

## INTRODUCTION

Beginning in 2019 by renewing the hope of living in a better country, *Revista Veredas do Direito – Direito Ambiental e Desenvolvimento Sustentável* brings you another issue.

With great joy and pride, the Graduation Program in Law at Escola Superior Dom Helder Câmara is inaugurating its Doctorate course.

Crowning years of research from the Academic Master's Degree Course, the authorization from CAPES (Coordination for the Improvement of Higher Education Personnel) to open the Doctorate course in Environmental Law and Sustainable Development is the unquestionable acknowledgment of the supreme quality of Escola Superior Dom Helder Câmara Graduation Program in Law.

In fact, we have achieved in 2019 a full academic structure in our Teaching Institution, as we now offer Undergraduate, Specialization, Master's and Doctorate courses, as well as Post-Doctorate internship.

Thus, this journal, as well as Escola Superior Dom Helder Câmara, holds the best assessment level in CAPES Qualis System, from the Ministry of Education, that is, the coveted "A1".

This issue includes texts of professors from the United States, Italy and Chile, as well as from several Brazilian states, such as Tocantins, Amazonas, Ceará, Sergipe, Rio Grande do Sul, São Paulo, Rio de Janeiro and Minas Gerais.

Let's move to the introduction.

"El acceso a la información ambiental en Chile" (Access to Environmental Information in Chile), by Silvia Bertazzo, a professor at Universidad de Los Andes (Chile), presents a study on some issues related to access to environmental information in Chile based on an analysis of the concepts of public information and environment, their interpretation in the case law of the Transparency Council and in the Chilean Law Theory.

"Nature and basic problems of non-conviction-based confiscation in the United States", by US Attorney Stefan D. Cassella, provides a report where he demonstrates that Sustainable Development involves the confiscation of assets from those who commit crimes, including environmental polluters.

In "Etnodesarrollo jurídico y protección del medio ambiente" (Legal ethical development and protection of the environment), Livio

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Perra, from Università degli Studi di Sassari (Italy), analyzes the interesting solution found by the Andean States that by giving their ear to the voices of native peoples, rediscovered ancient wisdom on the way to present. Along those lines, he exalts an invisible line that links the past, the present and the future.

“Biopirataria e conhecimentos tradicionais: as faces do biocolonialismo e sua regulação”(Biopiracy and traditional knowledge: the faces of biocolonialism and its regulation”) is the title of the article by José Adércio Leite Sampaio and Magno Federici Gomes, a text that has shown that traditional peoples and Brazil have been targeted by biopiracy of natural environmental resources and the associated traditional knowledge, without benefiting from the resources obtained from the exploitation of such resources by foreign companies.

“CRISPR-Cas9, biossegurança e bioética: uma análise jusfilosófica-ambiental da engenharia genética” (CRISPR-Cas9, biosafety and bioethics: a legal-philosophical-environmental analysis of genetic engineering) is the title of the article by Émilien Vilas Boas Reis and Bruno Torquato de Oliveira; it presents a new genetic engineering technique called CRISPR-Cas9, designed based on the benefits and risks of genetically manipulating and altering living organisms so as to bring about characteristics favorable to themselves and to humans.

“Usinas eólicas *offshore* no direito ambiental marinho”(Offshore wind farms in marine environmental law) is the title of the article by Lucas Noura de Moraes Rego Guimaraes, Doctor by the University of Berlin/Germany, who presented his research with the intention of starting a discussion on Brazilian environmental regulation of offshore wind farms .

Patrícia Medina and Spencer Vampré, from the state of Tocantins, present the text “Dispensa de licenciamento ambiental para atividades rurais no estado do Tocantins: suporte teórico para um discurso argumentativo” (Exemption of environmental licensing for rural activities in the state of Tocantins: a theoretical framework for an argumentative discourse), describing the result of a research that aimed at providing a theoretical framework and legal arguments for future legal decisions as a result of the legislative amendment brought about by Law 2,713/13 from May 9, 2013 within the state of Tocantins, which ruled for the exemption of environmental licensing for the exercise of agrosilvipastoral activities, contrary to the historical evolution of the treatment given to the topic.

In “A reforma tributária ecológica alemã como paradigma para o Brasil” (The German ecological tax reform as a paradigm for Brazil),

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Julia Mattei and João Luis Nogueira Matias, from Ceará and Sergipe, respectively, outlined a profile of Germany's ecological tax reform, focusing on energy taxation and trying to comparatively analyze its elements in order to contribute to the greening of the Brazilian tax system.

Gina Vidal Pompeu and Ana Carla Pinheiro Freitas, authors from Ceará, offered the article "A função simbólica do direito ambiental: considerações sobre o tema 30 anos depois da Constituição de 1988" (The symbolic function of environmental law: considerations on the theme 30 years after the 1988 Constitution), where they emphasize that the symbolic function of Environmental Law is a current and serious matter, opening a discussion about the various definitions of the concept of the symbolic in Marcelo Neves' work *A Constitucionalização Simbólica*.

Valdir Pedde and Alexandre Coser, from the state of Rio Grande do Sul, present the work called "O gerenciamento de resíduos urbanos e os catadores: pode uma atividade ocupacional social e culturalmente excludente gerar inclusão social?" (Managing urban waste and waste pickers: can a socially and culturally exclusive occupational activity produce social inclusion?). In the text, they conduct a reflective study on the environmental problems of waste and the social inclusion of people working with recyclable materials.

Márcio Ricardo Staffen and Leandro Caletti, also from Rio Grande do Sul, with their text "A fragmentação jurídica e o Direito Ambiental global" ("Legal fragmentation and global Environmental Law), offered a research aimed at examining the process of legal fragmentation caused by globalization and transnationalism, identifying the Law and non-Law frameworks, and tracking the limits of the space of an intended Global Environmental Law against this background.

From Amazonas, Bruno Soeiro Vieira, Jeferson Fernandes Bacelar, Hélio Regis Almeida and Carla Noura Teixeira, with their text "A segregação socioespacial e a insustentabilidade em uma metrópole da Amazônia Brasileira" (Socio-spatial segregation and instability in a metropolis of the Brazilian Amazon," talk about the frantic process of reconfiguration of the space and soil of "New Belém," explaining that its causes, among others, are the strategy of "real estate developers" aimed at expanding their businesses and enhancing self-segregation embraced by a portion of the urban population that, under the spell of real estate marketing, abandoned the older part of urban fabric to reside in "horizontal fortresses".

"The resurgence of old forms in the exploitation of natural

resources: the colonial ontology of the prior consultation principle” is the title of the article by Douglas de Castro, linked to the Foundation for International Law and Affaris (FLIA) and Universidade Paulista (UNIP) that talks about the need to deal with the anthropogenic effects on the environment from the 1960s onward, especially the worldwide accidents that caused serious impacts to the environment. Therefore, the author clarifies that International Environmental Law has gained strength and legitimacy among international institutions based on the universality of the establishment of International Law and the objectivity and neutrality of Science, thus producing exclusions and implications vital for the countries of the Southern Hemisphere.

Danielle de Andrade Moreira, Leticia Maria Rêgo Teixeira Lima and Izabel Freire Moreira, all from PUC from Rio de Janeiro, with the article “O princípio do poluidor-pagador na jurisprudência do STF e do STJ: uma análise crítica” (The polluter pays principle in Brazilian superior courts: a critical analysis), present the results of a research carried out between 2013 and 2018 whose main objective was to critically analyze how the polluter pays principle – considering its historical origin, relevance and scope – has been applied in Brazilian case law, especially in the trial of case dealing with issues related to legal protection of the environment within the Supreme Federal Court (STF) and the Superior Court of Justice (STJ).

This way, the Doctorate and Master’s Courses in Environmental Law and Sustainable Development of Escola Superior Dom Helder Câmara are very glad and hope that all readers can gain more knowledge thanks to this publication and, above all, become the drivers of an environmental awareness our society so badly needs.

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