



CADWALADER  
**CLIMATE**  
Connecting Climate Change and the Law

## Brazil Launches Preparations for COP30 and Announces Eight Environmental Protection Decrees

July 11, 2023



By Duncan Grieve

Special Counsel | White Collar Defense and Investigations

On June 5, 2023, Brazil's President, Luiz Inácio "Lula" da Silva, and the Minister of the Environment, Marina Silva, announced a package of eight presidential decrees designed to increase Brazil's leadership in mitigating climate change and slowing deforestation (the Climate Change Decrees). Since his reelection on October 30, 2022, Lula has been consistent in communicating his **administration's intentions** to implement environmental and energy policies which aim to address climate change, promote Brazil as a destination for green investment and balance economic development with biodiversity preservation. He has also been active in promoting Brazil's environmental governance credentials on the international stage. Recent high-profile engagements include **hosting the European Commission President**, Ursula von der Leyen, in Brasília on June 13 and a **speech at the May G7 summit** in Japan.

The Climate Change Decrees were **announced** at a ceremony held at the Presidential Palace in Brasília to celebrate World Environment Day, where Lula convened senior ministers, Amazonian state governors, representatives of indigenous communities and NGOs. In summary, the package covers:

- **COP30** – In May, the UN confirmed that Brazil will host the **30th UN Conference of Parties on Climate Change (COP30)** in November 2025 in the Amazonian city of Belém. Lula announced Brazil's candidacy during his speech at COP27 as President-elect in November 2022. In preparation for the event, the government has established a National Council for COP30, which includes the Chief of Staff of the Presidency, the Minister of the Environment, the Ministry of Foreign Affairs and other key ministries.
- **Environmental Protection and Enforcement** – The Amazon Security and Sovereignty Plan aims to combat land grabbing, illegal mining, and logging, as well as hunting and fishing within indigenous territories in the Amazon. Enforcement will be effected through the creation of a new enforcement body, the National Public Security Force's Environmental

Operations Company (Companhia de Operações Ambientais da Força Nacional de Segurança Pública). Bases will be established throughout the Amazon region to strengthen existing capabilities and shorten response times. Marina Silva also announced the Plan for the Prevention and Control of Deforestation in the Amazon, which includes specific deforestation prevention and control plans for each of the Amazonian biomes. She also announced the resumption of the “Bolsa Verde”, a social support program targeted at 30,000 vulnerable families living within traditional communities in the Amazon region, which aims to provide disincentives to engage in extractive activities.

- **Climate Change** – The inter-ministerial Committee on Climate Change was reestablished by decree. This body will monitor the Brazilian government’s implementation of Brazil’s National Policy on Climate Change. Additional institutional representatives have been added to the managing committee of the National Fund on Climate Change. A new National Commission for the Reduction of Greenhouse Gas Emissions resulting from Deforestation and Forest Degradation was also created.
- **Conservation** – The event was also used to announce new conservation areas, including a new 61,000 hectare national park in the State of Paraíba, a conservation area in the state of Pará and a 1,800 hectare expansion of a reserve in Mato Grosso. The Administration also revoked measures issued by the prior administration that weakened protections of the Atlantic Rainforest region.

**Taking the Temperature: As we [reported in January](#), Lula’s government announced ambitious environmental targets, including a promise to eliminate Amazonian deforestation by 2030. Lula’s vigorous promotion of Brazil’s renewed commitment to environmental protection with international partners has secured some successes, including obtaining a [\\$500 million pledge](#) from President Biden for the Amazon Fund.**

**The current administration has recognized the imperative to reduce Amazonian deforestation in order to attract funding from international partners and the private sector. [Anti-deforestation raids](#) carried out in January were a signal of intent, and the creation of the new “Environmental Operations Company” is an attempt to bolster Brazil’s somewhat beleaguered environmental enforcement capabilities. Brazil is also seeking to appeal to the international investor community [through legislation](#) aiming to stimulate carbon credit markets.**

**As has now become a familiar pattern with Lula government initiatives, the latest package of environmental measures has been widely publicized but the challenge will be in ensuring effective implementation. Enacting these measures by presidential decree will ensure that they enter into force automatically without the need for further ratification. They could, however, be subject to future challenge by the “chainsaw lobby” in the Brazilian legislature or be challenged as unconstitutional in Brazil’s courts. Lula also recently pushed back against new draft provisions included within the long-delayed EU-Mercosur trade deal that would impose sanctions on countries that do not comply with certain environmental commitments.**