

### 2.3 Imports

Between 1973 and 1988, imports of mineral substances rose from US\$ 110 million to US\$ 1,167 million, with an annual average increase of 17% in the period. Metallurgical coal, potash fertilizers, sulphur and copper concentrate alone accounted, in 1988, for 83.4% of these imports.

Between 1973 and 1988, mineral downstream products weighted most in the minerals import schedule, accounting for 51.4% of the total (excluding oil and natural gas). Mineral substances followed, with 28.5%, while chemical compounds accounted for 20%.

### 3. MINERAL AND ENVIRONMENTAL LEGISLATION

In Brazil, mineral deposits are considered and defined by law as part of the union's endowment. Presently, under the 1988 constitution, the federal government only transfers the right of mineral extraction, for the period in which mining activities are performed and in which all applicable legislation is followed. According to the constitution, prospecting and mining of mineral resources may only be carried out by Brazilians or by companies in which the ownership of the majority of the voting capital is held by individuals domiciled and resident in Brazil.

The present legislation also regulates the activity of prospectors, known as **garimpeiros**. It determines the creation of special areas in which prospectors, organized in cooperatives, can operate.

The federal government agency which oversees mining in Brazil is the National Department for Mineral Production (DNPM), part of the Ministry of Infrastructure's Secretariat of Mines and Metallurgy.

During the late nineteen seventies, the Brazilian government started the structuring of the present day network of environmental control agencies. The National Council of the Environment (CONAMA), is the agency in charge of preparing all regulations required by the constitution in order to provide a federal legislative body on the environment. In each state an equivalent council exists.

Linked to these councils are agencies in charge of enforcing the legislation and controlling potentially polluting activities. At the federal level, the enforcement arm of CONAMA is IBAMA (Brazilian Institute for the Environment and Renewable Resources).

At the states level, the enforcement arms of the state councils are agencies whose mandates include assessing the environmental impact of projects before they obtain licences for development and operation. However, when the activity is to take place in environmentally protected areas under the federal jurisdiction or in interstate or country boundary zones, the environmental impact analysis must also be submitted to federal agencies.

In recent years, the restrictions and legal obligations for mining activities have increased.