Environmental Protection and the Sustainable Use of the Water Resources: The CONAMA’s and SMA-SP´s Resolutions in 1984-2010 Period

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Abstract

The preoccupation, both technical and judicial points of view, with the environmental protection and sustainable use of the water resources in the economic activities developed in the country and, specifically, in Sao Paulo State is something so much evident. About this, one of the main mechanisms used in last years is the edition of resolutions by Conselho Nacional do Meio Ambiente (CONAMA), in the federal scale, and by Secretaria do Meio Ambiente do Estado de São Paulo (SMA-SP, in the state scale. This work intends the study and the analysis of the federal and state resolutions that are connected with the environmental protection and sustainable use of the water resources during 1984-2010. About this, it is used the Compared Law and Literature Research. The conclusions are: (i) the CONAMA´s resolutions follow some instruments and principles of the Politica Nacional do Meio Ambiente law and it are linked, in specific way, with the rural sector and with the rural activities; (ii) the SMS-SP´s resolutions have the same behavior of the CONAMA´s resolutions, but with a difference in the time; (iii) finally, it isn´t possible, in accordance with the historic analysis of both CONAMA and SMA-SP´s resolutions, verify some correlation between this kind of specific judicial norm and one stability, constant and long politic of environmental protection and sustainable use of water resources in the period studied.

Keywords: Resolutions, Water resources, Environmental protection, Sustainable use, Environmental law.