



A conference presented by the IBA Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL)

# Biennial Conference of the Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) 2022: Resource development at a crossroads

16–18 May 2022

Bocconi School of Law, Milan, Italy



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Biennial Conference of the Section on Energy,  
Environment, Natural Resources and Infrastructure  
Law (SEERIL) 2022:

Resource development at a crossroads

**Supercharging ecosystems: are conservation parks  
to become key in the future economic recovery**

Can natural ecosystems and conservation parks play a critical role in reducing carbon emissions and helping companies and governments reach their climate change obligations while keeping their economic growth?





# Protected Areas

A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values. (IUCN Definition 2008)



82% of countries and territories have succeeded in **increasing** their Protected Areas and OECM coverage.



Different types of **governance**: government, private, indigenous peoples and local communities, or any combination of these.



Since 2019 OECM have **added** a further 1.6 million km<sup>2</sup> to the global network.



The world's system is more **representative** of the full range of ecosystems.



Other Effective area-based conservation measure

## Aichi Target 11 –

By 2020, at least 17 % of terrestrial and inland water, and 10 % of coastal and marine areas, (...) are conserved through effectively and equitably managed (...)

### **World Protected Areas**

Terrestrial  
16.54% -  
22.500.000km<sup>2</sup>  
Marine  
7.74% -  
28.100.000km<sup>2</sup>

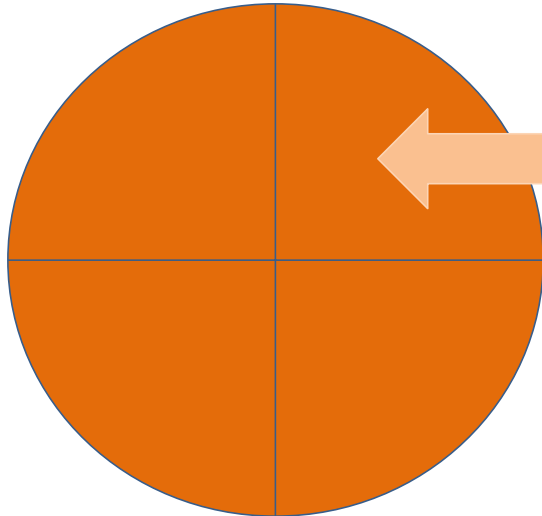
### **Brazil Protected Areas**

Terrestrial  
18,70% -  
1.591.687,89km<sup>2</sup>  
Marine  
26,48% -  
985.042km<sup>2</sup>

# ICCAs Indigenous Peoples' and Local Community Conserved Territories and Areas

Recognizes the ways of life, places of living and the rights of traditional peoples and

Earth's surface



Indigenous Peoples' lands  
(1/4 of Earth's surface)



# A New Global Framework for Managing Nature Through 2030

Comprises 21 targets and 10 'milestones' proposed for 2030

At least **30 %** globally of land and sea areas conserved, effectively and equitably managed

Increase financial resources from all sources to at least **US\$ 200 bi/year**, increasing by at least **US\$ 10 bi/year** international financial flows to developing countries, leveraging private finance, and increasing domestic resource mobilization.

Use EbA to contribute to mitigation and adaptation to climate change, (**at least 10 GtCO<sub>2</sub>e per year to mitigation**). Avoid negative impacts on biodiversity

Redirect, repurpose, reform or eliminate incentives harmful for by at least **\$500 bi/year**



# Protected Areas - Their benefits for society



**safeguarding  
biodiversity**

conserving  
natural  
resources

**Building  
resilience to  
climate change  
(Carbon storage)**

maintaining  
water quality

maintaining ecosystem  
balance and services

Preserving important  
habitats

curbing the spread  
of diseases and  
pests

Keeping connections  
across landscapes that  
allow plants and  
animals to move

driving  
economic  
success

bringing  
resilience to  
catastrophic  
events

providing  
global food  
security,

What should be the roles of individuals, companies and governments?



We need to move from a passive-isolated management of protected areas to an active-inclusive and collaborative approach working across many sectors.

# Carbon stocked in Brazilian Protected Areas

**BRL 130.3 Bi** (aprox. EUR 24,7bi)  
is the monetary value of  
carbon stock conserved in  
Brazilian PAs

PAs were responsible for conserving  
**10,5 GtCO<sub>2</sub> equivalent**, (4,6 times  
the total Brazilian emissions in 2016

## Full protection Protected Areas

(4GtCO<sub>2</sub> in 54,3 million ha).

## Sustainable use Protected Areas

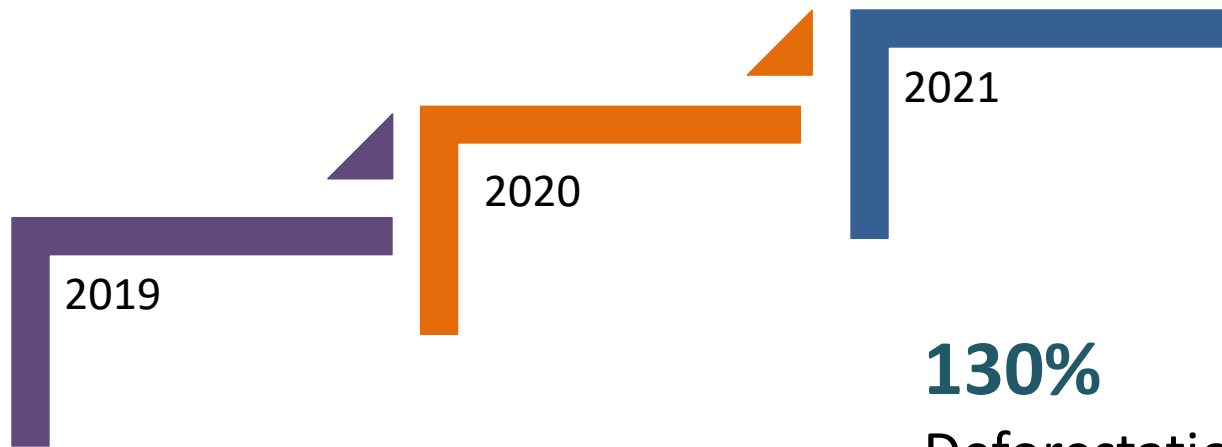
(6.5 GtCO<sub>2</sub> in 102.1 million ha)

## Highest carbon density

- 1<sup>st</sup> Amazon and
- 2<sup>nd</sup> the Atlantic Forest
- 3<sup>rd</sup> Cerrado

**BUT .....**

**In Brazil**



**1.5 million ha**  
of primary tropical  
forest lost

**Nearly 40%**  
of global loss in 2021

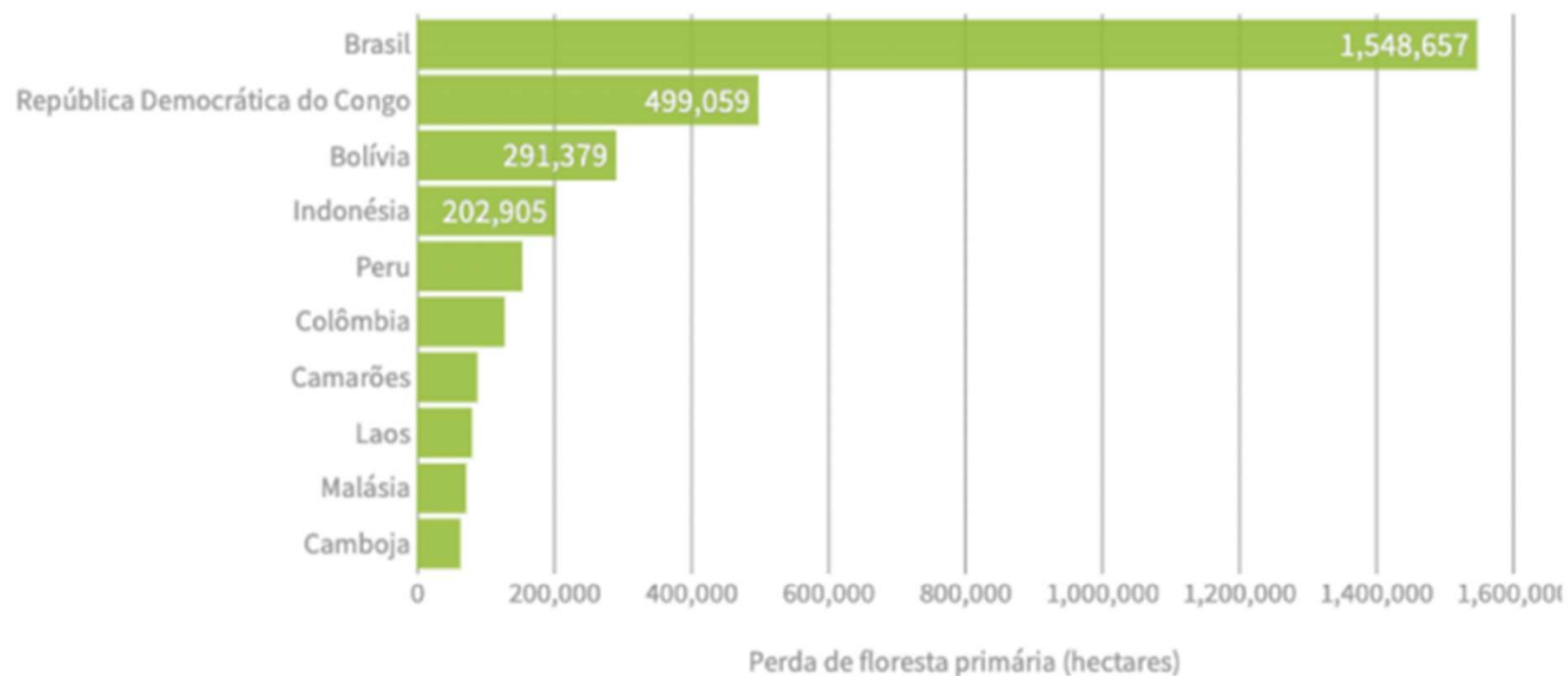
**79%**  
Average  
deforestation  
in Protected  
Areas

**130%**  
Deforestation in  
Federal Protected  
Areas

**138%**  
Deforestation  
in  
Indigenous  
Territories



## Os 10 países onde mais se perdeu florestas tropicais primárias em 2021, área de perda



WORLD RESOURCES INSTITUTE

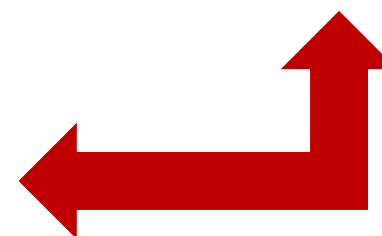


EKOS BRASIL

## Brazil GHG emissions (tCO2e) 2019-2020

Sectors	2019	%	2020	%	Variation
Agrobusiness	562,987,702	29	577,022,998	27	2,5
Energy	412,466,747	21	393,705,260	18	-4,5
Industrial processes	99,472,616	5	99,964,389	5	0,5
Residual	90,399,714	5	92,047,812	4	1,8
Land use change and forest change	806,996,124	41	997,923,296	46	23,7
Gross total Emissions	1,972,322,903		2,160,663,755		9,5
Net total emissions	1,336,613,309		1,524,954,161		14,1

Urgent need to revert  
the weakening of  
environmental  
institutions and  
legislations



World emissions  
decreased 7%

# WHY IS THIS HAPPENING?

# Brazil's decisions to take the route to backwardness

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O Globo

## Desmatamento até novembro é maior dos últimos dez anos na Amazônia, diz Imazon

Acumulado em 11 meses é 31% maior do que o registrado no mesmo período de 2020

por Bruno Alfano

< Brasil

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## Agropecuária já ocupa quase metade do Cerrado, diz monitoramento do MapBiomas

Bioma que corresponde a um quarto do território nacional e alcança 12 estados e o Distrito Federal tem, ao todo, 44% da área destinada a pastagens e plantações

por Cleide Carvalho

10/09/2021 04:30  
atualizado 10/09/2021 16:56



Fazenda Jardim que produz milho prepara o solo para a próxima safra no DF Agência O Globo

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O Globo

## Avanço da soja sobre pastos ameaça o pampa gaúcho

Para especialista, bioma tem condições de ser preservado com manejo adequado de bois

por Cleide Carvalho

22/09/2021 07:00  
atualizado 22/09/2021 17:14



da Rog



Colheita de soja Agência O Globo

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## Pantanal: 2021 caminha para ter segunda maior área queimada nos últimos dez anos

Entre janeiro e agosto deste ano, incêndios consumiram 700 mil hectares do bioma. Marca é equivalente a todo 2013 e 2015 e maior do que 2014 e 2018, segundo laboratório da UFRJ

por Bruno Alfano, Raphaela Ramos

01/09/2021 04:30  
atualizado 01/09/2021 09:25



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O Globo

## Biodiversidade perdida: Mata Atlântica tem apenas 25,8% de cobertura florestal

De 1985 a 2020, dez milhões de hectares de mata nativa foram derrubados, e ciclo de desmatamento impede que áreas abandonadas voltem a ser como as originais

por Cleide de Carvalho

15/09/2021 08:30  
atualizado 15/09/2021 08:36



Incêndio em área de Mata Atlântica em Teresópolis, na Região Serrana do Rio Brenno Carvalho/Agência O Globo

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## Capacidade da Amazônia de remover gás carbono se reduziu em 30% desde 1990, alertam cientistas

Enquanto diplomatas que negociam o acordo global do clima trabalham com um cenário otimista para a floresta, o IPCC (painel de cientistas da ONU sobre o tema) tenta atualizar os dados

por Rafael Garcia

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## Crise climática pode transformar recifes brasileiros em 'cidades-fantasma', diz estudo

Pesquisa da UFRN afirma que, sem cortes nos gases estufa, metade da vida marinha em recifes tropicais do Atlântico Sul não vai mais existir até o final do século

por

18/08/2021 04:00  
atualizado 18/08/2021 18:54



Corais podem virar cidade fantasma Divulgação

# Amazon biome is the most known but not the only one to suffer destruction

# Brazil's government decisions to take the route to backwardness

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## Ianomâmi: Garimpo ilegal cresce 46% na maior destruição em 30 anos de demarcação

Avanço desenfreado da prática em território indígena traz doenças como malária e sífilis, além da fome que assola as aldeias em meio a denúncias de abuso sexual contra crianças

por Daniel Biasetto e Bruna Martins\*

11/04/2022 21:40  
atualizado 14/04/2022 16:40



No Rio Xitei, garimpo ilegal próximo a casas-coletivas indígenas contamina a água que abastece as famílias Ianomâmi. Bruno Kelly/ HAY

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## Governo exclui desmatamento em nova meta de clima e especialistas criticam descontrole ambiental em terras indígenas

Pela primeira vez na série histórica, país vive três anos consecutivos de aumento de supressão vegetal na Amazônia

por Lucas Altino

08/04/2022 17:45  
atualizado 19/04/2022 19:07



Agente do Ibama faz operação contra o desmatamento na Terra Indígena Piripkura, em Mato Grosso. Divulgação

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## Família de ambientalistas é assassinada a tiros no Pará

Vítimas moravam há mais de 20 anos na região e desenvolviam um projeto de repovoamento do rio Xingu

por Ana Beatriz Moda

11/01/2022 15:00  
atualizado 11/01/2022 15:00



Disrespect to indigenous and traditional groups

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O Globo

## Organização dos povos indígenas acusa Bolsonaro de genocídio no Tribunal Penal em Haia

Líderes apresentam hoje denúncia, e vão pedir à Corte que enquadre Bolsonaro por ecocídio, nova tipificação de crime contra a humanidade

por Daniel Biasetto

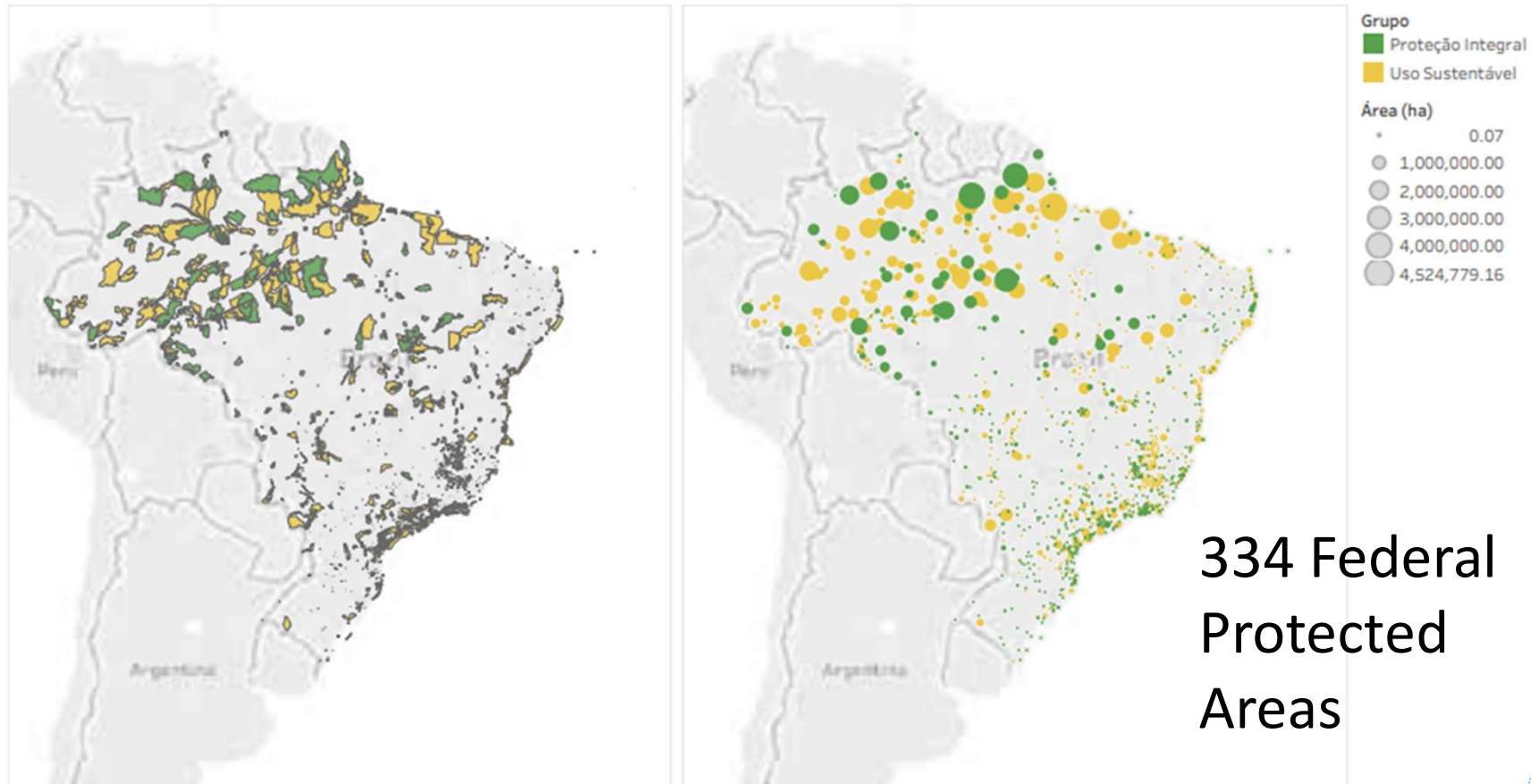
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atualizado 10/08/2021 07:26



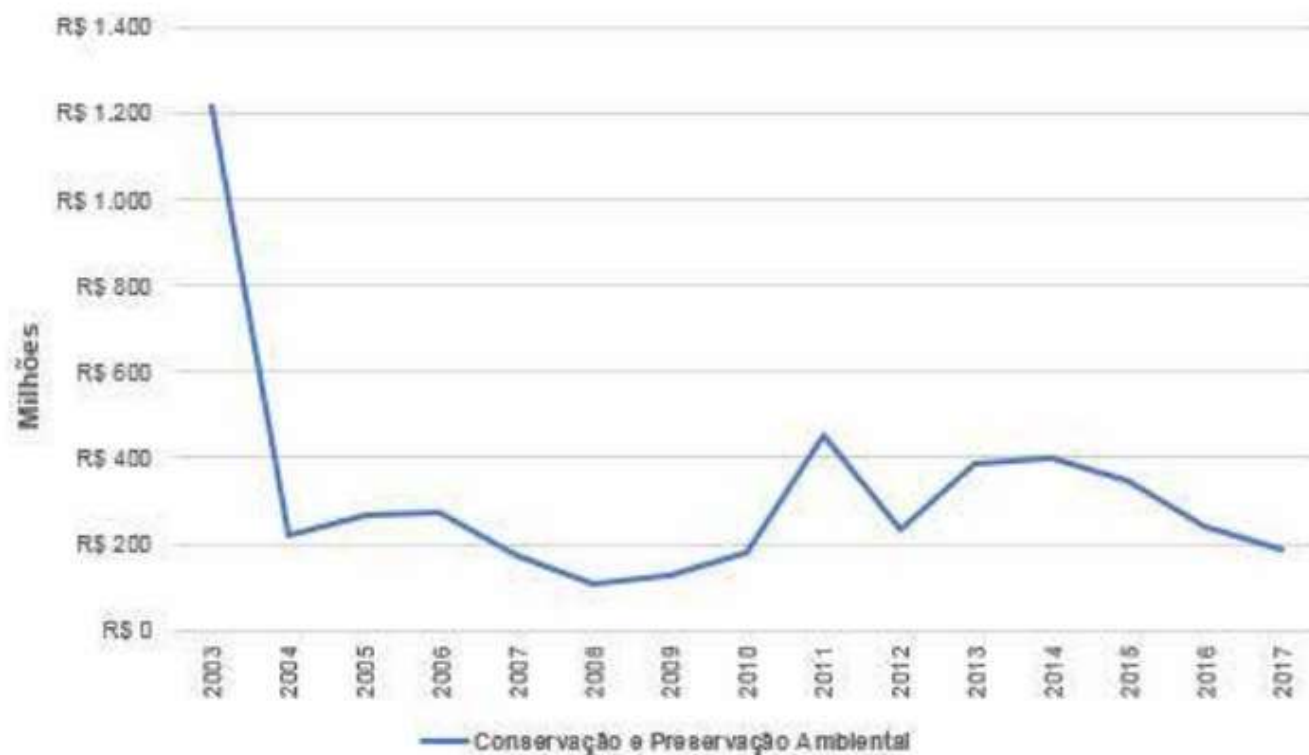
Ativista indígena Sonia Guajajara Agência O Globo



# Sustainable Finance for Brazilian Protected Areas



## Lack of Financial Resources for Protected Areas



BRL 1,20 Per  
Hectare in 2022  
EUR 0,2

## “Carbon Initiatives”

REDD and REDD+ projects (long standing projects – 30 years)

- NGOs, communities and governments develop carbon projects in Protected Areas, usually **sustainable use** ones. Payments are done annually. **Avoided deforestation**.
- Different modalities under way: certification and compensation of emissions in **the volunteer Market**, concessions for companies with **payment for ecosystem services** for those living in the Protected Areas
- Use of known methodologies to **certified carbon** - ex. VCS -Verified Carbon Standard – and CCB (Climate, Community and Biodiversity)
- Brazilian governments are launching different programs – Government is **“granting”** Protected Areas to companies - New concession model to pay for ecosystem services

## Urgent needs and opportunities for Protected Areas

- Create opportunities for the economic sustainability of Protected Areas (FUNDS)
- Clearly promote Protected Areas by defining and applying public policies
- Recognize and regularize Indigenous Peoples lands
- Avoid and cease deforestation inside Protected Areas and recover degraded lands





AMAPÁ  
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ATLANTIC FOREST  
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AREAS FUND



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ARPA  
Programa Áreas Protegidas da Amazônia



FUNDO  
AMAZÔNIA





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