war as a pretext to defend agendas that were already its priorities: the loosening of environmental licensing rules and the liberation of mining on indigenous lands.
- The researchers Raoni Rajão and Bruno Manzolli showed **is possible to guarantee all the potassium consumed in Brazil beyond 2100 with national reserves. And 2/3 of these deposits are outside the legal Amazon"**.

CRISES / SETBACKS / CONTROVERSY

CONABIO

There was no progress in February on the work of the National Biodiversity Commission (Conabio), but in early March a norm dated December was published (**CONABIO RESOLUTION No. 8, DECEMBER 8, 2021**) by which the collegiate concluded "by the collegiate intersectoral non-objection to the proposed National List of Endangered Species. The actor indicated the publication of the list appreciated on Conabio's website. However, after the publication of the list, on March 2, it was changed.

Six shark species that were on the first list, highlighted in bold, were removed (among them *Isurus oxyrinchus*, whose export was **regulated** in February, under controversy, as pointed out in the Executive Summary section).

This was an example of how the method of disclosure of documents through links in the Official Gazette of the Union, without the full contents, harms transparency. An analysis of the issue is available at the **Política Por Inteiro's Blog**.

WARNINGS

New IPCC report

The **IPCC Working Group II** has **launched the second part of its Sixth Assessment Report** on climate change adaptation, impacts and vulnerabilities. Together with the report of Working Group 3 on Mitigation, to be released in early April, it will be the scientific basis upon which critical decisions will be made in the coming months and years, since the next major IPCC reports will not be published until later this decade.

Access the analysis at the **Política Por Inteiro's blog**.

Highlights from Group II's report:

- emphasis on the potential of nature- and ecosystem-based responses and a rapid transformation of food and agricultural systems to support adaptation and mitigation;
- addresses climate justice and equity, as well as the importance of diverse forms of knowledge, such as indigenous knowledge;
- identifies adaptation limits - levels of warming beyond which humans, animals and natural systems cannot adapt;
- focuses on regional impacts, based on improved models and knowledge of how global impacts manifest regionally;
- for the first time, takes a look at the **social impact of climate change in the Amazon region**, which is home to nine countries, including Brazil; and
- assesses the benefits of adaptation efforts to date, as well as highlighting gaps in implementation.

ON HOLD

Climate change

The Minister of the Environment, Joaquim Leite, recommended, in a letter to President Jair Bolsonaro, the urgent revision of the National Policy on Climate Change (PNMC) in view of the worsening climate crisis. He used the humanitarian and climate disaster experienced in Petrópolis (Rio de Janeiro) as a subterfuge for this measure.

However, as already evident in the OECD's letter of invitation to Brazil, the real urgency is the implementation of existing policies. This deficit has led to less climate prevention and adaptation, which is at the root of the repeated problems in the Serrana region of Rio.

"The abovementioned PNMC, instituted at the end of 2009, is obsolete for the present day and urgently needs updating, especially to cover the new targets assumed by the country recently at COP26 and to meet the wishes of the whole civil society in this increasingly important theme," says an excerpt of the MMA's letter.

It is necessary to be vigilant about the revision so that relevant content is not removed, such as the current article that imposes emission reduction targets for the year 2020 - which have not been met. Among them, the reduction of 80% of deforestation in the Amazon in that year. Non-compliance with the target is the object of lawsuits against the state.

ON HOLD

Climate change

The Interministerial Committee on Climate Change and Green Growth (CIMV), established in October last year, held its first regular meeting. It is known that on the agenda were the approval of the text of the NDC update, as announced by the Brazilian government at COP26, in Glasgow; the creation of a technical group to subsidize the implementation of technical mechanisms for the implementation of Article 6 of the Paris Agreement; and the approval of the Bill of Law to update the National Policy on Climate Change (PNMC), which was in **public consultation between November and December**.

However, the only public document issued after the meeting was the **MMA ORDINANCE No. 47, OF 23 FEBRUARY, 2022**,

which appointed the members and substitutes of the Technical Committee of the Interministerial Committee on Climate Change and Green Growth.

Politica Por Inteiro sought information via the Access to Information Law (LAI), but received a reply that the meetings have a "reserved nature" and that the public information available is on the [committee's website](#).

Waiting for the CIMV:

- official submission of Brazil to the UNFCCC with NDC update;
- submission of the proposal of a Bill of Law (PL) initiative of the Executive Branch to revoke Law 12,187/2009, of the PNMC.

ON HOLD

No news

- The Green Growth Program, launched in October 2021, has not yet had any progress or information published.
- The Law of Payment for Ecosystem Services is still without information about its regulation/implementation.

ON THE RADAR - BRAZIL

Floresta+

The Floresta+Amazônia opened in February the **registration** for "Local Service Agent" to work in Manaus/AM, especially to serve potential beneficiaries and make the declaration of properties in the Rural Environmental Registry (CAR). The team from Pará **received training** on the analysis/validation of the CAR. And the Floresta+Agro launched at an event in Dubai, **promoted by ApexBrasil**, an initiative with the Brazilian Association of Cotton Producers (Abrapa). There was also a meeting between Minister Joaquim Leite and the Brazilian Agribusiness Association (ABAG).

Adote um Parque

The Adopt a Park Programme completes its first year. Between speeches and little news open to citizens, the programme, which was constantly on the agenda of former Environment Minister Ricardo Salles, has lost space under Joaquim Leite. Check out the **Política Por Inteiro's Blog** for exclusive material on the topic with an analysis of the processes and other information obtained, as well as the materials we have already published on the subject.

ON THE RADAR - SUBNATIONAL

State of Paraná

The Água e Terra Institute of Paraná published the Administrative **Rule 042, of 23 February, 2022**, which establishes the inclusion of the Climate Diagnosis in Environmental Impact Assessments (EIA), in the scope of the environmental licensing, in consonance with the State Policy on Climate Change, along the lines of the environmental diagnosis, currently required of the physical, biotic, and socio-economic means of the project area.

State of Minas Gerais

Mining companies in Minas Gerais [have signed](#) an agreement with state and federal authorities (among them the Federal Prosecution Office (MPF) and the State Foundation for the Environment - FEAM) to extend the deadline for the extinction of upstream ("a montante") tailing dams. It was due to expire on February 25, 2022. These were the structures that caused the disasters in Mariana and Brumadinho, both in Minas Gerais. In both cases, Vale, which announced its record profit of R\$121.2 billion in 2021, was involved (either as direct operator of the enterprise or as a shareholder).

ON THE RADAR - INTERNATIONAL

Plastic Pollution

Before the close of this document, in early March, a landmark resolution to End Plastic Pollution was passed at the 5th Session of the **United Nations Environment Assembly (UNEA-5.2)**. The resolution aims to establish a legally binding international agreement by 2024. An **Intergovernmental Negotiating Committee (INC)** was established and is to be convened by the United Nations Environment Programme (UNEP) by the end of 2022.

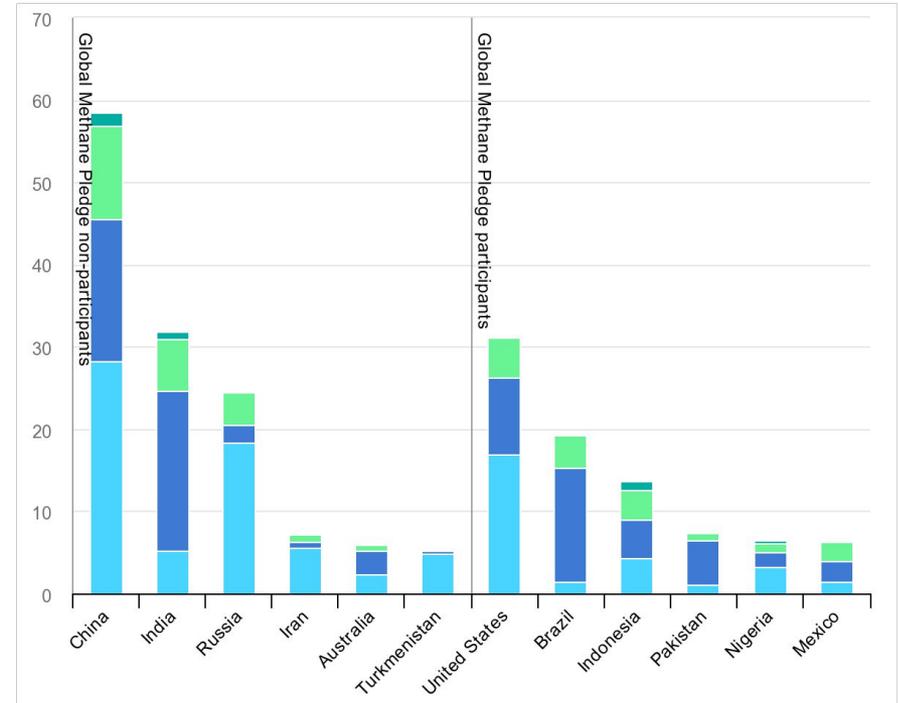
A big step to tackle one of the most polluting industries on the planet, from its manufacturing process, which in 2019 emitted more than **850 million tons of greenhouse gases**, to its final product, one of the biggest problems in the ocean.

As UNEP Executive Director Inger Anderson said: **“This is the most important multilateral environmental agreement since the Paris Agreement. It is an insurance policy for this generation and others to come, so they can live with plastic and not be condemned by it.”**

ON THE RADAR - INTERNATIONAL

Methane

- The International Energy Agency (IEA) has released a global methane tracker. Countries and companies emit 70% more methane than they have been declaring.
- Brazil is the 5th largest emitter, mainly due to activities in agriculture and cattle-raising.
- In the top 5, only Brazil and the USA have joined the Global Methane Pledge.
- But there is a lack of specific policies and processes to better measure and reduce emissions in our country. It was on article in the [Financial Times](#).
- Ministry of Agriculture, Livestock and Food Supply has an internal group working on methane issues. The Minister for the Environment, Joaquim Leite, has stated that a biomethane program will be launched soon, with the agricultural sector.



Fonte: Global Methane Monitor, 2022. IEA.

AMAZON

A SPECIAL LOOK AT ITS
ENVIRONMENTAL POLICIES

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AMAZON

ACRE

RONDONIA

FEBRUARY HIGHLIGHTS

Legislative Branch

STATE OF AMAZONAS • **THEME: DISASTERS**

Bill of Law nº 38 of 2022 - Institui o Fundo Estadual de Proteção e Defesa Civil.

Bill No. 38 of 2022 - Creates the State Fund for Protection and Civil Defense.

The proposal provides additional credit of R\$ 10 million to meet the basic needs of municipalities affected by floods, among other disasters. To come into force, it still depends on approval of the Parliament. It is currently being processed in the Commission of Constitution, Justice and Drafting (CCJR) of Amazon Legislative Assembly (ALEAM).

Executive Branch

STATE OF RONDÔNIA • **THEME: CLIMATE CHANGE**

Ordinance nº 138 of 10 february 2022 - Creates the Climate Governance and Bioeconomy Working Group of the State of Rondonia.

The norm cites national and international mechanisms that deal with climate change and foresees an effort around articulation, research, and projects to "increase the tools to confront climate change" in the State of Rondonia.

FEBRUARY HIGHLIGHTS

Executive

STATE OF ACRE • **THEME: INSTITUTIONAL**

Decree nº 10,996, of 10 February 2022 -
Creates the Operational Command and Control Group of the State of Acre, which will be coordinated by the State Secretariat of Planning and Management - SEPLAG and vice coordinated by the State Secretariat of Environment and Indigenous Policies - SEMAPI.

The norm considers the increase in deforestation rates in the State of Acre in relation to the previous year, which requires a strong response from the public authorities.

STATE OF ACRE • **THEME: INSTITUTIONAL**

Decree nº 10,994, of 10 February 2022 -
Reduces the ICMS tax base on interstate operations with cattle.

Reduces by 80% the calculation basis of the Tax on Operations Related to the Circulation of Merchandise and the Rendering of Interstate and Intercity Transport and Communication Services - ICMS in the interstate exits of fat cattle and cows for slaughter, in the operations destined to the States of Amazonas, Rondônia, and Roraima. The measure is valid until 2024, with the possibility of extension in accordance with **ICMS Agreement 178**.

FEBRUARY HIGHLIGHTS

Executive

STATE OF ACRE • **THEME: DESASTRES**

Decree n° 026/2022, of 28 February

2022 - Declares an abnormal situation, characterized by the "emergency situation level ii" in the areas of the municipality of Cruzeiro do Sul affected by the flooding Juruá River.

Around 28,000 people were affected, in urban and rural areas, leaving communities isolated and without electricity.

Access the full [monthly report](#) of Foco Amazônia

An aerial, black and white photograph of a tropical beach. The beach is wide and sandy, with a line of four thatched huts on the right side. In the distance, a small boat is visible on the water, and a few people are standing on the beach. The sky is overcast.

TRENDS

WHERE WE ARE HEADING TOWARDS
IN BRAZIL AND THE WORLD

PHOTO: TAPAJÓS RIVER, 2022.

BRAZIL

Federal Government

March begins with the following agendas on the rise: **fertilizers, mining on indigenous lands, climate change, fuels, and environmental licensing.**

The **National Fertilizer Plan** has already been the object of concern by the Legislative and now it is magnified in governmental speeches. The Minister of Agriculture, Tereza Cristina, promised to launch the plan by March 17 (*update: it occurred on March 11*). In 2021, a working group was created at MAPA to elaborate it - well before the outbreak of the war in Ukraine.

We have the attempt to approve **Bill of Law (PL) 191/2020**, which authorizes **mining on indigenous lands**. The prospect is that such issues will advance or even pass in the coming months.

In the climate agenda, there are expectations of Brazil formally **depositing its updated NDC** (without public consultation), as well as a proposal for reviewing the National Policy on Climate Change (PNMC), in terms of the discussions held at the Climate Change Inter-ministerial Committee (CIMV) and seeking to remove the responsibility for meeting the targets by 2020. And preparations and "trial balloons" until the Global Carbon Market - Green Opportunities event, organized by the Ministry of Environment, in May.

BRAZIL

Federal Government

Environmental licensing: in addition to the projects being processed in the Legislative branch, the federal government is preparing a decree that reduces federal competencies and increases state competencies, as reported in an [article in the Estadão newspaper](#).

For example, ports, waterways and thermal plants would be licensed by the States, no longer by Ibama.

Regarding fuels, the bills of law that deal with the matter must continue to proceed, still without a concrete perspective of outcome, given the complexity of the negotiations.

BRAZIL

National Congress

The perspective outlined in the last Monthly Analysis of voting on priority agendas (especially in the electoral context) for the Executive and benches remains, such as:

- land tenure regularization;
- environmental licensing;
- legal framework of the electric sector (urgency regime);
- fuels; and
- mining on indigenous lands.

Act in Brasília

In response to the the National Congress' agenda, there will be an event in Brasilia on March 9th against what has been called the "destruction package" (proposals that have significant negative impact on the socio-environmental and climate agendas). The "Act for the Earth" is being convened by the singer Caetano Veloso with leaders, entities and organizations of the organized civil society.

Besides the act, artists and activists will meet with the president of the Senate, Rodrigo Pacheco.

BRAZIL

Elections

- **Lula** (40% voting intention): on Twitter, criticized the privatization of Eletrobras, spoke of economic growth tied to the environment, and celebrated the completion of the transposition of the São Francisco river.
- **Bolsonaro (32%)**: signed a **decree** that creates a support program for "artisanal mining". On Twitter, he supported the advance of **Bill of Law (PL) 191/2020**, authored by the executive branch, which regulates the exploitation of resources on indigenous lands.
- **Ciro** (7%): on Twitter, spoke of creating alternatives, not punishment, to solve deforestation.
- **Moro** (6%): spoke of "climate change prevention" and creation of the **Vigia Verde program** to combat illegal deforestation in the Amazon. On Twitter, he criticized the suspension of rural credit contracts.

ON THE RADAR - INTERNATIONAL

OECD

As a reflection of the war between Russia and Ukraine, the **OECD has terminated** Russia's accession process. The country was one of the candidates to join the Organization, as was Brazil.

With this move, the OECD signals that it is attentive to the events of the countries and their positions, which may reflect on the requirements to be made to Brazil.

It is worth remembering that so far there has been no progress in the process of Brazil's accession to the OECD, but only the inclusion, via a **Decree**, of the Head of the Government Secretariat of the Presidency of the Republic in the Brazil-OECD Council.

However, **there is an environment ministerial meeting scheduled for the end of March**. Brazil was invited to participate. There is some chance that the roadmap for Brazil will be announced around that date.

ON THE RADAR - INTERNATIONAL

Convention on Biological Diversity - CDB

The last preparatory meetings for COP 15 will take place between March 13 and 29, in Geneva.

The 24th meeting of SBSTTA (Subsidiary Body on Scientific, Technical and Technological Advice), the 3rd meeting of SBI (Subsidiary Body on Implementation of the Convention) and the 3rd meeting of the Working Group on the Global Biodiversity Framework Post 2020 (WG2020-3) will be held in parallel.

The main expected outcome is the finalization of the new **Global Biodiversity Framework** with targets to be met by 2030 to halt biodiversity loss.

One of the targets still under brackets is about the percentages of protected areas: the intention is to increase to 30% for terrestrial environments and 30% for the global ocean.

Several countries defend the 30x30, while the Brazilian delegation forces the negotiation for these percentages to be only for the **national level**, which may jeopardize the negotiations of the new global agreement on Marine Biodiversity Beyond National Jurisdictions - BBNJ, which will also take place in March. The Brazilian intentions seem to be **mining and military interests in the South Atlantic**.

ON THE RADAR - NATIONAL AND INTERNATIONAL

Agenda 2022

- March 3 to April 1: Elections - politicians can change parties without losing their mandate
- March 7 to 18: 4th Session of the Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction - **BBNJ**, New York, UN
- March 13-29: Preparatory meetings for CBD COP15 (**SBSTTA 24**, **SBI 3** and **WG2020 3**), Geneva
- April 4th: IPCC - Publication of **Group III Report** (on mitigation)
- April 5: Elections 2022 - Deadline for candidates holding public office (including ministers and governors) to stand down
- June 2-3: **Stockholm +50**
- June 6-16: UNFCCC - Intersessional negotiations, including:
 - Glasgow Dialogues on Loss and Damage (SB56)
 - **SBSTA Dialogue on Ocean and Climate Change**
- 23 de Junho - Supreme Court (STF) -Judgment on the “Timeframe” case regarding indigenous lands
- June 26 to 28: G7 - Summit
- June 27 to July 1: 2022 **UN Ocean Conference**, Lisbon, Portugal
- July 1 - CMN **Resolution No. 4,945/2021** comes into force, requiring financial institutions to establish a Social, Environmental and Climate Responsibility Policy
- July 20 to August 5: Elections - party conventions
- July to September: COP16 CBD in Kunming, China (no date set yet)
- August 16 onwards: Elections - start of electoral propaganda
- September 1: IPCC - **6th Assessment Report** (AR6 - consolidated)
- September 13-20: 77th UN General Assembly in New York
- October 2 - Elections: first round
- October 17 to 19: Rio+30 with focus on Cities
- October 20 to 31: G20 - Summit
- November 7 to 18 - COP27 in Sharm El Sheik, Egypt



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Iniciativa



Apoio



NICFI

Norway's
International Climate
and Forest Initiative