

Editorial

Environmental licensing: A strategic instrument of Brazil's National Environmental Policy in combating the effects of global warming

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Environmental licensing is one of the instruments of the National Environmental Policy, established by Act 6,938/1981 (Brasil, 1981), even preceding the Federal Constitution of Brazil of 1988 (Brazil, 1988). It serves as an important mechanism to ensure those potentially polluting activities and those that use natural resources — whether carried out by the public sector or private initiative — are conducted in accordance with the principles of conservation, preservation, and environmental protection. This instrument defines the technical and legal processes that public authorities must follow to assess the potential environmental impacts of a project or service before granting permission for its implementation. Its relevance is further heightened in the context of mitigating the effects of global warming — acting as a filter capable of preventing, minimizing, or reducing the impacts of projects that could result in significant greenhouse gas emissions, ecosystem degradation, and biodiversity loss (Vieira, 2018).

Licensing enables mitigating and compensatory measures to be addressed during the planning phase of projects. That is, if done properly, environmental licensing can prevent deforestation, protect water sources, inhibit habitat fragmentation, and encourage the adoption of cleaner technologies. These actions are crucial in slowing the rise in the planet's average temperature — a rise directly related to the uncontrolled emission of greenhouse gases, largely caused by the use of fire and the conversion of forest areas into agricultural or urban land. The idea is to include, as part of the conditions in environmental licenses — in the installation and operation licenses (Paz et al., 2010) — obligations to ensure that greenhouse gas emissions during these phases of construction and services are mitigated. It also aims to encourage public policies that call for a review of the guidelines established for environmental licensing (Brazil, 1997), as recommended by CONAMA Resolution 11/1994 (Brasil, 1994), which mandates the periodic revision of the environmental licensing system.

In light of the climate emergency, one of the most urgent and effective solutions would be the implementation of a temporary moratorium on deforestation licensing (Souza et al. 2022), especially in sensitive biomes such as the Amazon, the Cerrado, and the Atlantic Forest. This temporary suspension could allow for a revision of licensing criteria

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and the implementation of stricter measures related to environmental conservation and restoration. Furthermore, it would enable the institutional strengthening of environmental and forestry licensing agencies, which are generally weakened by budget constraints and political pressure.

In parallel with the moratorium, it is essential to expand public policies aimed at the recovery of degraded areas. These areas, often abandoned after predatory land use, hold enormous potential for reconversion into native forests, carbon capture from the atmosphere, and the restoration of ecosystem services such as climate regulation, soil protection, and water preservation. Investments in reforestation, assisted natural regeneration, home gardens, and incentives for agro-ecology and sustainable land management are fundamental steps toward a fairer ecological transition (Oliveira et al., 2022).

Thus, environmental licensing should be understood as part of a broader climate governance strategy. Its effectiveness depends not only on well-structured legal frameworks but also on political will, social engagement, and transparency in decision-making processes. The weakening or dismantling of this instrument, as seen in some current contexts, represents a dangerous setback with direct consequences for climate goals and the future of upcoming generations.

Therefore, tackling global warming requires coordinated action that recognizes environmental licensing as a central tool in ensuring sustainability. The deforestation moratorium and the promotion of degraded land restoration are not obstacles to development, but rather pathways toward a more resilient, low-carbon economy. By protecting ecosystems and promoting the rational use of natural resources, environmental licensing establishes itself as one of the key pillars in the fight against the climate crisis.

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