

INTRODUCTION

Once the difficult pandemic year of 2020 is over, *Veredas do Direito – Direito Ambiental e Desenvolvimento Sustentável*, presents its first issue of the promising 2021, with solidarity for the worldwide mourning and a strive to rejoice in the academic community in the hope of better days.

The Dom Helder – Escola de Direito, with its undergraduate, full graduation, master's and doctorate courses in environmental law and sustainable development, has the aspiration of offering, with excellence, a legal and humanistic training for its entire student body, as well as providing the academic community with a healthy environment of coexistence, led by the Ignatian Philosophy.

The journal, which boasts the desired Qualis A1, the best evaluative stratum of the Qualis System of CAPES, is renewed with each issue, always seeking to be a quality information vehicle in the area of Environmental Law and Sustainable Development.

This issue has texts from researchers from the Universidad del Magdalena (UNIMAGDALENA) in Colombia, the Universidad de Granma (UDG) in Cuba, and the Universidade de Lisboa (ULisboa) in Portugal, as well as educational institutions from all regions of Brazil.

The first article, entitled “EMERGING RIGHTS (ENVIRONMENTAL AND WATER): SEEKING FRUITION”, by Erivaldo Moreira Barbosa and Maria de Fátima Nóbrega Barbosa, both from the Universidade Federal de Campina Grande (UFCG), proposes a dialogue among theories from social, legal, environmental and political sciences, seeking to strengthen the effectiveness of these rights, in their interrelational possibilities and appearances in the Brazilian legal system.

Eduardo Fortunato Bim, linked to the Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA), with the text “BRAZILIAN FOREST CODE APPLICABILITY TO THE ATLANTIC FOREST BIOME”, studied the divergence in the application of the Forest Code (FC) to the Atlantic Forest biome, especially in consolidated, urban and rural areas, which had fluctuating understandings in the Attorney General Office (AGU) and within the Brazilian Ministry of the Environment (MMA), generating judicialization, including in the Supreme Federal Court (STF).

Mauro Augusto Ponce de Leão Braga, from the Universidade do Estado do Amazonas (UEA), Emerson Victor Hugo Costa de Sá, from the Universidade Federal do Pará (UFPA), and Juliano Ralo Monteiro, from the Universidade Federal do Amazonas (UFAM), with the article “CIVIL RESPONSIBILITY IN THE FIELD OF PRODUCTIVE CHAINS IN SITUATIONS OF CONTEMPORARY SLAVE LABOR”, propose measures of civil accountability within the productive chains due to the use of slave labor in the contemporary world.

“COVID-19 AND INDIGENOUS PEOPLE IN BRAZIL: ETHNIC-RACIAL ANTI-DISCRIMINATORY LAW AND MINORITY RIGHTS” is the title of the article by Fernanda Frizzo Bragato and Roger Raupp Rios, both from the Universidade do Vale do Rio dos Sinos (UNISINOS), and Bruno Boti Bernardi, from the Universidade Federal da Grande Dourados (UFGD). The authors examine the adverse effects of the pandemic caused by the new coronavirus (Sars-Cov-2) on Brazilian indigenous peoples as a result of a Brazilian State policy, taking as a starting point the historical experience faced by these peoples.

Amadeu de Farias Cavalcante Júnior, from the Universidade Federal do Oeste do Pará (UFOPA), with the text entitled “A VISION OF THE LEGAL AMAZON DURING THE MILITARY DICTATORSHIP: CAPITALISM AND DEPENDENT DEVELOPMENT IN THE CONTEXT OF SUDAM (1965-1977)”, demonstrates that the military intervention by SUDAM and official agencies in the Amazon achieved the development of an economic enclave, stimulated through tax incentives and credits for the exploitation of land and commodities, to the detriment of the extractive peasantry.

“HUMAN RIGHTS PROTECTION AS A MEANS FOR CLIMATE LITIGATION” is the article by Kamyla Borges da Cunha and Fernando Rei, both from the Universidade Católica de Santos (UNISANTOS). In their paper, the authors seek to show the progressive approximation between international legal regimes of climate change and human rights, emphasizing the recognition of the impacts caused by climate change on water availability, agricultural productivity and biodiversity.

Gabriela Garcia Batista Lima Moraes and André Augusto Giuriatto Ferraço, from the Universidade de Brasília (UNB), claim, with the article “THE SECTORIZATION IN THE WATER RESOURCES MANAGEMENT AS A STRUCTURAL HURDLE

FOR SUSTAINABLE DEVELOPMENT”, that the administrative sectorization for the management of Brazilian water resources represents an obstacle to sustainable development, to the extent that it potentiates the occurrence of conflicts of interest in the multiple uses of water and in which the exposure of the resource to vulnerability scenarios is perpetuated.

“THE BIO-NECROPOLITICS OF ENVIRONMENTAL INJUSTICES IN BRAZIL” by Magno Federici Gomes, from the Escola Superior Dom Helder Câmara (ESDHC), Pedro Henrique Moreira da Silva, from the Instituto DH (IDH), and Alcides Francisco Antúnez Sánchez, from the Universidad de Granma (UDG), discuss environmental injustices as an algorithm of the microphysics of powers, seeking to develop the concepts of biopower, indicating a conceptual insufficiency for the interpretation of the peripheries of capitalism and of the so-called necropolitics.

Lucas de Souza Lehfeld, Jéssica Galloro Lourenço, Lucas Teixeira Dezem, from the Universidade de Ribeirão Preto (UNAERP), with the text “ENVIRONMENTAL INJUSTICE AND LACK OF ADEQUATE BASIC SANITATION”, investigate the environmental crisis in the absence of an adequate supply of basic sanitary conditions, as well as social inequality, establishing a line of intersection.

Isabela Figueroa, from the Universidad del Magdalena (UNIMAGDALENA), with the article “SMALL SCALE COASTAL FISHING AND THE CULTURAL RIGHTS OF ETHNIC COMMUNITIES IN COLOMBIA”, presents the ethnic communities of Colombia, as they practice artisanal fishing in coastal marine bodies. The author shows the relationship of these communities with the sea and with the fishing activity, configuring a dynamic that is legally covered by the legal notion of territory.

Cristiane Derani and Adrielle Betina Inácio Oliveira, both from the Universidade Federal de Santa Catarina (UFSC), wrote the article “INSTRUMENTALIZATION OF THE NORMATIVE BOTTOM-UP PARADIGM OF THE PARIS AGREEMENT BY THE RULEBOOK”. The text was guided by the question: how does the Paris Rulebook approach the ascending paradigm, that is, the instrumentalization of art. 4:2 of the Agreement? They aimed, therefore, to highlight the normative paradigm of the topic.

“ECO-EPIDEMIOLOGY AND NEW GENERAL PRINCIPLES OF BIOSAFETY: ENVIRONMENTAL ASPECTS OF THE COVID-19 PATHOGENESIS”, by Émilien Vilas Boas Reis and Bruno Torquato de

Oliveira Naves, from the Escola Superior Dom Helder Câmara (ESDHC), analyze the influence of environmental aspects on the pathogenesis of some infectious diseases, especially COVID-19, and what response can be formulated if these environmental factors occur.

Nestor Eduardo Araruna Santiago and Patrícia Albuquerque Vieira, from the Universidade de Fortaleza (UNIFOR), with the study “THE RIGHT TO WATER AND SANITATION: INTERLOCUTION WITH LUIGI FERRAJOLI’S GUARANTEEISM”, address the importance of the fundamental right to drinking water and basic sanitation under a guaranteeist bias. The authors demonstrate that, despite its preponderant association with Criminal Law, it is assumed that Luigi Ferrajoli’s Theory of Guaranteeism applies to the theme, starting with the understanding of the fundamentality of accessing to drinking water and basic sanitation for human beings and the need for its positivization.

Daniel Lin Santos, from the Universidade de Lisboa (ULISBOA), with the study “ROMANITIES CLAIMING SUSTAINABILITY: THE CHALLENGE OF PRESERVING URBAN AND ARCHAEOLOGICAL ENVIRONMENT IN THE CONTEXT OF PUBLIC PROCUREMENT PROCESS”, presents as a starting point some peculiarities of the archaeological and urban environment involved in the planning of Rome’s new underground line. The article proposes some reflections on the theme of sustainable public procurement and its strategic use as a privileged instrument for the promotion of horizontal public policies in the light of the normative paradigm of the European Union.

The *Veredas do Direito – Direito Ambiental e Desenvolvimento Sustentável* and the Dom Helder – Escola de Direito, fulfilling its honorable mission of disseminating knowledge, without prejudice and with the most eclectic vision possible, seek, with this issue, not only the socialization of science, but also to promote reflection so that all together, in magnanimous solidarity, we can build a healthier and happier planet.

Elcio Nacur Rezende

Editor of *Veredas do Direito* Journal

Professor of the Graduate Program in Law of the Escola Superior
Dom Helder Câmara (Doctorate and Masters)