

Trench  
Rossi  
Watanabe.

**ENVIRONMENTAL AND  
CLIMATE CHANGE**

[trenchrossi.com](http://trenchrossi.com)

# THE SUSTAINABILITY OF YOUR BUSINESS

Compliance with laws and regulations is more than an obligation. It is a way to stay ahead.

It is common sense that, in order to achieve sustainable growth, economic activities must seek for the balance of economic, social and environmental aspects.

In view of sustainable growth perspective, the concept of stakeholder is extended, in order to include shareholders, entrepreneurs, employees, suppliers, consumers, affected communities, government agencies and public in general.

In this context, companies, financial institutions and government agencies have been challenged to develop and implement more efficient policies and control instruments.

In addition, businesses worldwide have been subject to increasingly stringent and diverse demands on environmental protection, climate change mitigation, consumer rights, and more broadly, corporate social responsibility. In Brazil, this situation has been reinforced by important advances in our

legislation and the increased integration of the country into the international market.

This scenario can impact your businesses inside and outside Brazil. Sanctions for violations can be severe and can damage the reputation of your company. You need to do more than follow the rules. Your business needs to be aligned with these developments.

We have a team of specialized lawyers in these areas and prior enforcement experience to assist you in meeting these and other relevant sustainable development initiatives demands in an efficient manner that is tailored to your needs. In addition, we work in cooperation with international offices of Baker McKenzie located in more than 40 countries on a regular basis, in the solution of problems involving jurisdictions outside of Brazil.

## AWARDS AND RECOGNITIONS

### CHAMBERS LATIN AMERICA

The recent editions ranked Trench Rossi Watanabe among the leading law firms in environment and product liability law. Partner Renata Amaral frequently advises corporate heavyweights before environmental authorities on the regularisation of their activities. She is experienced in the management of contaminated areas and is described by peers as "a very well-prepared and competent lawyer."

### LACCA APPROVED

Our partner Renata Amaral was acclaimed as a leading Energy private practitioner in Brazil, as voted for by the region's leading corporate counsel, in the 2018 edition.

### LATIN LAWYER 250

The 2018 edition recommends Trench Rossi Watanabe, highlighting the quality and expertise of our lawyers in most practice areas, including Environmental.

### ANÁLISE ADVOCACIA 500

The 2017 edition conducted an interview with more than 700 representatives of the major companies in Brazil. Trench Rossi Watanabe appears in all the 12 areas researched by the publication, including the Environmental and Consumer areas, as one of the most admired law firms in the country. Partner Renata Amaral and associate Giovanni Bruno Tomasoni have been chosen by the Award Law Review (Prêmio Análise Advocacia) as one of the most respected lawyers in the area of Environmental Law in Brazil.

### CLIENT CHOICE WINNER

Our Partner Renata Amaral has been chosen as the exclusive winner of the Environment & Climate Change category for Brazil.

# OUR GOAL

Our goal is to assist your company to comply with the applicable laws on an integrated and cost-efficient manner, and incorporate the environmental protection, climate change mitigation, consumer rights and corporate social responsibility values in your business, short-term and long-term strategies, to reconcile competitive advantage and sustainability.

## HERE ARE WAYS WE HELP

### Environmental Law

- Analysis and advise on environmental aspects of business transactions including mergers and acquisitions, privatization processes and others;
- Legal assistance on licensing proceedings for relevant undertakings, including the preparation of Environmental Impact Studies;
- Regulatory counseling in connection with ongoing operations, including permitting and licensing requirements;
- Crisis management and negotiation with stakeholders;
- Administrative proceedings, including self-disclosure procedures and civil investigations conducted by District Attorneys and other environmental authorities;
- Defense and negotiation of consent agreements with environmental enforcement authorities;
- Review legal aspects of environmental assessment reports, environmental risk analyses and remediation strategies;
- Judicial litigation and pre-litigation along with our Dispute Resolution Team;
- Legal analysis, drafting and negotiation of environment-related clauses in business agreements including warranties and representations;
- Environmental management, auditing, and other organizational practices;
- Coordination, performance, and analysis of environmental due diligence reports on businesses, designed to identify and quantify transaction-related environmental liabilities;
- Follow-up of legislative development and case law;
- Development of policies, compliance and enforcement strategies, as well as analysis and draft of regulations with governmental and private institutions;
- Financing for the environment including risk analyses of operations, collaterals, financing of undertakings, contractual clauses, audits and financial industry directives such as Equator Principles;
- Specialized training for companies' staff on the aspects of the law applicable to their businesses.

### Climate Change

- Implementation of foreign and domestic greenhouse gas reduction requirements, trading systems for greenhouse gas emissions, and other incentive programs under the Pro-Ethanol Program and Electrical Energy Conservation Program (PROCEL);
- Representation in international negotiations and projects, including those under the Clean Development Mechanism of the Kyoto Protocol;
- Providing deal s structuring and taxation analysis towards optimizing carbon credit business opportunities;
- Carrying out legal due diligence on CDM/VER Project Portfolios and potential CDM and VER projects to consider and advise on all relevant host country laws and approvals;
- Carrying out legal due diligence on CDM/VER Project Portfolios in Latin America in support of acquisitions of, equity investments in and IPO's from Carbon Financing companies;
- Advising on the CDM, VERs and other relevant host country rules regarding the creation, transfer and use of credits;
- Assisting with the preparation and negotiation of deal documentation for the purchase from CDM and VERs projects, or inclusion of including preparation of the ERPA, VERPA and related agreements, and assistance with negotiations for host country approval;
- Assisting companies in developing or reviewing carbon emission neutralization programs; Through our extensive market networks, facilitating project origination opportunities for clients to prospective interested project developers, sellers, or buyers, as the case may be;
- Providing legal assistance on development auctions of Carbon Trading Platforms and Exchanges;
- Drafting contracts for Carbon Project Registries.



# CONTACTS

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