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BRASILEIRO DE DISTRIBUIÇÃO DE ROYALTIES SOB A ÓTICA
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ABSTRACT

This article analyzes whether the current Brazilian model of oil royalty distribution promotes regional development and collaboration or deepens territorial disparities. The study's objective is to evaluate the contribution of this distributive framework to local and regional development, using the municipality of Ilhabela (São Paulo) as a case study from 2010 to 2022, specifically focusing on education, sanitation, and productive and revenue diversification. The methodology is documentary in nature, employing qualitative and quantitative analytical-exploratory approaches based on public institutional data. The results show that, despite a significant budget increase per student (which doubled in real terms between 2014 and 2023), Ilhabela's educational indicators (IDEB) and mathematics proficiency remained below the state average. In sanitation, sewer collection improved, but water service coverage declined, coupled with low overall efficiency (ICTEM). Additionally, extreme fiscal dependency on royalties (funding payroll expenses) and distortions caused by rising litigation in São Paulo's northern coast were identified. It is concluded that the current Brazilian royalty distribution model fosters severe budgetary asymmetries and chronic public dependency, failing to promote balanced regional development—a scenario perpetuated by the Federal Supreme Court's decision-making inertia regarding the constitutionality of Law No. 12.734/2012.

Keywords: Royalties. Petroleum. Regional Development. Ilhabela. Fiscal Equity

RESUMO

Este artigo analisa se o atual modelo brasileiro de distribuição de royalties de petróleo promove o desenvolvimento e a colaboração regional ou aprofunda as disparidades territoriais. O objetivo do trabalho é avaliar a contribuição de tal arranjo distributivo para o desenvolvimento local e regional, utilizando o município de Ilhabela-SP como estudo de caso no período de 2010 a 2022, especificamente nos eixos de educação, saneamento e diversificação produtiva e arrecadatória. A metodologia adotada é de natureza documental, com abordagens qualitativa e quantitativa de caráter analítico-exploratório, utilizando dados institucionais públicos. Os resultados revelam que, apesar de o investimento anual por aluno em Ilhabela ter dobrado em termos reais entre 2014 e 2023, os indicadores do IDEB e de proficiência em matemática mantiveram-se inferiores à média paulista. No saneamento, embora a coleta de esgoto tenha progredido, o atendimento urbano de água declinou, acompanhado de um baixo índice de eficiência geral (ICTEM). Além disso, identificou-se extrema dependência fiscal dos royalties (utilizados para custear despesas de pessoal) e distorções decorrentes da judicialização de receitas entre municípios vizinhos. Conclui-se que o atual modelo de partilha de royalties fomenta severas assimetrias orçamentárias e dependência pública crônica, agindo de forma ineficaz para o desenvolvimento regional equilibrado, cenário perpetuado pela inércia decisória do Supremo Tribunal Federal sobre a constitucionalidade da Lei nº 12.734/2012.

Palavras-chave: Royalties. Petróleo. Desenvolvimento Regional. Ilhabela. Equidade Fiscal.

1 – INTRODUCTION

The concept of royalty has deep historical roots, dating back to the English language in the 14th century, where it referred to compensations or privileges granted by monarchs; that is, royalty was entitled to a kind of compensation for favoring certain nobles in situations such as land exploitation, use of water sources, access roads, and related matters. Gerrard (2011) states that the payment of royalties aims, in principle, to guarantee responsible exploitation and to compensate communities located near extraction regions for the inevitable environmental and social impacts resulting from the activity.

From the advent of the constitutional model, especially after the French Revolution and the Constitution of the United States of America, Gobetti (2011) considers that the oldest federal constitutions (between the end of the 17th century and the beginning of the 20th century) were promulgated prior to the massive explorations of oil and other natural resources, times when subsoil resources were ignored or only of local interest (with the exception of precious metals), and such constitutions privileged the allocation of this control to their respective federated units, especially because some of these had been constituted by the union of colonies and independent states, such as Argentina, Australia, Canada and the United States.



Brazilian legislation falls into this second group. The first notable legal milestone in our country regarding royalties was the General Petroleum Law (Law No. 2,004/1953), and although royalties are not restricted to oil exploration, this is the oldest type of royalty and, even after decades, remains the largest in the country. It is pertinent to mention the definition from the National Petroleum Agency (ANP, 2001, n.p.):

(...) in the Brazilian case, oil royalties are a financial compensation owed to the state by companies that explore and produce oil and natural gas. It is a remuneration to society for the exploitation of these resources, which are scarce and non-renewable.

As predicted, the first legal framework for royalties in Brazil was the General Petroleum Law, back in 1953, which contained the first regulation on the subject. According to §3 of Article 10, royalties were due to states and municipalities in whose territories oil and derivative exploration sites existed or would be discovered. However, the transfers were not monetary, but indirect: incorporation of shares into the capital of Petrobras. According to Marques Neto (2011), this regulation enabled states and municipalities to effectively enjoy the fruits of oil exploration in the country.

Regulation of royalty distribution in the country advanced and deepened with the advent of the 1988 Federal Constitution and, especially, Law No. 7,990/1989. This law was highlighted by Santos *et al.* (2021) as an expansion of the concept of pecuniary compensation resulting from the exploitation of natural resources, no longer limited to the transfer of specific shareholding rights in oil. In short, the change was twofold: i) royalties began to be paid monetarily; ii) royalties began to be subdivided into three different types of natural resource exploitation, encompassing other national assets – water resources (for electricity generation) and mineral resources. Therefore, in Brazil, royalties came to be divided into oil royalties, water resource royalties, and mining royalties.

A common point among the three types of royalties is their strong allocation to affected areas. In other words, the royalty distribution model of Brazil is centrally managed by the Federal Government, but with privileged financial allocation to entities (states and municipalities) located within the territorial perimeter of such explorations. As Gobetti (2011) teaches, the current royalty distribution model grants producing states and municipalities around 60% of the revenue collected by the Federal Government, having been originally conceived in 1985, during a phase of redemocratization and fiscal decentralization, and also in a period in which oil production was insignificant compared to the 21st century.

The legal framework on this subject expanded with Decree No. 01/1991, Law No. 9,478/1997, and Law 12,734/2012. These laws, further expanded by the regulations of the respective regulatory agencies (ANEEL, ANM, and ANP), established that, of water resource royalties, 65% are allocated to municipalities and 25% to states that have hydroelectric plant reservoirs, varying according to the percentage of territory flooded for the operation of the plants; of mining royalties, 60% remain with municipalities and 15% with affected states; and of oil royalties, the municipal and state percentages vary according to adjacent legislation, but remain at the level of 2/3 of the total. Consequently, the distribution model is known for generating significant asymmetries and, therefore, is the subject of frequent debates and heated legal disputes.

The magnitude of the financial asymmetry is such that, in 2022, according to data from the Court of Auditors of the State of São Paulo (TCE-SP), per capita revenue of Ilhabela reached levels almost six times higher than the average for the state of São Paulo, generating a disparity that has complex impacts on local and regional development in various areas, including sanitation, health, education, and infrastructure. The central question of this research, therefore, lies in the equity of the distribution of these resources and in the analysis of the practical effects (development *versus* dependence) that the concentrating policy has generated over the last decade of intense oil extraction in the pre-salt layer.

Given a scenario of significant fiscal disparity - in which Ilhabela has a per capita income almost six times higher than the average for the state of São Paulo - the following guiding question emerges: How has the current Brazilian model for distributing royalties contributed to local and regional development? To answer this question, the study aims to analyze the contribution of the current royalty distribution arrangement to development, in light of the education, sanitation, and productive and revenue diversification indicators of Ilhabela between 2010 and 2022.

This work adheres strictly to the field of regional development, as it investigates the federative asymmetries caused by the geographical concentration of mineral wealth and the distribution of resources that, constitutionally, belong to the Union. The study discusses the “paradox of abundance” from the perspective of territorial planning and fiscal equity, analyzing whether the concentrated injection of resources is capable of inducing long-term socioeconomic sustainability or whether it generates chronic dependence and conflicts between bordering entities.

To achieve this scope, the paper is structured in six sections. After the introduction, the second section addresses the theoretical foundation, discussing the legal framework, federative and compensatory theories, as well as the debate on sovereign wealth funds. The third section details the applied research methodology. The fourth section presents and analyzes the empirical results of the budget, education, sanitation, and diversification of Ilhabela. The fifth section examines the legal consequences and regional disputes arising from the model, and the sixth section shows the final considerations of the study.

2 – THEORETICAL FRAMEWORK

The theoretical framework structured in this study directly influenced the selection and organization of the variables for analysis. Ferreira Filho's (2018) theory of the federal pact provided the basis for investigating the dependence and fiscal sustainability of producing municipalities, while theory of environmental compensation of Machado (2015) justified the selection of sanitation (SDG 6) and education (SDG 4) indicators as essential counterparts to mitigate the impacts of non-renewable resource exploitation.

Understanding the effects of royalties on subnational socioeconomic dynamics requires immersion in theories of territorial and endogenous development. As Pecqueur (2005) teaches, there is a crucial distinction between territorial "resources" and "assets," because while resources (such as oil and royalty transfers) constitute latent or passive factors of production existing in a territory, assets refer to these same elements when they are intentionally activated, organized, and enhanced by local actors. Based on this understanding, financial abundance alone (in this case, from oil exploration) does not automatically result in development, as it requires a social construction of the territory that transforms this temporary benefit into permanent productive and infrastructural capacities.

This activation of endogenous potential depends directly on the concept of territorial governance, defined by Dallabrida (2015) as a process of articulation and coordination of public, private, and civil society actors aimed at building a future project for the territory. Without this political-coordinative capacity, territories with similar volumes of financial resources tend to present radically different development trajectories (as evidenced by the results presented here), demonstrating that the difference lies not in the capital stock, but in institutional robustness.



Araújo (2014) and Brandão (2012) complement this by warning about the insufficiency of merely compensatory or fiscal policies disconnected from a national development strategy; the former highlights that long-term government planning and intergovernmental coordination (between the federal, state, and municipal levels) are imperative to prevent the abundance of resources from generating “islands of fiscal prosperity” disconnected from their regional realities.

Along the same lines, Brandão (2012) argues that the intensive exploitation of non-renewable natural resources often operates as an “economic enclave,” extracting local wealth that feeds the public coffers without promoting the strengthening of local production chains, perpetuating historically and geographically localized structural dependencies.

From a historical perspective, the genesis of Brazilian legal regulations on this subject can be traced back to the Petroleum Law of 1953. The concept was later consolidated with the promulgation of the Federal Constitution of 1988, particularly in its Article 20, which defined the ownership of mineral resources and the competencies for the collection and distribution of these revenues. Brazilian legal regulations were further enriched by complementary provisions, such as Law No. 7,990/1989, Federal Decree No. 01/1991, Law No. 9,478/1997, and Law No. 12,734/2012, which were fundamental in refining the complex legal regime of royalties.

In the theoretical context, the application of the federal pact theory stands out, as explained by Ferreira Filho (2018), which justifies the need for a balanced distribution of powers and resources among the federative entities, ensuring autonomy and economic-financial equilibrium between states and municipalities. Complementarily, the theory of environmental compensation, defended by Machado (2015), argues that royalties act as mechanisms for internalizing the environmental costs arising from the exploitation of natural resources, promoting sustainable practices and environmental preservation.

From the 21st century onwards, the relevance of royalties has intensified due to the discovery of the pre-salt layer. Postali and Nishijima (2010, n.p.) point out that this scenario has spurred discussions about revising the distribution criteria, while Seixas (2014, p. 14) corroborates this view by highlighting that Brazilian legislation on royalties is permeated by conflicts and asymmetries, generating tensions in the sharing system.

Furthermore, the literature contributes with comparative studies that enrich the understanding of the royalty phenomenon in Brazil. Serra (2005) investigated the relationship between royalty receipt and intergenerational issues, while Nogueira and Ramos (2013) applied Data Envelopment Analysis to assess the impact of royalties on municipalities in Rio de Janeiro state. Reis and Santana (2015) analyzed the effects of royalties on public investments, and Navarro (2003) deepened the study of municipal revenues in Campos dos Goytacazes, the largest historical recipient of royalties in the country. Leal and Serra (2002) examined the increase in capital expenditure in municipalities of the Lakes Region.

In turn, the system for distributing royalties in Brazil reveals a complex dynamic marked by significant inequalities among the federative entities. This asymmetry becomes evident when observing the three main types of royalties in Brazil, as already mentioned: water resources, mining, and petroleum.

Royalties derived from the exploitation of water resources, managed by the National Electric Energy Agency (ANEEL), are distributed among states and municipalities that house hydroelectric plants and other electricity generation facilities. However, a significant concentration of these resources is observed in a few locations, which reinforces regional disparities, highlighting a geographically restricted pattern of favoritism associated with the physical presence of the projects, facts elucidated by the ANEEL data in Tables 1 and 2, which is responsible for the financial distribution of the resource.

Table 1 | Five states with the highest allocation of CFURH

State	Value (in BRL)
PR	324.555.603,85
MG	100.003.809,10
PA	89.893.725,03
SP	57.134.218,45
GO	42.156.501,99

Source: ANEEL, 2024. Available at: <https://portalrelatorios.aneel.gov.br/Integrado>. Accessed on: November 7, 2025.

Table 2 | Five Municipalities with the highest allocation of CFURH.

Municipality	Value (in BRL)	Population – 2022 Census	Value per inhabitant (BRL)
Santa Helena – PR	167.885.208,49	25.492	6.585,80
Foz do Iguaçu – PR	128.472.666,37	285.415	450,13
Itaipulândia – PR	114.399.486,36	11.485	9.960,77
Porto Velho – RO	92.299.175,96	460.434	200,47
Altamira – PA	62.346.327,50	126.279	493,72

Source: ANEEL, 2024. Available at: <https://www2.aneel.gov.br/aplicacoes/cmpf/gerencial/>. Accessed on: November 7, 2025.

Regarding mining royalties, these are regulated by the National Mining Agency (ANM) and cover the federative entities where mineral extraction activities occur. The study by Silva and França (2009) points to the contradiction existing in states like Sergipe, where the wealth of the subsoil does not translate into improved socioeconomic conditions for the local population, while Tables 3 and 4 numerically demonstrate the concentrations of resources in Brazilian states and municipalities.

Table 3 | Five States with the Highest Allocation of Mining Royalties in 2022

State	Value (in BRL)
MG	101.242.482,50
PA	82.236.513,78
BA	10.074.326,97
GO	7.513.530,89
MS	3.782.400,65

Source: ANM, 2024. Available at: <https://dados.gov.br/dados/conjuntos-dados/sistema-arrecadacao>. Accessed on: November 9, 2025.

Table 4 | Five Municipalities with the Highest Allocation of Mining Royalties in 2022

Municipality	Value (in BRL)	Population – IBGE 2022	Value per inhabitant (BRL)
Parauapebas – PA	798.847.471,66	266.424	2.998,40
Itabirito – MG	185.395.094,73	53.282	3.479,50
São G. Rio Abaixo – MG	172.884.360,17	11.850	14.589,39
Itabira – MG	171.059.745,42	113.343	1.509,22
Mariana – MG	169.507.348,89	61.387	2.761,29

Source: ANM, 2024.



Oil royalties represent the largest and most controversial portion of revenue, given the magnitude of the Brazilian oil industry, especially after the discovery of the pre-salt layer. Current legislation contemplates different types of payments, including conventional royalties and special participations, the latter related to high production volumes or high profitability of the explored fields. Municipalities such as Ilhabela-SP and Maricá-RJ are classic examples of highly benefited entities, with per capita revenues that far exceed the state average, as seen in Table 5.

Table 5 | Seven Municipalities with the Highest Allocation of Oil Royalties and Special Participations in 2022 – values per inhabitant

Municipality	Value (in BRL)	Population (2022)	Value per inhabitant (BRL)
Maricá – RJ	4.313.229.710,95	197.300	21.861,28
Niterói – RJ	2.567.605.527,49	481.758	20.924,10
Saquarema – RJ	1.873.941.778,93	89.559	5.329,66
Macaé – RJ	1.446.107.188,76	246.391	5.869,16
Campos Goytacazes – RJ	1.053.891.390,76	483.551	2.179,48
Rio de Janeiro – RJ	670.645.164,63	16.054.524	41,77
Ilhabela – SP	665.173.924,37	34.934	19.040,87

Source: ANP, 2024.

In summary, those who benefit from royalties in Brazil are municipalities and states geographically close to the areas where the respective natural resources are exploited, resulting in a significant concentration of revenue and, consequently, regional inequalities. Although royalties constitute an important source of financing for various federative entities, the current configuration of the distribution model clearly demonstrates limitations regarding fiscal justice and the promotion of balanced development.

Regarding the future of fiscal policy, one can examine the cases of sovereign wealth funds. The world's largest public fund comes precisely from oil revenues: Norway's Global Government Pension Fund (GPF), created in 1990, is a global benchmark, with the purpose of safeguarding oil resources for future generations and economic stabilization. The fund is massive (reaching \$1.45 trillion in 2023), invests globally in diversified assets (stocks, real estate, credit), and has a rigorous ethics policy, excluding companies based on environmental or human rights criteria.



Within Brazil, Ilhabela was a pioneer, establishing the Ilhabela Sovereign Royalties Fund (FSRI) in 2018 (Municipal Law No. 1,333/2018). The FSRI retains 25% of the royalties, and its accumulated balance in 2023 (733.9 BRL million) already equals 65% of the municipality's annual budget, creating a significant financial backing. Other entities have followed the model, such as Maricá-RJ, Niterói-RJ, and the State of Espírito Santo.

3 – METHODOLOGY

This is a documentary study that employs quantitative and qualitative approaches, with an analytical-exploratory character. The research focused on the period from 2010 to 2022.

The Theoretical Framework established the theoretical framework by dividing the study of royalties into three distinct time periods:

- Royalties in the Past: Historical trajectory and normative foundations, including the General Petroleum Law of 1953, Law No. 7,990/1989, Law No. 9,748/1997 and Federal Decree No. 01/1991, differentiating royalties for water resources, minerals and petroleum.
- Royalties in the Present: Analysis of the current distribution, identifying the main recipient entities and the implications of the concentration model. Data from regulatory agencies (ANP, ANEEL, ANM), the National Treasury portal, and the 2022 IBGE Census were used to calculate the weight of per capita collections.
- Royalties in the Future: A study of the concept of sovereign wealth funds, focusing on Norway's Global Government Pension Fund (GPF) as a global benchmark.

To verify the results in Ilhabela, the research limited the analysis to three crucial public actions for the sustainability and future of the municipality, based on the Sustainable Development Goals (SDGs):

- Education (SDG #4): Budgetary data from the TCE-SP (São Paulo State Court of Auditors) and indicators from the National Institute of Educational Studies and Research (INEP), such as IDEB (Basic Education Development Index) and the Municipal Management Effectiveness Index (IEG-M).
- Sanitation (SDG #6): Data from the National Sanitation Information System (SNIS) and the Environmental Company of the State of São Paulo (CETESB).

- Productive and Revenue Diversification (SDG No. 16.6): Budgetary data from the TCE-SP (São Paulo State Court of Auditors), IBGE (Brazilian Institute of Geography and Statistics), and analysis of the functioning of the Ilhabela Sovereign Royalties Fund (FSRI) and other subnational sovereign wealth funds.

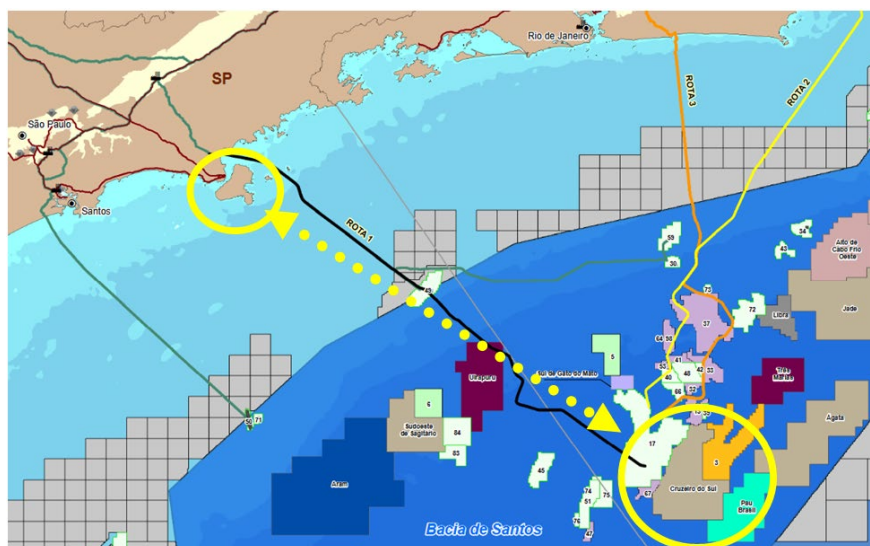
Based on the analysis of the results in Ilhabela, the study expanded to identify the legal and regional consequences of the distribution model at the national level.

4 – RESULTS AND DISCUSSION

The municipality of Ilhabela, with a population of 34,934 inhabitants (IBGE, 2022), is characterized by a narrow coastal urban strip. Its history evolved from an indigenous trading zone (Maembipe) to a village (Villa Bella da Princesa in 1805) and, later, a tourist hub from the 20th century onwards; however, the major turning point that altered its territorial and financial dynamics occurred with the intensive exploitation of the pre-salt layer, which began in the 2010s.

Oil royalties generate revenue in the country, and, in practical terms, there are federative entities that are highly favored by this distribution model, notably the municipality of Ilhabela, located on the North Coast of São Paulo, which has emerged as a national leader in receiving royalties, especially after the start of intensive pre-salt exploration in the 2010s.

Figure 1 | Pre-Salt Polygon - highlighting the territory of Ilhabela and the Tupi Extraction Field (No. 17)



Source: Ministry of Mines and Energy (2025). Available at: <https://www.gov.br/mme/pt-br>. Accessed on: October 4, 2025.

The location of the municipality of Ilhabela, close to highly productive fields — such as the Tupi field, the most productive in the entire country — results in significant financial sums, which represent a considerable burden on the local budget.

4.1 – ILHABELA BUDGET

Pre-salt production fields (such as the Tupi field), nominally being the 7th largest collector of royalties in the country.

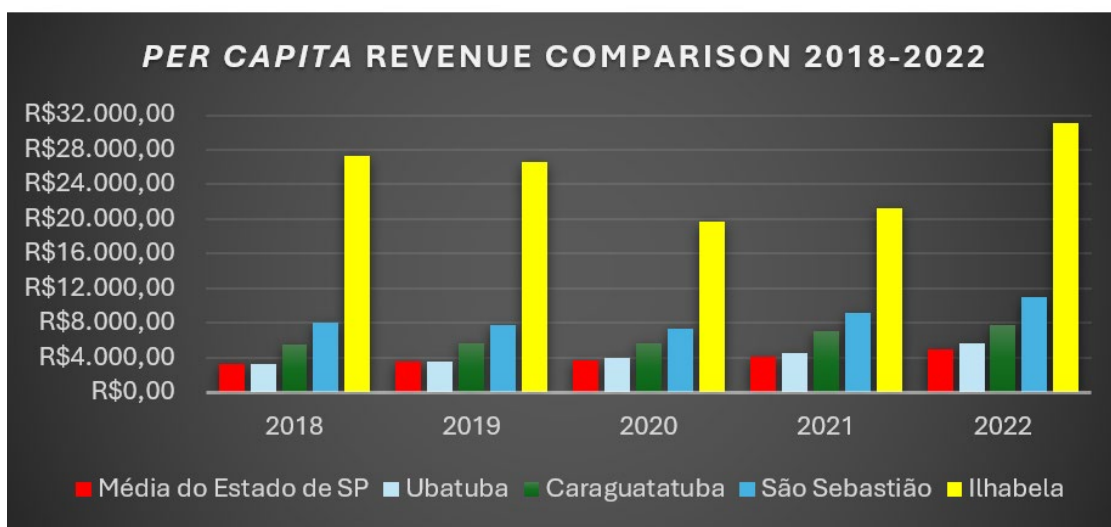
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Campos Goytacazes – RJ	1.053.891.390,76	483.551	2.179,48
Rio de Janeiro – RJ	670.645.164,63	16.054.524	41,77
Ilhabela – SP	665.173.924,37	34.934	19.040,87

Source: ANP, 2024.

The revenue asymmetry is clear: in 2022, per capita municipal revenue of Ilhabela (31,145.88 BRL, TCE-SP) reached levels almost six times higher than the average for the state of São Paulo (4,905.13 BRL, TCE-SP). Analyzing the Net Current Revenue (RCL) from 2018 to 2022, the TCE-SP data shows that revenue of Ilhabela deviates from the state average and that of neighboring municipalities on the North Coast (Ubatuba, Caraguatatuba, and São Sebastião).

Chart 1 | Comparison of Net Current Revenue (RCL) among the four municipalities of the North Coast of the state of São Paulo.



Source: Prepared by the author based on data from TCE-SP, 2025.

The imbalance in Brazilian regional development accentuates income disparities between different segments of the population; however, in the case studied, royalties produce a disparity between the federative entities themselves, leading Pamplona and Cacciamali (2017, p. 43) to argue that, in Latin America, the abundance of natural resources has often been understood more as a risk than as an opportunity by a significant portion of the literature, precisely considering such asymmetries.

4.2 - EDUCATION (SDG 4)

The discrepancy observed in Ilhabela between the significant investment per student (49,483.99 BRL - 2023) and the low IDEB (Basic Education Development Index) results corroborates the “paradox of abundance” thesis discussed by Pamplona and Cacciamali (2017). According to the authors, the mere abundance of natural resources in developing regions often inhibits institutional improvement and administrative efficiency. Instead of acting as a vector for long-term regional development, extraordinary wealth generates a “fiscal Dutch disease,” where resources are channeled into current personnel expenses and short-term projects, without the proper structuring of integrated public policies, perpetuating human development indicators below the financial potential of municipality.

The volume of royalties has strengthened the municipal education budget. Budgetary analysis between 2014 and 2023, adjusted for inflation (IPCA), shows that the annual investment per student in Ilhabela more than doubled in real terms, rising from 21,881.25 BRL (2014) to 49,483.99 BRL (2023), significantly higher than the state average of 17,670.94 BRL.

Table 7 | Budgetary analysis of education between 2014 and 2023 – values in reais (Brazilian currency).

Education Budget Between 2014 and 2023 – Nominal Values IPCA (IBGE)			
Year	Education Budget Ilhabela	Cost per student in Ilhabela	Average cost per student in São Paulo
2014	48.685.397,89	13.014,01	10.162,17
2015	61.291.680,33	16.049,14	10.552,92
2016	105.703.446,73	27.678,30	11.020,15
2017	85.485.106,06	13.686,38	9.251,62
2018	118.984.580,90	18.427,22	9.915,27
2019	136.097.313,69	20.848,24	10.662,95
2020	161.173.108,69	24.225,63	10.203,82
2021	143.308.704,48	22.122,37	12.235,21
2022	238.739.425,30	36.343,34	15.574,16
2023	327.435.553,27	49.483,99	17.670,94

Source: Prepared by the author, based on data from the Municipal Transparency Portal of the TCE-SP (São Paulo State Court of Auditors), 2025.

Despite tripling the state investment, educational indicators are still in their early stages. The municipal IDEB (Basic Education Development Index), for both the initial and final years of elementary school, did not reach the projected target in any assessment between 2013 and 2023.

Table 8 | Evolution of the IDEB (Basic Education Development Index) for the Initial Years in the Municipality of Ilhabela between 2013 and 2023.

Evolution of the IDEB (Basic Education Development Index) for the Early Years of Elementary School in the Municipality of Ilhabela between 2013 and 2023.		
Year	IDEB of Ilhabela	Projected Goal
2013	5,3	6,0
2015	5,9	6,3
2017	6,5	6,5
2019	6,3	6,7
2021	5,9	6,9
2023	6,1	6,9

Source: Prepared by the author, based on data from INEP. QEDU, 2025.



Learning indicators reveal a critical situation in the final years of elementary school (QEDU, 2025):

- Percentage of Students with Adequate Learning: Between 2017 and 2021, learning indicators in Portuguese and Mathematics in the final years of elementary school were consistently and without exception lower than the average for São Paulo.
- Mathematics proficiency: For 5th grade students (Early Years), it fell from 64% to 45% between 2017 and 2021. For 9th grade students (Later Years), proficiency remained at an embarrassing level (a drop from 18% to 17%).

It is imperative to highlight the sharp decline in mathematics learning. Proficiency in this subject is, according to the pedagogical literature, absolutely central to the logical and thought development of the individual, as taught by Alves and Dense (2019).

It is concluded that the high per capita investment in education in Ilhabela, driven by royalties, has not translated into improved teaching quality, failing to meet IDEB targets and showing learning rates below the state average.

4.3 - SANITATION (SDG 6)

In Ilhabela, a municipality with abundant water resources, water and sewage services are granted to the São Paulo State Basic Sanitation Company (SABESP) through a 30-year agreement signed in 2020 (SABESP, 2025). In turn, research on SNIS and CETESB indicators between 2010 and 2022 showed unequal results:

- Water Supply and Treatment (SNIS IN 023 and IN 055): Despite the abundance of water, there was no progress. The Urban Water Supply Indicator (IN 023) decreased from 77.90% (2010) to 71.10% (2022), lower than the average for São Paulo (95.21%).
- Sanitation (SNIS IN 015 and IN 056): There were significant improvements in sewage collection (IN 015), increasing from 7.14% (2010) to 54.44% (2022). The sewage service coverage rate (IN 056) reached 53.11% (2022), up from 5.12% (2010). This evolution coincides with budget increases, suggesting a positive relationship between royalty payments and expansion of the sewage network.

- ICTEM (CETESB): This index, which measures the efficiency of collection and treatment, reveals the municipality's shortcomings. In 2017, the ICTEM was 1.04 (632nd position in SP and the worst of the entire São Paulo coast), rising to 3.59 in 2022, still far from the state average of 7.06. Tables 9 illustrate the above more objectively.

The data presented in Table 9 demonstrate a significant increase in sewage collection in Ilhabela, which went from a meager 7.14% (2010) to 54.44% (2022). However, the isolated analysis of this indicator does not reflect the totality of the local sanitation challenge; the percentage of the population effectively served by the sewage service (53.11% in 2022) reveals that almost half of the population of the municipality with the highest per capita income in the state still lacks this basic service.

Table 9 | Sewage Collection and Service Index for Ilhabela (2010 to 2022).

Ilhabela Sewage Collection Index – 2010 to 2022		
YEAR	PERCENTAGE OF SEWAGE COLLECTED	PERCENTAGE OF POPULATION SERVED
2010	7,14%	5,12%
2011	11,88%	13,57%
2012	19,94%	17,60%
2013	25,69%	20,78%
2014	36,85%	27,81%
2015	41,20%	27,83%
2016	46,94%	34,20%
2017	50,53%	36,54%
2018	52,56%	37,58%
2019	53,14%	38,32%
2020	52,81%	38,66%
2021	53,62%	40,13%
2022	54,44%	53,11%

Source: SNIS, 2024



4.4 - BUDGET AND PRODUCTIVE AND REVENUE DIVERSIFICATION (SDG 16.6)

As can be seen below, dependence on volatile revenues from finite resources generates long-term economic and social vulnerability. Ilhabela acutely demonstrates this fragility, since, according to budgetary data from the TCE-SP portal, royalties peaked at 78.58% of total revenue in 2018. The municipality's own tax revenue is consistently modest, varying between 7.73% (2018) and 23.03% (2012), reaching 11.91% in 2023. Without the support of royalties, maintaining the expenditure structure proves unsustainable from a fiscal point of view, as seen in Table 10.

Table 10 | Sources of Municipal Revenue for Ilhabela - 2012 and 2023 – Adjusted for inflation (IPCA) Dec/2023.

Revenue Distribution Between 2012 and 2023 – Ilhabela				
YEAR	TOTAL REVENUE	% Royalties + Special Guests	% TAX REVENUE	% OTHER RECIPES
2012	267.254.344,18	31,07%	23,03%	45,90%
2013	292.256.754,47	37,88%	21,36%	40,76%
2014	457.890.288,30	49,31%	15,23%	35,46%
2015	659.462.487,04	54,13%	10,42%	35,45%
2016	597.494.346,30	56,19%	10,14%	33,67%
2017	868.867.340,63	69,98%	8,76%	21,26%
2018	1.272.111.587,57	78,58%	7,73%	13,69%
2019	1.416.036.208,40	68,96%	7,84%	23,20%
2020	923.889.995,55	69,71%	10,73%	19,56%
2021	911.410.487,89	69,56%	8,88%	21,56%
2022	1.274.802.983,04	54,93%	8,26%	36,81%
2023	1.032.803.351,30	43,96%	11,91%	44,13%

Source: Prepared by the author, based on data from the Municipal Transparency Portal of the TCE-SP (São Paulo State Court of Auditors), 2025.



The unsustainability is confirmed by the analysis of personnel expenses, since between 2012 and 2023 the real growth of personnel expenses (121%) exceeded the real growth of own revenues (99.85%). According to data from the TCE-SP (2025), personnel expenses consistently exceeded tax revenues throughout the analyzed period, reaching 239.92% (2016) and 170.11% (2023). In a hypothetical scenario, the municipality's total expenses reached 1,003.36% higher than tax revenues (2022); in other words, royalties have been supporting current expenses and ongoing obligations, creating a scenario where, in their absence, the municipality would be financially unsustainable.

The total expenses of municipality experienced a real growth of 325% between 2012 and 2023. The allocation of these resources was concentrated, on average, at 28.00% for public works, expropriations, and shows/events, which is three times higher than the average for the state of São Paulo (8.9%), according to data from TCE-SP (2025).

It is concluded that royalties have been used to support ongoing expenses, such as personnel and maintenance of works, and that, without oil royalties, there is no financial sustainability for the municipality in maintaining this administrative structure and resource allocation.

4.5 – RESULTS IN LIGHT OF THE LITERATURE AND REGIONAL DEVELOPMENT

The dissociation identified in Ilhabela between the budget explosion - which allowed the real annual cost per student in the municipal network to reach the impressive level of 49,483.99 BRL (2023) - and the chronic stagnation of IDEB indicators takes on a clear interpretative outline from the perspective of endogenous development theories. In light of Pecqueur's (2005) framework, pre-salt royalties have acted as a "passive resource" that the municipality has failed to convert into a "territorial asset." The financial injection increased the capacity for current spending and administrative costs but failed to structure local cognitive and pedagogical capacities capable of reversing the declining proficiency in structural areas, such as mathematics. In turn, the budgetary wealth generated substantial investments, but devoid of a participatory social construction that would qualify the teaching-learning process.



In the area of sanitation, the decline in the urban water service coverage indicator (from 77.90% - 2010 to 71.10% - 2022) and the modest overall efficiency indices measured by ICTEM highlight the fragility in territorial governance and planning capacity discussed by Dallabrida (2015) and Araújo (2014). The outsourcing of sanitation services to SABESP through a long-term contract signed in 2020 exposes the absence of local strategic coordination to supervise and dictate the pace of physical infrastructure expansion in accordance with the accelerated demographic growth attracted by the oil industry itself. The territory, although awash in financial resources, proved to be institutionally weak in coordination between the governmental and regulatory scales, demonstrating that the mere availability of revenue does not replace the need for a highly planned municipal technical body and an infrastructure strategy integrated with the preservation of its coastal ecosystem.

The fragility of productive diversification of Ilhabela, whose budget reached a critical 78.58% direct dependence on royalties in 2018, clearly illustrates the “enclave” effect and spatial disarticulation denounced by Brandão (2012). Instead of extraordinary financial flows subsidizing ecological transition, sustainable tourism, or local technological development, royalties have historically been channeled into continuously expanding personnel expenses and short-term works and concerts. This is the classic planning deviation pointed out in the regional development literature: in the absence of rigid planning guidelines and efficient intergenerational savings (since the Ilhabela Sovereign Fund, although existing, coexists with personnel expenses that exceed its own tax revenues), the exhausted capital is consumed to inflate the current public machine. The territory does not expand its productive autonomy; on the contrary, it becomes trapped in a chronic dependency trap that will compromise its economic sustainability as soon as the pre-salt cycle ends.

5 – REGIONAL DISPUTES ON THE NORTH COAST OF SÃO PAULO

Concentrated financial prosperity, instead of generating collaboration, has promoted the opposite, that is, it has instigated institutional disputes between neighboring federative entities.

The conflict between Ilhabela and São Sebastião is a stark example of this consequence. According to data from the TCE-SP (São Paulo State Court of Auditors), until 2013, São Sebastião held larger amounts of royalties than Ilhabela; however, since then, Ilhabela has earned a total of 4.9 BRL billion between 2010 and 2023, compared to 1.3 BRL billion for São Sebastião.

In 2017, São Sebastião claimed royalties from the ANP (National Agency of Petroleum, Natural Gas and Biofuels), which led the IBGE (Brazilian Institute of Geography and Statistics) to revise the geodetic lines in the Santos Basin. In 2020, the IBGE recognized that São Sebastião bordered important fields, thus readjusting the revenue sharing. Ilhabela contested this in court (TRF-3 - Regional Federal Court of the 3rd Region) in 2020, resulting in the deposit in court of the disputed amounts owed to São Sebastião, starting in May 2021. This suddenly increased per capita municipal revenue of São Sebastião from 12,755.08 BRL (2022) to 26,852.02 BRL (2023).

The sudden and extraordinary gain, which due to its characteristics (originating from a dispute) was not foreseen in the municipal planning (PPA, LDO and LOA), generated dysfunctions in the allocation of resources, such as the expenses with expropriations, concentrated in an unprecedented way in 2023 (88.49 million BRL), representing 74.95% of the expenses of the five-year period.

An even more severe consequence of judicialization was the diversion of public funds to pay intermediaries. In the case of São Sebastião, 56,776,762.28 BRL was paid to a law firm (NUPEC); in other words, royalty revenue, which is public (whether for one municipality or another), was partially absorbed. The issue spread throughout the country to such an extent that the Court of Auditors of the State of Santa Catarina (TCE-SC), faced with numerous cases of judicial contracting by municipalities in Santa Catarina, took a stand against the hiring of legal counsel without bidding and contingency fee payments for royalty recovery actions, warning that the allocation of exorbitant amounts to lawyers implies “the loss of resources that would be extremely relevant in implementing actions for the community.” Judicialization, therefore, diverts part of the public royalty funds since these firms are entitled to a portion of them as remuneration for their intermediation.



6 – FINAL CONSIDERATIONS

This study achieved its objective of analyzing the contribution of the current Brazilian model for royalty distribution to local and regional development, using Ilhabela as a case study. The results demonstrated that the mere fiscal abundance resulting from mineral exploitation is not capable of automatically translating into balanced and sustainable socioeconomic development. Although the budget of Ilhabela has significantly deviated from the state average and that of its regional neighbors, the critical dimensions of education and basic sanitation continue to show incipient indicators, revealing that the massive injection of resources has not translated into efficiency in the delivery of fundamental public services.

Empirical analysis revealed severe distortions in municipal governance and public planning. The significant annual investment per student, which more than doubled in real terms, was insufficient for the municipality to reach the projected IDEB (Basic Education Development Index) targets, remaining below the average for the state of São Paulo. In sanitation, the decline in the urban water service indicator and the modest improvement in collection and treatment efficiency highlight the infrastructural backwardness of the municipality. Additionally, it was found that royalties have been supporting a heavy administrative structure, with real growth in personnel and continuous operating expenses that far exceed municipal revenues, creating a scenario of extreme vulnerability should these finite and volatile resources be exhausted.

In the macro-regional and legal dimension, the Brazilian revenue-sharing model perpetuates serious asymmetries and encourages harmful federal disputes, since the excessive concentration of revenues acts as an incentive for the proliferation of legal disputes and revisions of geodesic lines between neighboring entities on the Brazilian coast, which ends up diverting large amounts of public resources to the payment of intermediary legal fees.

The limitations of this research lie primarily in the concentration of the empirical analysis on a single municipal case study, which restricts the generalization of the findings to other realities of water or mineral exploitation. As future developments, it is suggested that the investigative scope be broadened through comparative studies with other highly favored municipalities (such as Maricá-RJ and Niterói-RJ), as well as conducting comparative analyses with international royalty distribution models.

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