

## **Environmental damage and its valuation in the judicial process**

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### **ABSTRACT**

In Brazil, diffuse environmental, material and moral damage has aroused growing interest from both the legal community and civil society, due to its relevance to the protection of the environment and collective interests. The valuation of these damages in the judicial process presents specific challenges due to the complexity and variety of their impacts. Environmental, material and diffuse moral damage are topics of great relevance in the Brazilian legal context, requiring a careful and judicious approach in their valuation through the courts. This study aims to analyze how the valuation of diffuse environmental, material and moral damage has been carried out by the Brazilian courts, it represents only an initial stage for more comprehensive and in-depth future research. It seeks to identify the methods and criteria used, the main difficulties faced and the jurisprudential trends in this context. The materials and methods used included the selection and analysis of representative cases of diffuse environmental, material and moral damage, obtained through research in jurisprudential databases and review of academic literature. The pertinent legislation, such as the Public Civil Action Law (Law No. 7,347/1985) and the Brazilian Civil Code, were also used as references. The results obtained reveal a variety of approaches in the valuation of these types of damages by the Brazilian courts, from economic and quantitative criteria to qualitative and subjective considerations. This diversity reflects the complexities involved in measuring and repairing these harms, highlighting the need for a contextualized and multidisciplinary analysis. It is concluded that a flexible and equitable approach is essential in the valuation of diffuse environmental, material and moral damage, ensuring adequate reparation of damages and the promotion of environmental and social justice in Brazil.

**Keywords:** Diffuse law, Material and moral damages, Precedents in Brazil.

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