



*Permanent Mission of Brazil to the United Nations Office and other
International Organizations in Geneva
Chemin Louis Dunant 15- 1202
Geneva-, Switzerland*

Geneva, 28 August, 2018

Dear Ms. Balbin,

I refer to the joint communication OL BRA 5/2018, dated 13 June 2018, from the Special Rapporteur on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment; the Special Rapporteur on the right to food; the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standards of physical and mental health; and the Special Rapporteur on human rights to safe drinking water and sanitation. On behalf of the Brazilian Government, I have the honour to present the attached comments. I would appreciate if you could transmit the document to the above mentioned special rapporteurs.

Please accept the assurances of my highest consideration.


Joao Lucas Quental N. de Almeida
Minister-Counsellor

Permanent Mission of Brazil to the United Nations Office in Geneva

Ms. Beatriz Balbin
Chief
Special Procedures Branch
OHCHR



FEDERATIVE REPUBLIC OF BRAZIL

RESPONSE TO COMMUNICATION

OL BRA 5/2018

The draft law 6.299/2002 (PL 6.299), as well as the 21 other bills related to it, regulates research, experimentation, production, packaging and labeling, transportation, storage, commercialization, commercial use, import, export, final destination of waste and packaging, registration, classification, control, and inspection of pesticides, their components and similar products. The bill, presented by then-Senator Blairo Maggi, was approved by the Federal Senate on March 6, 2002. Since then, it has been under consideration of the Chamber of Deputies.

On April 8, 2016, the Chamber of Deputies established a Special Commission on the PL 6.299. Congressman Luiz Nishimori was appointed the rapporteur on the matter and Congresswoman Tereza Cristina was appointed President of the Commission. From April 2016 to April 2018, the Commission met twenty times and organized eight public hearings, with the participation of representatives of the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA), the Brazilian Agricultural Research Corporation (EMBRAPA), the Ministry of Agriculture (MAPA), the Ministry of Foreign Affairs (MRE), the National Agency of Sanitary Surveillance (ANVISA), the University of Brasília (UnB), the Federal University of Goiás (UFG), the Fluminense Federal University (UFF), international health authorities and representatives of civil society. The Commission also approved requests for information to the Ministry of Environment (MMA), the Ministry of Health (MS) and ANVISA on the subject.

On April 24, Congressman Luiz Nishimori submitted a report recommending the approval of PL 6.299 and twelve other bills, in the form of a substitute bill, and the rejection of the other nine bills. The presentation of the report by the parliamentarian gave new impetus to the process.

The report was adopted by the Special Commission on 25 June by 18 votes to 9. The report will be submitted to the Plenary of the Chamber of Deputies. If the PL is approved by the Plenary, the amendments introduced in its text by Congressman Luiz Nishimori, within the scope of the substitute bill presented by him, should be re-submitted for consideration of the Federal Senate.

It is worth noting that another Special Commission, on PL 6.670/2016, which establishes the National Policy for Pesticide Reduction (PNARA), is currently in operation in the Chamber of Deputies. This PL defines a comprehensive program to discourage the use of pesticides through economic, financial and fiscal measures

and to stimulate, through public policies, the supply of biological and natural sources of inputs, as well as sustainable management techniques and qualification programs of professionals of the sector. It seeks to replace an agriculture based on chemical pesticides by the organic cultivation. The bill is the outcome of a legislative initiative by the Brazilian Association of Collective Health, a civil society entity, approved by the Chamber of Deputies' Committee on Participatory Legislation (PLC).

The Special Commission on PL 6.670/2016 is in the public hearings stage and is awaiting the report of Congressman Nilto Tatto. Once approved by the Commission, the matter should be submitted to the Plenary of the Chamber of Deputies and then to the Federal Senate.

As described above, PLs 6.299/2002 and 6.670/2016 are being discussed in the Brazilian Congress, in accordance with established rules and procedures, in a transparent manner, with the participation of civil society.