

## Brazil Desk

Recent policy and legislative developments addressing corporate social and environmental responsibility, climate change and cross-border competition trends underscore the importance of economic and political relations between Brazil and Europe. BLOMSTEIN's Brazil Desk is well-positioned to advise clients in diverse matters involving Brazil and the European Union, in particular EU and German regulatory and competition matters, ESG, and international trade policy. Our expertise enables us to provide a consistent and combined approach to the relevant regulatory matters involving both the Brazilian and the European framework.

With three native Portuguese speakers and a unique proficient cultural competency, BLOMSTEIN's Brazil Desk is in a privileged position when it comes to understanding and dealing with the Brazilian-European business environment and legal framework. Attorneys qualified in Europe and Brazil combine solid experience in advising clients on the EU regulatory framework and on legislative and policy strategies. Furthermore, previous experience at the Brazilian competition authority as well as the Federal Government of Brazil of one of our team members further strengthen our deep understanding of regulatory and competition law matters.

We are co-authors of a monthly column called RegulaEuro in Brazil's largest legal online portal, [JOTA](#).

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### **Multilateral Development Banks (MDB)**

We represent clients in administrative sanctions procedures before multilateral development banks such as the World Bank and the IDB. As a World Bank accredited independent monitor, we review the sanctioned companies' compliance mechanisms and attest compliance with the conditions imposed. Aimed at decreasing clients' risks of facing administrative sanctions in MDB-financed projects, BLOMSTEIN also advises on self-cleaning programs in accordance with the established standards and guidelines.

### **Supply Chain and Corporate Sustainability Due Diligence**

We are monitoring the proposed European Directive (2022/0051 - COD) on corporate sustainability due diligence obligations in relation to human rights and the protection of the environment. In addition, we are specialised in the German Supply Chain Act (LkSG) on the same topic, which is already in force. We counsel subsidiaries to German and European companies, as well Brazilian companies trading in the EU on conforming with

the relevant due diligence requirements. We also assist European companies with operations in Brazil to mitigate risks associated with their respective business sector.

## **Deforestation**

We are monitoring the approval of the EU Deforestation Regulation (2021/0366 - COD) and we provide impact assessments for the Brazilian industries involved (e.g. cattle, cocoa, coffee, palm oil, soya, rubber, timber - their by-products and products containing or result from these commodities). We advise our clients on compliance programs and on contractual terms in line with the proposed regulation as well as organising training and awareness campaigns. We also provide advocacy advice on policies and delegated acts related to the Deforestation regulation.

## **Carbon market**

We are monitoring the approval of the EU Carbon Border Adjustment Mechanism (CBAM) (2021/0214- COD). We provide impact assessment for the affected sectors, especially the metallurgical sector (i.e. iron, steel and aluminium). We also assist clients in contractual negotiations and other matters relating to the European carbon market.

## **Green Hydrogen (GH<sub>2</sub>)**

We provide support on the H<sub>2</sub>Global procurement programme to allow Brazilian sellers to take part on the auctions for long-term supply contracts to provide GH<sub>2</sub> and its by-products. We also advise production projects on how to comply with European requirements to facilitate access to EU and development banks funding instruments. We also provide advocacy advice towards policies and regulation aiming to foster the green hydrogen industry in Brazil.

## **Taxonomy and reporting obligation**

We have an extensive regulatory knowledge of the European Taxonomy on ESG activities, the Sustainable Finance Disclosure Regulation (SFDR) and the Corporate Sustainability Reporting Directive (CSRD). We assist our clients in preparing ESG reporting and projects in accordance with European classifications to enable access to European ESG investment funds.

## **Antitrust & Competition**

Our expertise enables us to provide advice on a consistent and combined approach to matters involving the Brazilian and the European competition framework, with particular attention to merger filing obligations, and antitrust compliance by business groups trading or holding activities in Europe and Brazil. We are well positioned to provide clear guidance on strategies that coherently accommodate the regulatory framework of all the jurisdictions involved.

## **Publications (MDB)**

[Formas de acordo e cooperação com investigações do BID](#) (Possible cooperation and agreements in IDB's investigations), JOTA, 15 January 2021, Roland M. Stein and Bruno Galvão

[Debarment por condutas irregulares em projetos financiados pelo Banco Mundial](#) (Debarment due to irregularities in World Bank's financed projects), JOTA, 4 December 2020, Roland M. Stein and Bruno Galvão

## **Publications (ESG)**

[Sustentabilidade no radar da Comissão Europeia sob a ótica da concorrência](#) (Sustainability on the European Commission's radar from a competition perspective), JOTA, 9 January 2023, Anna Huttenlauch and Marie-Luise Heuer

[O novo governo brasileiro e as consequências para as relações com a Europa](#) (The new Brazilian government and the consequences for its relations with Europe), JOTA, 7 November 2022, Roland M. Stein and Bruno Galvão

[Desafios e oportunidades do mercado de carbono europeu](#) (Challenges and opportunities in the European carbon market), Valor Econômico, 7 November 2022, Bruno Galvão and Christian Rosa

[Governo alemão lança manual sobre a Lei de Cadeia de Fornecimento](#) (German Government releases handbook on Supply Chain Law), JOTA, 26 September 2022, Roland M. Stein and Bruno Galvão

[Como a regulação do CBAM na Europa pode afetar exportadores brasileiros](#) (How CBAM regulation may affect Brazilian exporters), JOTA, 15 August 2022, Bruno Galvão and Daniela Stump

[Indústria do hidrogênio verde começa a ganhar corpo](#) (Green hydrogen industry begins to take shape), JOTA, 30 Mai 2022, Roland M. Stein and Bruno Galvão

[Europa e a Rastreabilidade de Commodities Agrícolas](#) (Europe and the Traceability of Agricultural Commodities), Agrolink, 14 April 2022, Bruno Galvão, Luis Felipe Aguiar and Ana Laura Ramires

[Avança na UE proposta que regulamenta produtos livres de desmatamento](#) (Proposal to regulate deforestation-free products advances in the EU), JOTA, 4 April 2022, Roland M. Stein and Bruno Galvão

[A concorrência e as metas de sustentabilidade](#) (Competition and sustainability goals), JOTA, 28 March 2022, Anna Huttenlauch and Marie-Luise Heuer

[Hidrogênio verde e oportunidades entre o Brasil e a Europa](#) (Green Hydrogen and the opportunities between Brazil and Europe), epbr, 22 March 2022, Bruno Galvão and Marcos Ludwig

[Proposta europeia sobre due diligence corporativo sustentável](#) (European proposal on sustainable corporate due diligence), JOTA, 28 February 2022, Roland M. Stein and Bruno Galvão

[Hidrogênio verde na Europa e por que isso importa para o Brasil](#) (Green hydrogen in Europe and why it matters for Brazil), JOTA, 31 January 2022, Roland M. Stein and Bruno Galvão

[UE busca banir commodities e subprodutos de terras desmatadas](#) (EU seeks to ban commodities and by-products from deforested land), JOTA, 11 December 2021, Roland M. Stein and Bruno Galvão

[CBAM: a primeira taxa aduaneira de carbono do mundo](#) (CBAM: the world's first carbon customs tax), JOTA, 26 July 2021, Roland M. Stein and Bruno Galvão

[Alemanha discute nova Lei da Cadeia de Fornecimento](#) (Germany discusses new Supply Chain Act), JOTA, 31 May 2021, Roland M. Stein and Bruno Galvão

[ESG e o futuro do compliance](#) (ESG and the future of compliance), JOTA, 10 May 2021, Roland M. Stein and Bruno Galvão

## **Presentations (MDB)**

[Importance of compliance and integrity program in projects financed by the World Bank](#), ABDIB (Brazilian Association of Infrastructure and Basic Industries) Webinar, 26 July 2021, Speakers: Lisa K. Miller (World Bank's Integrity Compliance), Thiago Pinheiro (Partner Mattos Filho) and Roland M. Stein

[BID-Compliance Sistema de Acordo](#), PUC-RIO Webinar (in partnership with BMA) on IDB's sanctions system: [Investigations and the Development Banks: What to expect in 2021?](#), 27 November 2020, Speakers: Juan G. Ronderos (IDB's Sanctions Officer), José Guilherme Berman and Francisco Müssnich (both Partners Barbosa, Müssnich e Aragão Advogados (BMA), and Roland M. Stein

[A Global Survey of Debarment: How is Debarment Used by Countries, the Private Sector, and State-Owned Enterprises?](#), 1<sup>st</sup> Roundtable of World Bank's Fifth International Debarment Colloquium, 22 September 2020, Roland M. Stein (one of the key speakers)

[The Global Exclusion Survey: A Look at Suspension and Debarment Systems from around the World](#), International Bar Association (Anti-Corruption Committee/Subcommittee Debarment and Exclusions) Webinar, 18 March 2020, Roland M. Stein (one of the key speakers)

## **Presentations (ESG)**

Roundtable on the European Carbon Market, EVEx Lisboa 2022 – conference on the energy transition in Europe and Brazil, Lisbon, 30 November 2022, Bruno Galvão (one of the key speakers)

Presentation on the European Deforestation regulation on request of the Governor of the Brazilian Federal State Mato Grosso to his secretariat and local producers' associations, 29 November 2022, Bruno Galvão

Sustainability Due Diligence obligations in the supply chain, Seminar AHK São Paulo, 16 August 2022, Key Speakers: Bruno Galvão, Chico Mussnich, Márcio Pereira (BMA), Alice Kasnar and Rafael Benke (Proactiva)

Seminar on the European ESG regulation, World Trade Center Curitiba, 25 May 2022, Bruno Galvão (one of the key speakers)

[Brazil and Germany: Green Hydrogen Potential](#), Webinar hosted by BLOMSTEIN and Castro Barros Advogados, 22 October 2021, Key Speakers: André Clark (Senior Vice President for the Siemens Energy Hub in Latin America and General Manager of Siemens Energy Brazil), Kristina Kramer (Head of Secretariat German-Brazilian Energy Partnership, GIZ), Moderators: Paulo Dantas (Partner Castro Barros Advogados) and Bruno Galvão

[Regulation of the European Union](#), Ep. 1 of Machado Meyer Advogados' podcast series: Transição Energética (Energy Transition), 6 October 2021, Roland M. Stein and Bruno Galvão