

## GOAL 12 OF THE NATIONAL COUNCIL OF JUSTICE AIMED AT ENVIRONMENTAL SUSTAINABILITY

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### ABSTRACT

The present work presents the 'State of the Art' scheduled for the development of a Master's Thesis being carried out in the stricto sensu Graduate Program in Environmental Sciences at the Evangelical University of Goiás (UniEVANGÉLICA). The agenda highlights the importance of studies focused on TARGET 12 of the National Justice Council, which outlines environmental actions that converge towards environmental sustainability. To achieve success, a deductive approach was employed, enhanced by bibliographic and documentary techniques, which allowed for the development of descriptive and explanatory research.

**Keywords:** Brazil; National Justice Council; Goals; Environmental Sustainability.

### INTRODUCTION

Goal 12 of the National Justice Council (CNJ) dictates the promotion of environmental actions in Brazilian Courts. From the Goal, processes related to environmental issues must be expedited, ensuring speed and procedural economy. Regarding this, the Meta determines that actions related to environmental issues must be identified in the Courts.

Regarding the Superior Court of Justice - Goal [identify] 65% of cases related to environmental actions distributed by 12/31/2021; Federal Justice - Goal [identify] 20% of cases with environmental matters distributed by 12/31/2021; State Justice (Goiás) - Goal [identify] 25% of cases related to environmental actions distributed by 12/31/2021 (CNJ, 2022).

In this context, within the applicability of Goal 12, the present work presents the 'State of the Art' that encompassed the 'Research Project', a foundation/agenda crafted to serve as the cornerstone for the construction/elaboration of the Master's Thesis that will be defended at a future date in the stricto sensu Graduate Program in Environmental Sciences at UniEVANGÉLICA.

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## DEVELOPMENT

The damage to the environment, a natural resource, is not geographically isolated, and the damage caused in a certain location is capable of affecting the entire planet; it is a series of consequences that affect in a domino effect (PRADO, 2019). It's no use thinking about the Atlantic Forest without considering the preservation of the Cerrado; there is no way to measure the disasters caused by water and air pollution in demographic terms. A damage here becomes a chain reaction that is difficult to stop, with consequences on a global level (CARVALHO, 2004).

Hence, it became necessary for the environment to be protected through laws and controlled by Political Power in Brazil. Even before the Federal Constitution of 1988, environmental protection was governed by Federal Law No. 6,938, of August 31, 1981, which provided for the National Environmental Policy, its purposes and mechanisms for formulation and implementation, and made other provisions. Based on this law, the Public Prosecutor's Office began to propose the first public civil actions, despite there being no specific legislation legitimizing it until then. Only with the creation of Federal Law No. 7,347, on July 24, 1985, four years later, did Public Civil Actions (PCAs) become constant and effective. At that time, there was not much talk about the criminal protection of the environment. and. However, various scattered criminal laws were applied to the specific case There was no Environmental Penal Code, and the Doctrine demanded the systematization of the existing scattered legislation on environmental criminal protection (SIRVINSKAS, 2010). ).

Once the environment is protected, it is necessary for this protection to also be effective, and Goal 12 comes precisely with the intention of boosting environmental action processes through schedules defined by the CNJ.

The National Justice Council, as the central body for control and strategic planning of the Judiciary, aims to promote the goal plans and institutional evaluation programs of the Judiciary. In this sense, CNJ Resolution No. 325, of June 29, 2020, establishes, in its Article 11, that the monitoring and evaluation of the National Judiciary Strategy will be carried out, among other instruments.

With this in mind, Goal 12 concerns the promotion of environmental actions in the

STJ, the Courts of Justice, and the Federal Justice. All these courts have committed to identifying these cases in their respective archives and to accelerating more cases on this theme, according to the different percentage indices and deadlines established for meeting the goal of adjudicating environmental actions.

At the time when the search for the convergence of economic growth with human development is recorded, sustainability is identified as the expression closest to environmental preservation. In this way, the Judiciary proves to be an ally in promoting effective public policies on environmental matters (POMPEU; MIRANDA, 2016).

The existence of the National Justice Council (CNJ) alone does not guarantee the effectiveness, speed, transparency, or even the efficiency of the Judiciary. But it is a step towards transparency and control of the Judiciary, and it has sought an automatic solution for sustainability through various means, such as the computerization of processes and procedures via electronic systems, which is part of the pursuit of sustainability and the realization of the right to development, which is an enforceable right at both national and international levels, and can also lead to the expeditiousness of procedural judgments (ESTANISLAU; GOMES, 2019).

## **METHODOLOGY**

To achieve success, a deductive approach was employed, enhanced by bibliographic and documentary techniques, which allowed for the conduct of the study and the development of descriptive and explanatory research, which was particularly based on theses, dissertations, and scientific articles published in prestigious journals.

## **RESULTS**

The work, applying the method, delivers to the academy, to the faculty and students of UniEVANGÉLICA, the 'State of the Art' that encompassed the 'Research Project', a scientific basis established for the construction/elaboration of the Master's Thesis that will be defended at a future date in the stricto sensu Graduate Program in Environmental Sciences at UniEVANGÉLICA. The Dissertation will seek to establish the following hypothesis: The priority judgment of environmental (criminal) actions effectively contributes to environmental balance, as it curbs and punishes degrading actions. Goal 12 inscribed by the National Justice Council, applied by the Court of

Justice of the State of Goiás, serves environmental sustainability in the municipalities belonging to the Vale do São Patrício region.

## BIBLIOGRAPHIC REFERENCES

BRASIL. **Constituição da República Federativa do Brasil de 1988**. Brasília, DF: Senado Federal, 2022.

BRASIL. **Lei nº 21.268, de 5 de abril de 2022**. Dispõe sobre o Código de Organização Judiciária do Estado de Goiás e dá outras providências. Disponível em: <https://legisla.casacivil.go.gov.br/api/v2/pesquisa/legislacoes/105266/pdf>. Acesso em: 31 jan. 2023.

CARVALHO, I. C. M. **Educação Ambiental: A formação do sujeito ecológico**. 5ª. Ed.. São Paulo, Editora Cortez, Coleção Docência em Formação, 2004.

CNJ. Conselho Nacional de Justiça. **Relatório de Acompanhamento da Estratégia Nacional 2021**. ANO 2021. Departamento de Gestão Estratégica. Secretaria Especial de Programas, Pesquisa e Gestão Estratégica. Disponível em <https://www.cnj.jus.br/wp-content/uploads/2022/11/relatorio-de-acompanhamento-da-estrategia-nacional-2021-v2-2022-05-31.pdf>. Acesso em: 05.mar.2023.

CNJ. Conselho Nacional de Justiça. **Metas Nacionais. 15º Encontro Nacional do Poder Judiciário**. ANO 2022. Disponível em <https://www.cnj.jus.br/wp-content/uploads/2023/01/metas-nacionais-aprovadas-no-15o-enpj.pdf>. Acesso em: 05.mar.2023.

PRADO, Luiz R. **Direito Penal do Ambiente**. 7ª ed.. Rio de Janeiro: Editora Forense, 2019.

POMPEU, Gina Vidal Marcílio; MIRANDA, Jorge Di Ciero. O Escopo do Poder Judiciário diante da Proteção Ambiental no Estado Econômico. **Revista Questio Iuris**. vol. 09, nº. 01, Rio de Janeiro, 2016. Disponível em: <https://www.e-publicacoes.uerj.br/index.php/quaestioiuris/article/view/18606>. Acesso em: 01 fev. 2023.

SIRVINSKAS, Luís P. **Tutela Penal do meio ambiente**. 4ª ed.. São Paulo: Editora Saraiva, 2010.

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