"Navigating Brazil's Climate Economy: Legal Insights for Strategic Investment"

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Topics

Environmental, Climate and Mining Climate Economy

As **COP30** gets underway in Belém, Brazil, global attention is turning to major climate issues —greenhouse gas emissions, climate finance, renewable energy, and low-carbon solutions.
To contribute to this important conversation, **BMA** has prepared a multidisciplinary e-book exploring the legal dimensions of Brazil's climate transition. Titled "**Navigating Brazil's Climate Economy: Legal Insights for Strategic Investment"**, the publication brings together insights from our partners and lawyers across practice areas.
In a series of concise, thought-provoking articles, the e-book examines legal and business implications of decarbonization, with topics ranging from carbon markets and climate governance to energy transition and sustainable finance. The articles are organized into two thematic sections, and each title links directly to the full text.

We invite you to explore the e-book and join us in reflecting on the legal pathways toward a more sustainable future.

- **CLICK HERE TO DOWNLOAD**

>>> SECTION 1 - Carbon Markets and Regulation

ENVIRONMENTAL, CLIMATE AND MINING

Brazil's Carbon Credit Market: Opening Doors to International Trade

By Márcio Pereira and Marina Maciel

Brazil holds one-third of the planet's reforestation potential, a quarter of global forest conservation capacity, and leads in the adoption of sustainable agricultural practices.

CORPORATE AND M&A

Jurisdictional REDD+ and the Advance Sale Controversy: Lessons from the Pará Carbon Credit Deal

By Luís Flaks and Pedro Henrique Serqueira

The agreement between the State of Pará and Emergent Forest Finance Accelerator Inc. under the LEAF Coalition marks a turning point for Brazil's carbon market—raising new questions about the legal boundaries of buying and selling carbon credits.

TAX

Taxation in Brazil's Carbon Market: Advances and Unresolved Issues After Law 15.042/2024

By Thais de Barros Meira and Andrea Oliveira

Under Law 15.042/2024, gains from the sale of carbon credits are subject to income tax: IRPF for individuals, and corporate income taxes IRPJ and CSLL for legal entities.

DUE DILIGENCE AND REAL ESTATE

The Challenges of Land Due Diligence in Nature-Based Solution Projects in Brazil

By Adriana Dib Fuzinato, Cristiana Moreira and Ellen Juste Nuñez

In a landscape of legal uncertainty, land due diligence demands a multidisciplinary approach, looking beyond title documents to assess environmental, regulatory, and contractual risks.

FINANCE AND CAPITAL MARKETS

Aligning Finance and Sustainability: The Role of Investment Funds in Brazil's Carbon Market

By Felipe Prado and Jane Goldman Nusbaum

To be traded in Brazil, credits must be authorized by a government authority, either domestic or foreign, and registered with a central securities depository system approved by the CVM or BACEN, or traded on an authorized organized market.

COMPETITION LAW

Antitrust Perspectives on Brazil's Carbon Market

By José Inacio Ferraz de Almeida Prado Filho and Maria Eduarda Gênova

The first question for businesses is whether they fall within the scope of Law 15.042/2024. Under current rules, facilities emitting more than 10,000 or 25,000 tons of CO_2 per year are covered, though with different obligations depending on the level of their emissions.

>>> SECTION 2 - Climate Governance and Risk Management

FINANCE AND CAPITAL MARKETS

COP30 and the Climate Agenda: The Private Sector's Role in Climate Finance

By Camila Goldberg, Gabriel Bürgel and Maria Luiza Belmiro

A call to action for financial institutions and companies ahead of the Belém conference.

INFRASTRUCTURE AND REGULATORY & GOVERNMENT AFFAIRS

Infrastructure as a Driver for Climate Mitigation and Adaptation

By Ana Candida de Mello Carvalho

The transition to a decarbonized and resilient logistics infrastructure in Brazil hinges on strengthening legal and regulatory frameworks.

ENERGY

Brazil's Energy Transition: Initiatives In Emissions Reduction And Control

By Bruna de Barros Correia and Rodrigo de Teive e Argollo Mariani

Recent Advances and a Look to the Future.

ENVIRONMENTAL, CLIMATE AND MINING

Unlocking Brazil's Potential: Critical Minerals Policy and the Path to Decarbonization

By João Raso and Caio Figueiredo Gomes

Despite Brazil's significant geological potential, the country still has relatively few well-developed projects focused on these minerals.

ENVIRONMENTAL, CLIMATE AND MINING

Environmental licensing and climate move on the new regulatory playing field

By Fernanda A. Tanure and Marlus Oliveira

Climate considerations in environmental licensing.

DISPUTE RESOLUTION

Climate Litigation: Brief remarks on a growing movement

By Rafael Castilho, Raquel Mansanaro and Daniele Druwe Araujo

In cases targeting specific acts or projects, plaintiffs most often seek mitigation measures or compensation for climate-related losses.

CORPORATE AMD M&A

New Corporate Regulations for Climate Risk Management

By Carlos Frederico Lucchetti Bingemer and Monique Mavignier

By setting standards for recognition, measurement, and disclosure, OCPC 10 aims to ensure that decarbonization activities are accurately reflected in financial statements.