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THE EXECUTIVE BRANCH
TRACKING THE FEDERAL OFFICIAL GAZETTE

PHOTO: ROBERT STUCKERT FILHO / PR
MONTHLY EVOLUTION OF ACTS

In August, the Monitor of Public Acts captured **43 acts** relevant to environmental and climate change policies published in the *Federal Official Gazette*. It was the lowest number of measures taken since July 2020. The slowdown may be a reflection of the official start of the election campaign.

**METHODOLOGICAL NOTE**

Política Por Inteiro has been conducting a methodological review in order to equalize the focus of monitoring, which resulted in an increase in acts captured in 2019.
Deceleration

Even with the slowdown in August, the year 2022 maintains, in acts accumulated until the respective month, a value above previous years.
AUGUST ACTS BY CLASS

Even in the face of the downward trend in the total number of acts captured, the most frequent classes of the month followed the same pattern as the previous month, being the most captured Response, followed by Climate and in the sequel Planning.
Highlights in the most frequent classes of the month

- **Response:** Recognition of declarations of emergency and public calamity; use of the National Public Security Force on Indigenous lands.

- **Planning:** National Hydrogen program; Bidding for the Amethyst block in the permanent offer system; approves the PAN Caves of Brazil.

- **Regulation:** National Dam Safety Policy; crustacean outage period; Technical Advisory Groups (GATs); MP of Nuclear Industries of Brazil S.A.

- **Flexibility:** Sector Plan for adaptation to climate change and low carbon emissions in agriculture-ABC+ 2020-2030; fishing vessel registration and authorization certificate
AUGUST ACTS BY THEME

- Disasters: 14, 162, 451
- Biodiversity: 9, 84, 303
- Energy: 5, 47, 198
- Indigenous Peoples: 5, 35, 80
- Fisheries: 2, 33, 140
- Forests: 2, 48
- Institutional: 2, 65, 349
- Water: 2, 42
- Climate Change: 1, 20, 63
- Tradicional Maroon: 1, 63
## EVOLUTION OF ACTS BY THEME

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The theme **Biodiversity, Indigenous people** and **Climate change** accumulate more than double the number of acts compared to January to August 2021 - the total growth of acts in the same period was 10%.

- These standards are mainly of **Regulation** (25%).
- Most of them are approvals of internal regulations of integrated management centers of ICMBio (biodiversity) and extensions of deadlines for employment of FNSP (Indigenous).
Themes and classes

Most frequent topics of the month:

- Disaster;
- Biodiversity;
- Indigenous;
- Energy.
78 municipalities were recognized in a state of emergency and public calamity in July. Highlight for forest fire recognitions. August set the burn record for the month since 2010, foreshadowing high numbers also in September.
Main Acts of the Executive - By Topic

Indigenous

MJSP Ordinance N 141, of July 29, 2022 - Response

Authorized the use of the National Public Security Force (FNSP) in support of the National Indian Foundation (Funai), in the Urubu Branco Indigenous Land (TI), in Mato Grosso, from August 1 to 19, 2022. A recent court decision condemned Funai and the Union to pay R $ 4 million in compensation to the Tapirapé Indigenous community of Urubu Branco for collective moral damages, due to the “inconceivable delay” in completing the extrusion of non-Indigenous people from this TI.

MJSP Ordinance N 148, of August 11, 2022 - Response

Authorized the employment of FNSP in support of the Ministry of Health, in the activities of the Guamá-Tocantins Indigenous Special Health District, in the PARAKANÃ region, in Pará, in the activities and services essential to the preservation of Public Order and the safety of people and heritage, for 90 days.

MJSP Ordinance N 152, of August 15, 2022 - Response

Authorized the employment of FNSP in support of the Federal Police (PF), at TI Guarita, in Rio Grande do Sul, in the activities and services essential to the preservation of Public Order and the safety of people and heritage, for 90 days.

Until November 13, 2022.
Indigenous

MJSP Ordinance N 150, of August 18, 2022 – Response

Authorizes the extension of FNSP's employment, in support of Funai, in the Nonoai Indigenous territory, in Rio Grande do Sul, in the activities and services essential to the preservation of Public Order and the safety of people and heritage, on an episodic and planned basis, for 90 days, until November 19, 2022.

MJSP Ordinance N 144, of August 8, 2022 – Response

Authorizes the employment of FNSP, in support of Funai, in Ti Camicuã, in Amazonas, in the activities and services essential to the preservation of Public Order and the safety of people and heritage, for 30 days. According to reports, there is a history of illegal activities in its area, including drug trafficking and grooming of Indigenous people and minors.
Energy

ORDER OF THE PRESIDENT OF THE REPUBLIC – Planning

Approved Resolution N 6 establishing the National Hydrogen program and creating its Steering Committee. The program aims to strengthen the hydrogen market and industry as an energy vector in Brazil. The committee (Coges-PNH 2) will be composed of 9 ministries, the special secretariat of Strategic Affairs of the presidency of the Republic; the National Electric Energy Agency; the National Agency of Petroleum, Natural Gas and biofuels; and the Energy Research Company. Thematic Chambers may be created that must prepare a three-year work plan, to be approved by COGES-PNH 2 in its regular meeting of December 2022.

On the subject, the following standards have already been published: Resolution 6/2021 (Determines the study to propose guidelines for the National Hydrogen program), Resolution 2/2021 (Establishes guidelines on research, development and innovation in the energy sector in the country), Mcti ordinance 6.101/2022 (Establishes, within the scope of the Ministry of Science, Technology and innovation (MCTI), the Brazilian system of hydrogen Laboratories – SisH2-MCTI) and the Mcti ordinance 6.100/2022 (Institutes the Brazilian hydrogen initiative (IBH2) under the MCTI).
Biodiversity

ICMBio Ordinance N 645, of August 9, 2022 – Climate

Establishes Technical Advisory Groups (GATs), in accordance with Annexes I and II of the standard, to monitor the implementation and carry out monitoring and evaluation of National Action Plans for the Conservation of Endangered Species. The GAT will meet ordinarily at least once a year, and may invite, if necessary, representatives of other government institutions, civil society and experts with relevant activities to the objectives of the PAN. The standard will be valid for one year. Revokes 10 ICMBio ordinances on the subject.

Forests

MJSP Ordinance N 123, of July 29, 2022 – Response

Authorizes the use of the National Public Security Force, in support of the state of Rondônia, on an episodic and planned basis, in actions to combat forest fires and burns, in civil defense activities in defense of the environment and in services essential to the preservation of Public Order and the safety of people and heritage, within the scope of Operation “Guardians of the biome – fighting fires and forest fires – 2022”, in the period from August 1 to October 31, 2022.
Establishes, within the framework of the Ministry of Agriculture, Livestock and supply, the Sector Plan for adaptation to climate change and low carbon emissions in agriculture – ABC+, with a view to Sustainable Development for the period 2020-2030.

In relation to the previous norm:
(i) it was stated before that the mitigation potential of the proposed actions would allow the estimated reduction of greenhouse gas emissions by the national agricultural sector corresponding to 1,110.4 million Mg CO2eq by the year 2030. Now the value is 1,042.41 Mg CO2eq by the year 2030;

(ii) the goals and strategic axes of the ABC + plan should be carried out in every two years. Now there is no such deadline.

Repeals MAPA Ordinance N 323, of October 21, 2021.
AMAZON

A SPECIAL LOOK AT ITS ENVIRONMENTAL POLICIES

PHOTO: GUSTAVO FRAZÃO/SHUTTERSTOCK
**TRADITIONAL PEOPLES**

It establishes the need for the environmental agency to await consent or not from FUNAI, regarding the concession or renewal of environmental licensing, in projects in the ten-kilometer range surrounding Indigenous land.

**FISHERIES**

It recognizes the fishing agreement and establishes rules for the management of the aquatic environments of the Upper Juruá, located in the municipality of Eirunepé-AM.

**WATER**

It provides for the performance of analysis for the detection of the presence of pesticides, chemical and radioactive substances in waters under the state domain and in water intended for human consumption in the state of Amazonas.

**FISHERIES**

It recognizes the fishing agreement and establishes rules for the management of aquatic environments around the Sustainable Development Reserve-RDS Rio Amapá, located in the municipality of Manicoré/AM.

**ENVIRONMENT**

It provides for technical determinations for projects and activities that use environmental resources, considered effective or potentially polluting or those that may generate environmental degradation of local impact in Rio Branco.

**BIODIVERSITY**

Amends Law N 8,830, of January 21, 2008, which provides for the state policy for the management and protection of the upper Paraguay Basin in the state of Mato Grosso and provides other measures.
Amazon Focus In Full #9 | AUG. 2022

ACTS AND PROPOSALS BY THEME AND RELEVANCE

Fisheries 3
Environment 2
Tradicional peoples 1
Biodiversity 1
Water 1
Agriculture and Livestock 1
Institutional 1
Energy 1
Disasters 1

Read the Monthly balance of Foco Amazônia

*Relevant acts are those with the greatest potential for Brazil to influence politics in the Amazon.
THE LEGISLATIVE BRANCH

ANALYSIS OF THE MOVEMENTS AND TRACKING OF LEGISLATIVE PROPOSALS
There was a concentrated effort in Chamber of Deputies (first and last week of the month) Federal Senate (first two weeks of the month). Despite some legislative developments, there was no approval of priority and controversial issues such as projects involving environmental licensing, mining on indigenous lands, pesticides and land regularization.

### Offshore Energy

The Infrastructure Services Commission (CI) of the Federal Senate approved the regulatory framework for offshore energy. Bill (PL) 576/2021 aims to discipline the granting of authorizations for the exploitation of energy potential on the high seas, including wind, solar or tidal exploration. The matter is now before the House of Representatives.
LEGISLATIVE MOVES

The Javari Valley

Approval in the Temporary Commission on crime in the Northern Region of the Federal Senate of a document defending the use of the Armed Forces in an emergency to guarantee law and order in the Javari Valley and in the Yanomami indigenous land. It is also proposed to amend complementary law 97/1999 to establish the permanent and subsidiary competence of the Armed Forces to act in the prevention and repression of crimes that violate Indigenous rights. Another measure is the indication of a change in the disarmament statute in order for FUNAI members to carry weapons in inspection activities. They highlight the need to strengthen the Amazon Parliament (Parlamaz).
FEDERAL JUDICIARY

THE MOVEMENTS IN THE MAIN ACTIONS ON CLIMATE AND ENVIRONMENT
Presidency of the STF

Minister Rosa Weber was elected president of the Supreme Court (STF). Minister Luís Roberto Barroso was chosen by colleagues as vice-president of the court. The inauguration is scheduled for September 12. The election is, by tradition, protocol. The ministers elect to the presidency the most senior magistrate who has not yet held office. Rosa Weber has been on the STF since 2011, having been appointed by then-President Dilma Rousseff. The minister is the rapporteur of one of the actions of the Green agenda in the STF, to Direct action of unconstitutionality by omission (ADO) 59 questioning the Union for the stoppage of the Amazon Fund. The case even entered the virtual trial agenda in August, but was withdrawn.

Locked thermoelectrics

There was a decision by the judge of the 2nd Court of the Public Finance of Rio de Janeiro, in which it was determined the interruption of the installation, by the company Karpowership (KPS), of 4 floating natural gas plants in the Bay of Sepetiba (RJ). The suspension takes place until the environmental impact studies of the thermal power plants are presented and approved.
ANALYSIS

KEY FACTS AND POLICIES IN PROGRESS
Amazon has recorded the highest number of fires for August since 2010, with 33,116 foci, according to data from the Queimadas program, of the National Institute for Space Research (Inpe). Last month, the biome also had the day with the most burns in August in two decades: 3,358 heat outbreaks on August 22, 2022. This number exceeds the volume recorded on August 10, 2019, when farmers staged criminal fires in Novo Progresso (Pará), an episode that became known as ‘Fire day’.

The leading municipality in fires was Apuí, in the south of Amazonas, which was covered by dense polluting smoke. According to the Meteorological Agency MetSul, the smoke from the fires reached the southern region of the country.

According to the Folha de S. Paulo, the operation Jumeri, of environmental agencies and police in Mato Grosso, prevented a new ‘day of Fire’. The use of fire is prohibited in Mato Grosso from July 1 to October 30 this year. Purposeful burnings were being orchestrated in the municipality of Colniza, on the borders with Amazonas and Pará. An intelligence and surveillance front prevented most of them from occurring, based on articulation between state and municipal agencies. Still, Colniza was among the ten municipalities with the highest incidence of fires recorded in August.
While deforestation and conflicts related to the invasion of indigenous lands by prospectors have increased in the Amazon, the seizure and destruction of machinery used in environmental crimes has fallen dramatically. A survey carried out by the Climate Observatory on the amount of equipment seized and rendered unusable by IBAMA agents in the last three years showed a significant drop. In 2018, IBAMA seized 2,391 pieces of equipment used in illegal activities in the Amazon; in 2021, this number was 452, a drop of 81%. Only 2% of enforcement operations resulted in the destruction of machinery by federal agents.

Illegal mining up, seizure down

In a phone call intercepted by the Federal Police with judicial authorization in February, FUNAI President Marcelo Augusto Xavier offered support to a foundation employee, later exonerated, detained on suspicion of participating in a criminal scheme to lease indigenous lands for cattle ranching. The disclosure of the audio attached to the PF report was made by O Globo. The police forwarded the document to the Federal Court in which the investigators state that “it is possible to conclude that the president of the agency, Marcelo, is aware of what is happening, and it is possible that he is supporting the illegality now investigated”. Marcelo Xavier, who has chaired FUNAI since 2019, is a delegate of the PF.

FUNAI interferes with the work of the Federal Police
A decree of the Ministry of the Environment in May this year regulated the sectoral plans for mitigating climate change, giving specific economic sectors the possibility to submit proposals for reducing greenhouse gas emissions. Until July, six associations-Abiogás, Única, Abeeólica, Abrelpe, Abal and ABIR - had signed a protocol of intent with the MMA contemplating a work plan to define the progressive and gradual goals and schedule of its mitigation plan. The deadline for submitting proposals for sectoral plans is May 2023. The trend is the proliferation of agreements like this – about which there is no clear procedure for transparency and monitoring.

The deadline for municipalities or municipal public consortia to submit proposals for financial support from the National Climate Change Fund (FNMC) ended on August 31. The call was opened in June for projects and studies to mitigate greenhouse gas emissions and adapt to the effects of climate change. As the amount earmarked in principle is R$ 525,980, with a minimum of R$ 262,990 and a maximum of R $ 525,980, one or two proposals will be contemplated. In July, the Supreme Court upheld the allegation of non-compliance with Fundamental precept (ADPF) 708, in which the federal government's omission was denounced for paralyzing and contingency resources of the Climate Fund.
In July, we reported in our monthly analysis the granting of prior license (LP) for the reconstruction of BR 319, in Amazonas, in the Porto Velho - Manaus section, known as the middle section. Indigenous people claim they were not heard contrary to norms such as Convention 169 of the International Labor Organization (ILO), to which Brazil is a signatory. Reporting by Folha de São Paulo also shows that licensing documents pointed to the risk of land grabs. In addition, the Ministry of Economy's own plan can regularize property with evidence of criminal land appropriation, according to the InfoAmazonia.

The repeal of the decree that created the Cristalino II Park, in the state of Mato Grosso, was suspended due to a procedural error of the Court of Justice, that way the process is still open and the cause is not lost. The revocation request was filed by a company that pointed out the absence of public consultations during the creation of the Conservation Unit in 2001. The company declared itself directly affected because the UC area compromised properties owned by it. A civil society mobilization continues to defend the park, which is fundamental in the conservation of the state's biodiversity.
ON THE RADAR - BRAZIL

Pantanal law

A relaxation of legislation the state of Mato Grosso that protects the Pantanal is being questioned in court. Approved in July and signed into law in early August, the Law N 11,861, of August 03 relaxed the so-called Pantanal Law (Law N 8,830, of January 21, 2008), on the state policy of Management and protection of the upper Paraguay Basin in the state of Mato Grosso. The changes allow for extensive livestock farming in a larger area of the biome, with the release of livestock breeding in areas of permanent preservation and legal reserve. The Public Ministry of the state of Mato Grosso (MPMT) filed a direct action of unconstitutionality (ADI) against the new law.

Oil on the beaches

Exactly three years after the first oil stains appeared on the beaches of the Northeast, characterizing the largest environmental disaster that occurred in the coastal zone of Brazil, that extended for more than 4,000 km between Maranhão and the north of Rio de Janeiro, reaching 11 states, 130 municipalities, 1,009 localities and more than 40 conservation units, oil stains appear again on the Brazilian coast. This time in 4 states - PE, PB, AL and BA. Also as in 2019, IBAMA, the States and the Port Authority work together in monitoring and analyzing the stains to verify that the oil has the same origin. However, the MMA did not trigger the PNC - National Contingency Plan for oil pollution incidents in waters under national jurisdiction, in which it remains the National Authority, according to a decree published in 2022.
Hydrogen

The Ministry of Mines and Energy published in August the National Hydrogen program, which will still propose a set of policies for the sector.

According to Capital Reset, in all their public statements, members of the Brazilian government have stated that they do not intend to offer subsidies or privilege one “color” of hydrogen over another.

The hydrogen produced from the gas is called "blue hydrogen“, while that supplied by renewable sources such as biomass is "green hydrogen".

In recent months, hydrogen has appeared more and more in the speeches of federal and state authorities, mainly from the Northeast region. Most of the projects are still in the exploratory studies phase.

According to Valor Econômico, the Brazilian federation of banks (Febraban) studies creating a rule to control the risk of deforestation of the Amazon rainforest by the beef chain. A draft of a document under discussion by Febraban deals with deforestation risk management through self-regulation focused on livestock freezing companies.

These will have to ensure that they do not buy cattle from areas where illegal deforestation has occurred in the biome until 2025. Otherwise, they will lose access to credit. This should force these actors to move forward with the traceability of their supply chain, from calf to slaughter.

Today, the main challenge of the industry is to ensure visibility on indirect suppliers, those who sell calves or lean oxen to direct suppliers, who do the fattening.
In the first presidential debate, Environment and climate change were out of focus. No candidate has endorsed policies for Indigenous Peoples.

- **Lula** (44% of voting intentions): on Saturday at Globo, the former president attributed that the fight in favor of the environment and against deforestation is a reason for removing a part of agribusiness from his candidacy. He referred to this section as “fascist and rightist”. The statement was not well received by the industry. In the Band debate, Lula stated that during his presidency, at COP-25, he made a commitment to reduce deforestation by 80% and criticized the policies of the current government. On Brazil’s accession to the OECD, the PT member stated that he will give priority to the process if it helps in some way to fight poverty. He also gave signs that he will prioritise relations with the European Union rather than the OECD.

- **Bolsonaro** (32%): oblivious to the charges and isolation, went back to the charge against foreign governments for criticism of Brazilian environmental policy. "None of those who attack us have the authority to do so. If they wanted a beautiful forest to call their own, let them preserve those of their own country.”, Bolsonaro wrote in a post on Twitter. On Saturday at Globo, Bolsonaro defended the non-destruction of equipment seized in actions against illegal deforestation and said that Ibama commits abuses in its enforcement actions. As we previously reported, a survey by the Climate Observatory showed a significant drop in the amount of equipment seized and rendered unusable by IBAMA agents in the last three years.
Elections

**Ciro** (7%): promised the resumption of surveillance and the fight against deforestation in the Amazon. "The handcuff will work again on the first day of my government, no one doubts that," Ciro said in an interview with the *Jornal Nacional* (TV Globo). He also advocated a sustainable development project for the region, in order to offer the Amazonian population new opportunities to generate income and employment that do not result in the destruction of the forest. "Our people only know how to deforest, take sensitive hardwood. Cut it and you get $2,000 for one cubic meter, two cubic meters of mahogany. He doesn't understand how he's going to go hungry with his son (...) with that tree there being able to give US $2 thousand with absolutely serious smuggling". Estadão and Poder360 highlighted the candidate's environmental promises.

**Simone Tebet** (3%): promised during questioning held by O Globo, Valor and CBN that she will seek zero illegal deforestation in all Brazilian biomes during her government. "Illegal deforestation is zero. That alone solves the problem with the Paris Agreement. If it is illegal, it cannot serve for the Cerrado, for the Caatinga, for the Pampas Gauchos, for nothing," said the MDB President. Tebet also defended the demarcation of Indigenous lands, saying he was against “every invasion of these areas before, either on the one hand or on the other”.

Election data source: Ipec
August was marked by demonstrations in defense of democracy and against authoritarianism. On the traditional August 11, the "letter to Brazilians in defense of the Democratic State of Law" was read at the Faculty of Law of the University of São Paulo, referring to the historical "letter to Brazilians", read in the same place in 1977, against the military dictatorship. Five days later, Alexandre de Moraes took office as president of the Superior Electoral Court (TSE). At the ceremony, Jair Bolsonaro stood face to face with former Brazilian presidents José Sarney, Michel Temer, Dilma Rousseff and current candidate Lula, and witnessed almost unanimous support for Moraes' speech in defense of the Brazilian electoral system. Only the president and his allies did not give a standing ovation.

In defense of endangered species

The Federal Court of Auditors (TCU), responding to the representation of the Federal Public Prosecutor’s Office, determined that endangered species cannot be exploited, requesting the Ministry of the environment (MMA) to correct the flexibility placed by MMA ordinance 73/2018, which amended MMA 445/2014. The 2018 Standard inappropriately extended sustainable use over aquatic fauna species from the “critically endangered” and “endangered” groups of the National List of Threatened Species. Sustainable use should be restricted to species classified in the "vulnerable" group.
ON THE RADAR - BRAZIL

Twitter highlights

- **Bolsonaro, fuels and Petrobras**: reductions in the price of fuels were highlighted from monitoring, August accumulated two reduction announcements. The reductions come after the inauguration of Caio Paes de Andrade, nominated by Bolsonaro, in the presidency of Petrobras. The rise in fuel prices had been a point of concern for the president's re-election campaign, and was a cause of friction between the federal and state governments and also with state governments.

- **International Day of Indigenous Peoples** (August 9): monitored authorities used the network to celebrate the date and criticize policies and bills that weaken indigenous peoples' rights.

- **Deforestation in the Amazon**: according to Imazon (Instituto do Homem e Meio Ambiente da Amazônia), 10,781 km2 of forest were destructed between August 2021 and July 2022 (Prodes year), the highest value in the monitoring series, which began in 2008.

- **Funai**: the Federal Police intercepted an audio of Funai President Marcelo Augusto Xavier, where he offers support to a servant who ended up arrested for leasing indigenous lands in Mato Grosso. The media integrates a report that investigates irregularities in the body.

- **Ibama**: on Saturday at Globo, Bolsonaro said that IBAMA commit abuses in their enforcement actions.

Cloud of most frequent phrases in tweets of the month, monitored in partnership with Folha de São Paulo, from the country's authorities (president, ministers, congressmen, among others) and experts related to the environment and climate change.
War and gas

Putin’s invasion of Ukraine is being used as a justification for new gas and LNG projects (which will not be built in time to help short-term energy supplies and inflation) to be shut down around the world. Governments are going shopping for new gas (LNG) production, at the risk of creating long-term dependence and generating stranded assets in a world that needs to move to address the climate crisis.

Data suggest that investments in new LNG infrastructure are expected to reach $42 billion by 2024, or 20 times the value of 2020, when only $2 billion was invested in new LNG projects. In the ecological and geopolitical context of 2022, however, those who go shopping also have managing reputational risks—see Germany, which is being questioned domestically and internationally for the gas alliances it has made.

High gas prices are likely to sustain globally until at least 2025, driving up domestic energy costs and undermining the competitiveness of gas-dependent industries. High prices put additional tax pressure on countries that subsidize gas-based electricity.

In Brazil (as in other Latin American countries), the pro-LNG lobby has also had an effect. Via ELETROBRÁS’ MP, it was planned to contract 8GW of gas and other fossils. Activists are seeking to postpone or suspend the auctions—which could still take place in 2022.
ON THE RADAR - INTERNATIONAL

First and largest U.S. Climate Package

Negotiations around a climate and energy package had a happy ending. The so-called “Inflation Reduction Act of 2022” directs $369 billion to renewable energy, forests and projects that support climate justice in the country. According to the analysis of the president of Talanoa, Natalie Unterstell, the approval of this law changes not only the energy scenario, but also the political framework. Symbolically, if the United States moves, the whole world moves. A sign of this was that, days after the law passed in the US, Germany announced investment plans of the order of $180 billion, in energy transition. One of the incentives contained in the package is a tax credit of up to $3 for each kilogram of green hydrogen (which could put American production in clear danger).

U.S.-China climate Agenda suspended

In early August, Beijing announced a series of measures aimed to retaliate the US for the” blatant provocation " of Nancy Pelosi, Speaker of the US House of Representatives, on a visit to Taiwan. China, which considers Taiwan its territory and has launched large-scale military exercises near the island, has said it will stop cooperating with the US on the climate agenda. The disruption coincides with the month that saw the worst heatwave ever recorded in China. On the other hand, it may cool the talks at COP27. After the approval of the climate package by the US Congress, the relationship between the two largest emitting countries is expected to be intense competition technological.
Gasoline cars: goodbye

By 2035, we will no longer find new gasoline-powered cars for sale on the market. This is guaranteed in countries such as the UK, Denmark and France. Soon, it will also be in California, which has passed a groundbreaking rule that would effectively ban sales of new gasoline-powered passenger vehicles starting in 2035. The California Air Resources Board (CARB) has approved the “Advanced Clean Cars II” standard, which requires automakers to offer only electric vehicles and other zero-emission vehicles (ZEVs) in the state by the 2035 deadline. This is the first measure of its kind in the country and aims at the electrification of vehicle fleets. The rules do not affect vehicles currently on the road, but set gradual targets for the coming years.

Nuclear power plants: the resumption

Many of the existing nuclear power plants were shut down in Japan and around the world after the Fukushima disaster 11 years ago. In August, Japan announced it is willing to consider a major change to its nuclear power framework: Fumio Kishida, Japanese Prime Minister, announced the willingness to resume power plants and create a committee to evaluate the reactivation of idle power plants and investments in new atomic plants. Kishida used Russia’s invasion of Ukraine, and its effects on the energy landscape, to justify the change. It should encourage other countries to resume nuclear.
Integrity of private goals of net zero

At COP 26, the UN Secretary-General established a High-Level Expert Group on Net Zero commitments by non-state actors. The group includes former BNDES President and former minister Joaquim Levy.

The group launched a public consultation (closed August 31) to reflect on what the integrity of commitments of net zero should mean for private actors. Regional consultation meetings were held, including in Latin America.

Other inquiries are also open for suggestions, including “Net Zero Guiding Principles” led by the International Standards Organization (ISO) and the development of financial sustainability standards of International Sustainability Standards Board (ISSB).

Vanuatu announces high ambition NDC

The small island nation of Vanuatu, with its 280,000 inhabitants, has shown an ambitious update of its climate targets (NDC), including a commitment to have 100% of its energy based on renewable sources by 2030 and climate change loss and damage figures. The Vanuatu document is considered an example for other nations because it contains an objective commitment to decarbonization and also brings adaptation and mitigation programs with their respective costs.
Climate at the G20, and between Brazil and Indonesia

Brazil, represented by the Ministry of the environment, participated in the meeting G20 ministerial on Environment and Climate, in Bali. The meeting focused on the Fair Energy Transition: Indonesia, current president of the G20, is advancing early retirement mechanism of coal-fired thermal power plants in partnership with the Asian Development Bank. The Fair Energy Transition has been treated as a solution to multiple crises: climatic, macroeconomic and geopolitical. However, the meeting was considered a failure, attributed to the fragile presidency.

Before the meeting, Brazil and Indonesia led joint reaction with 11 countries against a proposal by the European Union (EU) to bar the import of commodities linked to deforestation.

The main criticism of the group of 13 countries is the unilateral action of the Europeans. However, the United States and China discuss similar measures, and the United Kingdom has already adopted specific due diligence regarding the risk of deforestation. The EU announced in 2021 a plan to restrict the import of products from areas with deforestation. Brazil, Argentina and Paraguay have already questioned it at the World Trade Organization (WTO).

Indonesia was looking to label Brazil as the only villain in the deforestation agenda. This "turn" means that the chorus has "thickened". In addition to the current government's diplomatic relationship with Indonesia, the Lula-Alckmin campaign would be in talks with other forested countries, such as Congo and Indonesia, to discuss a possible Forestry coalition.
ON THE RADAR - INTERNATIONAL

Ocean treaty: another failure

The endless negotiations to conclude a new international treaty to protect the ocean were suspended unsuccessfully at UN headquarters in New York on August 26. The treaty addresses the importance of the conservation and sustainable use of marine biodiversity in areas outside national jurisdictions, which mean more than 60% of the ocean. Despite the frustration of finishing another round without completion, this round was praised by many as “the closest we’ve come to reaching a consensus”, with suggestion until it was done “more progress in this session than in the last decade”. Without a date set, but with relative optimism, the environmental organizations of the high seas alliance they think work on the final treaty can be completed relatively quickly if states are willing to cooperate while keeping alive the UN deadline of 2022.

Thaw in Greenland

Confirming all the predictions made by the IPCC, a recent study led by Denmark and published in Nature Climate Change, says sea level rise is now "inevitable" due to iceberg calving in Greenland. The study shows that even if fossil fuels are no longer used and the Paris Agreement enters into force in most of the world, the sea level rise in the coming years will be at least 27 centimeters. We are lagging behind in adaptation measures, and the ticking clock is inexorably moving forward.
TRENDS
WHERE WE ARE HEADING TOWARDS
BRAZIL AND THE WORLD
The 77th UN General Assembly (UNGA), between 19-23 September in New York, will once again take place at a time of crisis. In the context of extreme heatwaves and droughts around the world, growing concerns about the social and economic impacts of the incessant rise in food and fuel prices, and ongoing geopolitical tensions, solutions are urgent.

The tense geopolitical context will inevitably affect the summit of G20 leaders and the COP27 negotiations, which will take place in November. Considered the cornerstone of multilateralism, the UN General Assembly remains a single space of trust where countries can come together to enhance cooperation and solidarity in the face of common challenges.

Some major emitters are expected to use UNGA to make ambitious climate announcements—particularly Australia, with a newly elected government, and the US, from the climate package passed in its Congress. The Americans invented a ministerial summit on clean energy (read more below), in Pittsburg, just after UNGA.

For Brazil, President Bolsonaro confirmed his presence in the Assembly, even though he is a candidate in the midst of a re-election campaign. It is rumored that he kept the invitation as a "card up his sleeve", and may or may not be present, depending on the circumstances of the electoral scenario at the time. There are no expectations of ambitious climate announcements so far. There are rumors that federal government bodies are preparing an NDC implementation plan—-to be confirmed.
Gas

UNEP will release a report on gas in Latin America and the Caribbean in September. Three scenarios were analyzed: business-as-usual (BAU); gas-based; renewable energy-based. In 2019, 26% of the Latin American Matrix was gas-based—this could increase to 50% in a business-as-usual scenario.

The report should conclude that there is no solid argument to consider gas a transitional fuel for energy sustainability in the region.

The message should disrupt the plans of candidates for the Planalto Palace: Lula included in his government program the mention of gas as a “transition fuel”, as well as Ciro, who even made a campaign video with this message.

... at UNGA, COP 27 and G20

Ministers attending the US-hosted Clean Energy event after the UNGA are expected to address gas. G20 members, including Latin American countries, committed in 2009 to rationalizing and phasing out inefficient fossil fuel subsidies. The G7 and Mexico have committed to a 2025 deadline. Most recently at COP26, the Glasgow agreement aims to phase out fossil fuel subsidies. However, so far little progress has been made.

Pressure must increase for leaders to renew their commitments to the phase down subsidies for fossil fuels. The IEA Benchmark suggests that gas use should peak in 2025 for OECD countries and soon after outside the OECD.
South Africa's fair transition package

At COP26, an unprecedented partnership called “Just Energy Transition” (with the acronym JET-P) between South Africa, the European Union and the United States was announced. The partners will contribute an initial $8.5 billion to support the implementation of South Africa's revised NDC. This agreement has been welcomed internationally as a collaborative, innovative and practical approach to financing just transitions, in response to developing country investment needs and priorities. The Philippines, Nigeria and Indonesia have already adopted similar models. The trend is for this model to spread, including to other transition fields other than energy. Here's a tip for Brazil!
MMABRAZIL

As the election approaches, the prospect is that efforts will focus on campaigning.

Still, at the end of September, the MMA is expected to complete the work of the WG to evaluate and review the governance of the Amazon Fund.

In addition, MMA and a few federal government bodies are rumored to be preparing an NDC implementation plan. However, the behind-the-scenes information is contradictory: some say that this is a mere update of the document released by the ministry as a long-term strategy at COP26. (This document was criticized for not containing concrete elements of Public Policy).

SRM

In September, it is expected that the Ministry of Foreign Affairs (MRE) send Brazil's initial memorandum to OECD, as part of the accession process. The document should not be made public at this first moment and will be evaluated by 28 thematic committees of the organization. They will all assess aspects of climate change and the environment as a policy guideline. The Environmental Policy Committee and the Agriculture Committee will evaluate specific aspects related to deforestation.

On the other hand, Brazil should not send a new update of its NDC to the UNFCCC (the deadline is the end of September).
National Congress

In the return of the parliamentary recess, there is the prospect of movement of the priority agendas of the Federal Government such as land regularization, mining (especially in indigenous lands), environmental licensing and pesticides.

As in the Federal Government, congressmen will also have to dedicate a large part of the period until the elections to carry out campaigns and articulations. Thus, even with concentrated effort, project movements tend to slow down.
ON THE RADAR - NATIONAL AND INTERNATIONAL

Agenda 2022

- September 1st: IPCC - 6th Evaluation Report (AR6-consolidated)
- September 1-2: COP27 LatAm Caribbean Forum in Santiago, Chile
- September 6-8: G20 Ministerial on agriculture in Bali
- September 16th: 50 days until COP 27
- September 13-27: 77th UN General Assembly in New York
- 18-19 September: Ministerial for Climate & Development in Rwanda
- September 19-24: New York Climate Week
- September 22/23: Clean Energy Ministerial in Pittsburgh, USA
- September 23: deadline for submission of NDC updates to the Climate Convention
- October 2-Elections: vote of the 1st round
- October 3-5: Pre-COP in Kinshasa, DR Congo
- October 12-13: G20 Finance Ministers Meeting
- October 20-31: G20-Summit
- November 7-18: Cop27 of the Climate Convention in Sharm El Sheikh, Egypt.
- November 15-16: G20 in Indonesia
- December 5-17: COP15 of the Convention on Biological Diversity (CBD) in Montreal, Canada.
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