

INTRODUCTION

Starting 2020 and renewing the hope of living on a holistically healthier planet, the journal *Veredas do Direito – Environmental Law and Sustainable Development* releases a new volume.

The Graduate Program in Law at the Dom Helder Law School located in Belo Horizonte (MG), Brazil, with its Master's and Doctoral courses in Environmental Law and Sustainable Development, offers its students the best scientific knowledge in the world on one of the legal branches that, certainly, are most associated with the principle of dignity of the human person. After all, inexorably, a healthy quality of life is closely related to living in an environment where nature is preserved without forgetting that a strong and democratic economy allows everyone access to their desired goods.

This academic journal is part of the complex production of academic knowledge of Dom Helder, which begins with the undergraduate courses in law, in both conventional and full-time modalities, by means of Masters and Doctorate degrees, and ending in the post-doctoral stage, wherein indisputable academic excellence resides, recognized both thanks to the highest grades obtained in the evaluations of government bodies as well as society.

Thus, the journal *Veredas do Direito – Environmental Law and Sustainable Development*, as well as the Dom Helder Law School, sports the best evaluative stratum of the Qualis system of CAPES and the Ministry of Education, namely “Qualis A1,” in addition to being present in the largest indexers around the world.

This issue includes texts by researchers from Universidad Internacional de La Rioja (Spain), Universidad Castilla – La Mancha (Spain), Universidad del Magdalena (Colombia), Universidad del Salento (Italy) and Universidad Veracruzana de México (Mexico), as well as educational institutions from all regions of Brazil.

The first text, titled “Forced displacements in the increase in environmental disasters: violation of human rights as a prerequisite for the recognition of the environmental refuge in Brazil,” authored by Rubén Miranda Gonçalves from Universidad Internacional de La Rioja (UNIR) and Leticia Mirelli Faleiro e Silva from Universidade de Itaúna (ITU), discusses human movement caused by catastrophes according to research concerning the legal protection required in such scenarios.

José Antonio Moreno Molina from Universidad Castilla La Mancha

(UCLM), with the article “Forest regulation in the law of Spain and the European Union,” exposes Spanish Law based on the Ley de Montes (2003), which regulates forests and focuses on its environmental values based on a broad concept of forest as land that fulfills, mainly, an environmental and protection role.

“Languages, books and laws: the erasure of indigenous culture and resistance” is the title of the article by Andrea Christiane Kahmann and Marcia Rodrigues Bertoldi from Universidade Federal de Pelotas (UFPEL), Isabella Figueroa from Universidad del Magdalena (UNIMAGDALENA), and Ana Carla de Oliveira Bringuente from Faculdade Dom Alberto (FDA). The authors present a certain perspective on environmentalism in a review on how the Brazilian State was formed from the perspective of colonialism and coloniality, guided by the theory of decoloniality, starting from the history of languages and books towards the law and the erasure of indigenous cultures.

“The premises of a ‘constitutional ecology,’ authored by Michele Carducci from Università del Salento, presents the matter of legal relationship according to an ecosystem approach, given the limits of constitutional rights against the current “ecological deficit” of the planet, sustaining that such limits are a consequence of the “fossilized” character of modern law, and definitely separate from the needs of natural survival of the human species.

“For a common definition of Mexico-Brazil sustainable development: a case study from their national courts” is the article by Tania García López from Universidad Veracruzana de México (UV), Jamile Bergamaschine Mata Diz from Universidade Federal de Minas Gerais (UFMG), and Romeu Faria Thomé da Silva from Escola Superior Dom Helder Câmara (ESDHC). The authors present a definition of sustainable development establishing the conceptual structure on aspects of the principle, albeit preliminary, in order to verify its application, by analyzing a case study involving the Constitutional Court of Mexico and the Supreme Federal Court of Brazil

“The digital environment and the right to privacy in relation to *big data*,” by Émilien Vilas Boas Reis and Bruno Torquato de Oliveira Naves, both from Escola Superior Dom Helder Câmara (ESDHC), shows that the reality in which we live, which includes a large volume of data – *big data* – represents a revolution of commerce, marketing and competition, and even the delimitation of the private sphere. The authors defend the theory that privacy in the digital environment should be considered based on the

possibility of much more serious consequences in the event of its violation.

Miguel Etinger de Araujo Junior and Luiz Gustavo Campana Martins from Universidade Estadual de Londrina (UEL), in the article “Individual, society and human rights: sustainability integrated to the idea of well-living and its relationship with legal business in the globalized world,” discuss the re-signification of the concept of sustainability so that it is able to respond to the social and environmental crisis of the Modern State, thereby contributing to the strengthening of the legal matters within the scope of the Right to Negotiate while respecting the protection of the environment.

Artur Cortez Bonifácio and Jéssyca Cleopatra Yury Soares dos Santos from the Universidade Federal do Rio Grande do Norte (UFRN), in their “Collective mobilization and jurisdictional protection of the environment: main challenges in light of the 1988 Federal Constitution,” address the mobilization of collectivity and its relationship with the legal protection of the environment, focusing on democratic challenges inferred from constitutional norms concerning the environment.

Gerardo Clésio Maia Arruda, from Centro Universitário Christus (UNICHRISTUS) and University of Fortaleza (UNIFOR), and Ivone Rosana Fedel, also from UNICHRISTUS, with the text “Environmental Conservation Units in the state of Ceará: implementation and sustainability,” analyze the Protected Areas (Pas) created in the state of Ceará, Brazil, taking into account their effectiveness for preserving the environment and providing historical background on their economic development in regarding natural resources, and the need for their preservation.

In “The restricted environmental jurisprudence of the inter-american court of human rights and possible innovations on urban environmental protection,” Adriani Marques França Tavares, Mariane Morato Stival e Sandro Dutra e Silva, all from Centro Universitário de Anápolis (UniEVANGÉLICA), support the idea that, even if the inter-american system of laws that recognize the right to a healthy environment as a human right exists, there is no action in the Inter-American Court of Human Rights involving environmental issues in municipalities, such as pollution, waste, environmental disasters, among other topics.

Paulo de Bessa Antunes from Universidade Federal do Estado do Rio de Janeiro (UNIRIO), with the text “International environmental law: particularities,” examines the legal instruments available in the framework of international law for the protection of the environment, seeking to demonstrate that there is an international law of the environment under development.

In the article “Sacrifice rituals and cruelty to animals: a case of cultural sustainability,” Walter Claudius Rothenburg and Tatiana Stroppa, both from Centro de Pós-Graduação da Instituição Toledo de Ensino (ITE-Bauru), verify whether animal sacrifice in rituals is problematic within the scope of protection of religious freedom, as it raises ecological concern with the welfare of animals, since the Brazilian Constitution prohibits practices that subject animals to cruelty.

Serguei Aily Franco de Camargo and Plínio Henrique Oliveira Gomide, both from Universidade Estadual de Roraima (UERR), and Thaísa Rodrigues Lustosa de Camargo from the Amazonas Public Ministry, in the text titled “Climate change and projects of environmental services in indigenous lands of state of Amazonas,” argue that the Amazonas Law No. 3.135 of June 5, 2007, which established the State Policy on Climate Change, providing ways for the promotion of sustainable development, the maintenance of the climatic conditions, and incentives for the participation of the population and of the State in safeguarding the environment, has been published for more than ten years and seems to have fallen out of favor.

In the article “Civil liability for environmental damage by ballast water,” Caroline Barbosa Contente Nogueira from Federal University of Amazonas (UFAM), Cyntia Costa de Lima from Faculdade Martha Falcão | Wyden, and Roger Luiz Paz de Almeida from Universidade Federal do Amazonas (UFAM), infer that ballast water is used by cargo ships aiming for balance and safety during navigation and that, when dumped without the necessary expertise and care, leads to irreversible environmental and economic damage.

Thus, dear reader, the Doctorate and Master’s degree in Environmental Law and Sustainable Development of Dom Helder-School of Law, with great pleasure, wishes everyone to acquire more knowledge and, above all, to be opinion formers so that our society becomes aware that without an ecologically balanced environment in harmony with a sustainable economy, we will not be able to live on a happy planet.

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