

PRESENTATION

Veredas do Direito – Direito Ambiental e Desenvolvimento Sustentável, a journal of Doctoral and Master's courses at Dom Helder Escola de Direito, in a year in which human fragility was exposed due to the pandemic, submits, with great enthusiasm and pride, one more number.

Boasting Qualis A1 (the best stratum of CAPES), this journal aims to publicize the best scientific content about Environmental Law and Sustainable Development, the field of the Doctorate and Master of Dom Helder.

In this issue, we publish articles by researchers linked to educational institutions in Lithuania, Austria, Italy, Spain, Congo, Mexico and Colombia, as well as from all regions of Brazil.

Felio José Bauzá Martorell, from the Universidad de las Islas Baleares, with the article “Public policies for sustainable tourism: Hispano-Brazilian perspective” shows that the promotion of tourism has, for decades, triggered a phenomenon of overtourism, with harmful effects for the population residing in tourist regions.

Ana Keuly Luz Bezerra, from the Instituto Federal de Educação, Ciência e Tecnologia do Piauí (IFPI), Paulo Henrique Franco Rocha, from the Instituto Federal de Educação, Ciência e Tecnologia do Maranhão (IFMA), and José Machado Moita Neto, from the Universidade Federal do Piauí (UFPI), with the article “Solid waste: poor public management as an environmental problem,” claim that public mismanagement of solid waste in Brazil has become one of its biggest environmental problems, resulting in a performance that conspires against the model citizenship instituted by the Constitutional Charter of 1988 and by the ineffectiveness of the national policy created to face the issue.

In “Limits to environmental solidarity responsibility and indirect polluter characterization,” Délton Winter de Carvalho, from the Universidade do Vale do Rio dos Sinos (UNISINOS), claims that in Brazil there is a visible lack in updating the legal reflection of the criteria justifying the incidence of the solidarity institute in cases of environmental civil liability, especially regarding its limits.

Clarissa de Oliveira Gomes Marques da Cunha from Faculdade Damas da Instrução Cristã (FADIC) and Universidade de Pernambuco (UFPE), Francisco Rubén Sandoval Vásquez from Universidad Autónoma del Estado de México (UAEM), and Henrique Weil Afonso from Faculdade Damas, also from FADIC, with the text “Human ecology and civilization change: reflections on the right to life,” present the concepts of ecology, environment and justice, with proposals for questioning the dominant rationality, in order to show the strategies for change for environmental preservation.

In the article entitled “The use of artificial intelligence in regulatory activity: a proposal for sustainable national development,” William Ivan Gallo Aponte, from Universidad Externado de Colombia (UEXTERNADO), Vivian Cristina Lima López Valle, from the Pontifícia Universidade Católica do Paraná (PUC-PR), and Rafaella Natály Fácio, from the Instituto de Direito Romeu Felipe Bacellar, aimed to analyze the regulatory function from the perspective of sustainable national development, interweaving the notion of regulatory quality, or “Smart regulation,” and its instruments, specifically the Regulatory Impact Analysis (RIA), carried out with the support of artificial intelligence.

“Environmental protection and economic policy”, by Grace Ladeira Garbaccio, from the Brazilian Institute of Education, Development and Research (IDP), and Rocco Junior Flacco, from Università Roma Tre (UNIROMA3), brings a reflection on environmental protection and economic policy considering some substantial elements of game theory applied to environmental refugees.

Pablo Jiménez Serrano, from the Centro Universitário Salesiano de Lorena (UNISAL), Consuelo Yatsuda Moromizato Yoshida, from the Pontifícia Universidade Católica de São Paulo (PUC-SP), and Rosana Maria de Macedo Borges from the Centro Universitário SENAC, with the text “Insurance as a management tool for contaminated sites: Cuban and Brazilian experiences,” showed the types of insurance provided for environmental management and investigated whether these modalities are effective instruments for the management of contaminated areas.

“The polysemy of the term “protected area” and the corresponding CBD and IUCN concepts” is the title of the article by André O. Leite, from Vilniaus Universitetas (VU), which shows the polysemy that characterizes the use of the term “protected area” in Brazilian jurisprudence and scientific literature on the protection of the natural environment, discussing the problems related to this phenomenon, within the scope of the Law and the multidisciplinary field of public conservation policies.

“The environmental bond: the state law of Minas Gerais and the framework law of the union from the perspective of the Brazilian federal state,” by Márcio Luís de Oliveira and Beatriz Souza Costa, both from Escola Superior Dom Helder Câmara (ESDHC), analyzed the environmental guarantee required in the licensing processes for socio-economic mining activities and the use of dams, making a constructive critical analysis.

José Claudio Junqueira Ribeiro, Maraluce Maria Custódio and Diego Henrique Pereira Praça, from Escola Superior Dom Helder Câmara (ESDHC), with the text “COVID-19: thinking about its impacts on air quality and climate change,” analyzed the importance of atmospheric environment as an essential element for life and the impacts on air quality related to the SARS-CoV-2 virus, which causes the current COVID-19 pandemic.

“The principle of balance: an environmental approach to the primary and secondary objectives of public policy procurement,” by Cesar Augusto Romero Molina and Luis Adrian Gómez Monterroza, from Universidad Santo Tomás (USTA), presents the research results based on theoretical reconstruction of the principle of balance in public procurement, with an environmental approach, based on its content supported by primary and secondary political objectives.

Eliana Maria de Souza Franco Teixeira, from the Universidade Federal do Pará (UFPA), and Patrícia Kristiana Blagitz Cichovski, from Centro Universitário Metropolitano da Amazônia (UNIFAMAZ), with the article “Paradiplomacy and the management of the amazon in the Brazilian federalism,” present their study to solve the question of which path the member states that make up the Legal Amazon should take, considering Brazilian federalism, to keep

investments and management focused on mitigating deforestation and environmental degradation.

In the text “Agreement on marine biodiversity beyond national jurisdiction (BBNJ): international legal regime for the sustainable use of marine genetic resources in the high seas and the area,” André de Paiva Toledo and Kiwonghi Bizawu, both from Escola Superior Dom Helder Câmara (ESDHC), conclude that the genetic resources of the high seas should be transformed from *res nullius* into *res communis*, while others, since they are already *res communis humanitatis*, should be submitted to the management of the International Seabed Authority.

Tiago Vinicius Zanella, from the United Nations Office on Drugs and Crime (UNODC), with the article “The environmental impacts of the ‘maritime autonomous surface ships’ (MASS),” presents a study on autonomous ships, showing the challenges they will bring to the Law of the Sea and international maritime transport, especially the environmental impacts of this reality.

The Dom Helder Escola de Direito, an excellent educational institution, offering all levels of legal education, from undergraduate to post-doctorate, has the honor, ending the historic year of 2020, of presenting yet another issue of the journal *Veredas do Direito – Direito Ambiental e Desenvolvimento Sustentável*, hoping for happier times.

Elcio Nacur Rezende

Editor of the journal *Veredas do Direito*
Professor of the Graduate Program in Law of the
Escola Superior Dom Helder Câmara