

PRESENTATION

Veredas do Direito - Environmental Law and Sustainable Development is the journal of the academic course of the Dom Helder Câmara Law School, located in Belo Horizonte, state of Minas Gerais, which has the highest grades in all academic evaluation indexes in Brazil.

In fact, this journal, as well as the Dom Helder Câmara Law School, has the best evaluation stratum of the Qualis System of CAPES (Coordination of Improvement of Higher Education Personnel) of the Ministry of Education, that is, the longed for “A1”.

This official recognition greatly rejoices the Editorial Board and the entire academic community, providing encouragement for us to continue with the desideratum of socializing scientific knowledge in an area that, on a geometric scale, grows in importance thanks to everyone’s awareness in what if we do not worry to keep the environment balanced, nothing will remain.

In this issue are published texts of teachers from France, Congo, Colombia, Portugal and Brazil, who, with great mastery, divulge their works in order to provide the reader with enormous scientific knowledge.

On the first text of the Congolese Kiwonghi Bizawu and the Brazilian André de Paiva Toledo, entitled “Brazil in San José de Costa Rica: 20 years of recognition of the contentious jurisdiction of the Inter-American Court of Human Rights”, the authors make an individualized analysis of the sentences in nine cases in which Brazil was defendant between 1998 and 2018 in the IACHR, to then identify the systemic aspects, pointing out the main difficulties for its fulfillment.

The second text, by Márcio Luís Oliveira, Beatriz Souza Costa and Cristiana Fortini Pinto Silva, entitled “The institute of environmental compliance in the context of the plurysystemic society”, aimed at analyzing the compliance institute environmental and socioeconomic aspects as an instrument of formation and affirmation of a culture of sustainable integrity.

The French professor Je an-Marc Sorel, with the article “Variations autour de la sincérité de la motivation environnementale dans le contentieux international”, explains that there is no specialized jurisdiction in international environmental disputes, although there is UNEP within the

United Nations which does not effectively exercise a jurisdictional role. This, he asserts, in the face of the imperative need to judge environmental issues well within a context of international law, leaves nations, and, eventually, all of us, without due tutelage.

Teachers from Colombia and Brazil, Diana Carolina Valencia-Tello and Daniel Wunder Hachem, to the article “La public buena administración en el siglo XXI: análisis del Colombian case”, aimed to identify the meaning of the concept of B the Public Administration in the XXI century and its impact on Administrative Law, with emphasis on the Colombian case. The paper makes some clarifications about the origins of Administrative Law in the liberal State, and later to contrast these characteristics with Administrative Law and Good Public Administration in the Constitutional and Democratic State of Law of the 21st century.

From Portugal and Brazil, Luciana Iocca and Teresa Fidélis, with the text “Climatic changes, risks and adaptation strategies in the Brazilian context”, explains in that environmental quality and adaptation to climate change risks and mobilized, little by little, the attention of the academic community and decision-makers all over the world. The use of the territory and its environmental resources, at levels capable of ensuring the regeneration and resilience of populations and ecosystems, as well as the structuring of international and national environmental governance, capable of equating environmental vulnerabilities under different prisms, have coming to be a challenge to share in between many countries.

From Santa Catarina, Brazil, Maria de Fatima S. Wolkmer and Débora Ferrazzo, with the text “The paradox of development: environmental law and common goods in capitalism”, show the advanced stage of the process of globalization and homogenization of the world, which has in the global development project a strategic instrument. However, the authors inform, development is a contradictory concept whose limits are exposed by critical perspectives, a fundamental reflection, since it is the developmentalist discourse conceived within the capitalist logic and have as consequences the planetary environmental tragedy and the disappearance of peripheral traditions and cultures.

From the states of Roraima and Amapá, Edson Damas Silveira and Serguei Aily Franco de Camargo, with the article “The non-retroactivity of

the new forest code and the jurisprudence of the Federal Supreme Court”, present reflections on the constitutionality of provisions of the New Forest Code, based on a judgment made by the Federal Supreme Court in February 2018. Possible amnesty for environmental degradation agents is discussed. by virtue of an interpretation of the said legal diploma.

From Rio Grande do Sul and Santa Catarina, Serli Genz Bölter and Cristiane Derani, with the article “Environmental law and sustainable development: an analysis of the judicialization of social relations”, deal with judicialization of social relations, specifically on the environmental conflicts in their relationship with the concepts of sustainable development and rights of nature. The analysis carried out takes as reference decisions issued by the Federal Supreme Court of Brazil in the later period The Federal Constitution of 1988. Three decisions are considered: the first, which deals with the implementation of the Brazilian Forest Code of 2001, judged in 2005; the second, on the importation of recyclable tires, judged in 2009; and the third, a Law of the State of Ceará on the *vaquejada*, judged in 2016.

From France, Sandrine Gaymard, and the gauchos Wilson Engelmann and Raquel von Hohendorff, with the article “The legal perception of the risks of nanotechnologies in the environment: challenges and possibilities in the construction of a framework “, that the use of the nanoscale is currently growing and O state legislative regulation on the subject is nonexistent ; H the emergence of self-regulation, as well as the creation of norms by other social actors. The system of law must enter the context of innovation, giving legal effects to this regulatory production.

From the state of Mato Grosso, Carla Reita Faria Leal and Solange de Holanda Rocha, with the article “Environmental labor risks in the global society and its legal protection”, explain that the sophistication of the risks arising from the current stage of industrial development, combined The de-structuring of the labor system in the global society, increases the relevance of the issue of occupational environmental risks insofar as the prevention of occupational accidents depends on compliance with environmental standards aimed at the evaluation, control and management of these risks.

Afonso Feitosa Reis Neto, Leônio José Alves da Silva and Maria do Socorro Bezerra de Araújo, of the State of Pernambuco, and

the article “Legal System of REDD in the Caatinga of Pernambuco” show that the state of Pernambuco suffers effects of climate change. One of the anthropic actions that contribute to this situation is the deforestation of the vegetation of the Caatinga biome. Striving to reconcile the protection of native vegetation and The minimization of actions that contribute to the greenhouse effect, the instrument called Reduction of Deforestation and Forest Degradation (REDD)), a kind of Payment for Environmental Services (PSA) based on the principle of Environmental Law called protector-receiver.

From Mato Grosso do Sul and the Federal District, Simone Yukimi Kunimoto, Daniel Silva Bosen, Michel Constantino and Dany Rafael Fonseca Mendes, with the text “Impact of Economic Development on CO₂ Emissions: An Application of the Kuznets Environmental Curve for Mato Grosso do Sul “, report that productive activities are recurrent causes of externalities, and the literature is controversial as to the real impact that such activities generate on the environment, either by reporting on negative externalities or by reporting on positive externalities. The study analyzes the impact of economic development on carbon dioxide (CO₂) emissions in Mato Grosso do Sul (MS), covering the period between 2002 and 2016. For the analysis, five sectors were investigated: agriculture, energy, land use and change, industrial processes and waste, all related to (GDP) per Capita of linear and quadratic format, according to the The theory of Kuznets, as sources of economic development.

From Pará and Amazonas, Felipe Garcia Lisboa Borges and Lise Vieira da Costa Tupiassu Merlin, with the text entitled “The (in) feasibility of the green tax reform in Brazil”, inquire : if ria the green tax reform a viable reform in Brazil ? Faced with this issue, the article discusses the elements on which environmental taxation is based, and then refers to the experiences under way in other countries and any criticism of such a reform model.

Lucas Souza Lehfeld and Danilo Henrique Nunes de São Paulo, with the article “New model of recovery of environmental liabilities: bankruptcy of”punishing to raise awareness “, explain that the Forestry Code of 2012 brings as one of the innovative institutes the Environmental Regularization Program (PRA) regarding the recovery of the degradation

of the environment in the field. It is sought, by said political-administrative instrument, more effective environmental protection since it makes a diagnosis of environmental liabilities through the Rural Environmental Registry (CAR), and proposes a monitored recovery, with deadlines and methods consistent with the reality of the owners and rural owners.

Thus, the Dom Helder Câmara Superior School, through its MSc in Environmental Law and Sustainable Development, wishes everyone to enjoy this publication in the hope that the lyrics here are a motto for living on a planet every day better.

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