

UNIVERSIDADE DE LISBOA  
INSTITUTO DE CIÊNCIAS SOCIAIS



Neither revisionism nor status quo: a comparative analysis of Brazil's  
foreign policy in multilateral regimes

Felipe Leal Ribeiro de Albuquerque

Orientador: Prof. Doutor Andrés Malamud

Tese especialmente elaborada para obtenção do grau de Doutor em Ciência Política  
(especialidade de Relações Internacionais)

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## ACKNOWLEDGMENTS

The act of writing is painful. It is only by looking at the blank page that you realize how difficult it is to organize thoughts, insecurities, expectations and dreams into words, sentences, paragraphs and pages. Perhaps that effort is even more daunting in the case of a thesis, as you need to clarify ideas, give meaning to theories, create a sense of logic, simplify complexities. But the act of writing is also joyful, especially when it comes to a Ph.D. You materialize reflections on a caring theme, present your findings, discuss with peers, interview people invested in your topic and reorganize temporal processes. All fuelled by inadequate amounts of coffee and sleep deprivation. As most (all?) Ph.D. candidates, I experienced a mix of these two extremes, always trying to find the right balance between hitting writer's block and convincing myself I had a great idea.

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## ABSTRACT

A key debate of today's international relations is whether developing powers will accept, reject or modify Western-centered rules, practices and norms. As they rise, developing powers devise strategies to advance interests, influence ongoing negotiations and promote more representative institutions. In spite of this plurality, most works tend to stick definitive criteria to these players' conducts, opting for static classifications that range from revisionism to status quo. With that in mind, I study how developing powers interact with regimes' normative and operational foundations, or their principles, norms, rules and decision-making procedures. Focusing on Brazil, this thesis combines within-case and cross case research strategies to investigate how the concepts of concentric circles, responsibility while protecting and right to food respectively engage with the basic components of the regimes of climate change, peace and security and food security. These conceptual contributions are compared in view of three explanatory factors: regime structure, domestic assets and domestic decision-making procedures. Original data from in-depth interviews demonstrate that in the time frame 2011-2014 Brazil did not defend alternative views of world order and ordering or expected to harm current norms and principles. Instead, Brazil followed a nuanced approach in its multilateral engagements, expecting to promote specific changes in how regimes' rules and decision-making procedures should function while keeping normative components in place. Rather than changes of regimes, Brazil therefore hoped for changes within regimes. The research also emphasizes that Brazil's multilateral behavior is essentially individual and aiming to place the country as a reasonable negotiator in-between developing and developed states. I conclude presenting the concept of foreign policy inertia to explain how Brazil's activism was possible even in a scenario of mounting economic crisis, lack of presidential diplomacy and reversal of certain domestic assets.

**Keywords:** Multilateralism; Brazil; Climate Change; Food Security; Peace and Security

## RESUMO

Um dos principais debates no campo das relações internacionais é se países em desenvolvimento como Brasil, China, Índia e outros vão aceitar, rejeitar ou tentar modificar a ordem internacional liberal em vigor. Esta tese estuda o comportamento multilateral do Brasil e questiona como o país interage com os componentes normativos e operacionais que consubstanciam os regimes de alterações climáticas, paz e segurança internacionais e segurança alimentar. O faço a partir do exame de três conceitos respetivamente promovidos por negociadores brasileiros: os círculos concêntricos, a responsabilidade ao proteger (RwP) e o direito à alimentação (R2F). A investigação tem por base o estudo do multilateralismo, da política externa, do Direito Internacional e de processos decisórios domésticos.

A tese inicia-se, no primeiro capítulo (i), com a análise da teoria de regimes, nomeadamente seus princípios, normas, regras e processos decisórios, e de concepções sobre multilateralismo e ordem global. Discuto visões teóricas que apontam que a ascensão de países em desenvolvimento necessariamente acarretará comportamentos revisionistas e provocará tensões sistémicas; abordagens que defendem que a ordem vigente é resiliente o suficiente para acomodar múltiplas visões; e trabalhos que estudam conceitos como o de socialização. Argumento que essas perspetivas têm limitações para explicar a mudança. Por um lado, não a conceitualizam. Por outro, não localizam as condutas de países em desenvolvimento como o Brasil em contextos específicos e tampouco o fazem de forma comparativa. Assim, acabam por atribuir categorias de comportamento a esses países, muitas das quais condescendentes, eivadas de um olhar ocidental e contrário ao pluralismo. Países em desenvolvimento estariam determinados, portanto, a serem revisionistas ou favoráveis à manutenção do *status quo*. Esta tese mostra que essa interpretação é simplista e que há outras formas de abordar o problema. Estudar a teoria de regimes de forma crítica, dividindo seus componentes em normativos – princípios e normas – e operacionais – regras e processos decisórios –, mostra-se como alternativa viável e, quando alicerçada a fatores explicativos que ultrapassem a análise unidimensional, apropriada para o estudo da política externa.

O segundo capítulo (ii) traz discussão sobre metodologia, dados, seleção de casos e marco cronológico. Explico que a conjugação da metodologia de *process tracing* com o método comparativo possibilita a observação de como processos desenvolvem-se ao longo do tempo, bem como a identificação de padrões e desvios no

indicadores de cada caso. Por ser iterativo, *process tracing* aplica-se a casos individuais e permite que se compreenda como conceitos e ideias, vistos na terminologia como “mecanismos”, são formulados, discutidos nacionalmente, avançados a nível multilateral e continuados posteriormente. O método comparativo, por sua vez, possibilita que fatores explicativos e resultantes (*outcomes*) estudados a partir de parâmetros semelhantes sejam aferidos, o que permite generalizações para além do caso individual e uma amplitude maior da investigação.

Os três estudos de caso são observados no marco cronológico 2011-2014, ou quando ocorreu o primeiro governo de Dilma Rousseff. Este período conjuga a transição entre um momento em que o Brasil agia ativamente em fóruns multilaterais e ampliava sua projeção no mundo para o momento atual, quando lideranças nacionais questionam a ordem liberal em vigor. O que se passa neste intervalo mantém-se pouco estudado e compreendido. É justamente em meio a esse contexto adverso que negociadores brasileiros avançaram os conceitos parte desta tese. Esses são comparados à luz de três fatores explicativos: a estrutura do regime em questão, as capacidades domésticas e os processos decisórios em âmbito nacional. O modo como articulam-se é relevante para o entendimento de como contribuições conceituais surgem e são eventualmente descontinuadas. Para tal, realizei 65 entrevistas, ao longo de quase três anos, com membros do governo federal, funcionários de organizações internacionais parte do sistema das Nações Unidas (ONU) e de organizações não-governamentais, *think tanks*, centros de investigação e entidades da sociedade civil. Esse grupo alargado de entrevistados envolveu pessoas diretamente associadas com as propostas relacionadas com os três regimes, o que garantiu que eu pudesse questionar a “visão oficial” e compreender nuances relacionadas com a formulação e a execução de política externa do Brasil em três arenas multilaterais ainda pouco estudadas.

O terceiro capítulo (iii) tem por foco o regime de alterações climáticas, a proposta brasileira de círculos concêntricos e sua relação com os componentes normativos e operacionais do regime, nomeadamente o princípio das responsabilidades comuns porém diferenciadas e respetivas capacidades (CBDR-RC, em inglês). Base do regime estabelecido em 1992 com a Convenção-Quadro das Nações Unidas sobre Alterações Climáticas (UNFCCC), o princípio dividiu responsabilidades pelas emissões de gases de efeito estufa entre países industrializados (anexo-I) e em desenvolvimento (não anexo-I) . Em termos gerais, a ascensão de países como China, Índia, Brasil e África do Sul tornou o documento anacrónico e fez com que blocos negociais como a

União Europeia e países com menor desenvolvimento relativo os pressionassem para assumir metas obrigatórias de redução de emissões. Além de colaborar para a formação da coligação BASIC, o Brasil propôs em 2014 o conceito de círculos concêntricos como forma de acomodar interesses divergentes e assentar as bases para o futuro Acordo de Paris, que garantiria a continuidade do regime no ano seguinte. A proposta brasileira trazia três níveis de responsabilidade e, como o acordo, previa progressão nos compromissos assumidos. Enquanto os países anexo-I deveriam ter metas absolutas de redução de emissões e países com menor desenvolvimento relativo precisariam de fazer cortes que não implicassem suas economias como um todo, nações em desenvolvimento como o Brasil estariam situadas em posição intermediária dos círculos concêntricos. Com a ideia, os negociadores brasileiros esperavam apresentar o país como interessado em avançar o regime e em moderar visões antagônicas. Essa proposta é estudada a partir dos três fatores explicativos parte da tese: estrutura do regime, capacidades domésticas e processo decisório doméstico relacionado com a temática das alterações climáticas. O capítulo demonstra que apesar de o regime estabelecer distinções formais entre seus membros, esses não tinham poder de veto. Além disso, o regime passava por hiato entre a vigência inicial da Convenção-Quadro e a assinatura do novo Acordo de Paris, o que permitia aos estados-parte promoverem novas ideias. Quanto às capacidades domésticas, argumento que o Brasil possuía imagem positiva na comunidade internacional em virtude de sua matriz energética e do sucesso das políticas e planos nacionais de combate ao desmatamento e à degradação florestal, ainda que os primeiros sinais de reversão desse quadro já fossem observáveis. Quanto aos principais atores burocráticos envolvidos na tomada de posições, o processo decisório era controlado pelo Itamaraty em parceria com o Ministério do Meio Ambiente, que mantinham a memória da negociação, articulavam a agenda do país em âmbito multilateral e isolavam vozes contrárias. Tomando por base o método de *process tracing*, os três fatores explicativos foram individualmente necessários e coletivamente suficientes para que a ideia dos círculos concêntricos surgisse e fosse apresentada pelo Brasil sem o apoio de parceiros regionais ou extra-regionais. Se por um lado apresentava o Brasil com país interessado na temática, por outro valia-se das bases jurídicas do regime para evitar que assumisse metas obrigatórias de redução de emissões. Concluo o capítulo com o argumento de que a proposta de círculos concêntricos congrega perspectiva legalista de manutenção do princípio original de CBDR-RC, com a intenção de adaptá-lo à distribuição de poder atual, tornando o regime mais efetivo.

O quarto capítulo (iv) analisa o conceito de responsabilidade ao proteger (RwP), proposto pelo Brasil em 2011, após intervenção militar da Organização do Tratado do Atlântico Norte (NATO) na Líbia, e o modo como interage com a norma de responsabilidade de proteger (R2P) e com o princípio da não intervenção. Enquanto o princípio é parte da Carta de São Francisco e forma um dos pilares do regime de paz e segurança internacionais, a R2P era debatida há cerca de uma década nas Nações Unidas, nomeadamente na Assembleia Geral, e defendida por estados como Canadá e Austrália porém sem plena aceitação por seus pares. Quando da propositura da RwP, o Brasil integrava o Conselho de Segurança ao lado de China, Rússia, Índia e África do Sul, sendo a primeira vez que os cinco países dos BRICS estavam presentes no órgão com capacidade de emitir resoluções de capítulo VII e autorizar o uso da força. Sucintamente, a R2P estabelece que os estados têm a responsabilidade de proteger suas populações de quatro crimes: genocídio, crime de guerra, crime contra a humanidade e limpeza étnica. Além disso, baseia-se em três pilares: o primeiro trata da responsabilidade estatal frente aos quatro crimes, o segundo aborda a responsabilidade da comunidade internacional auxiliar estados em cumprir essa obrigação, e o terceiro afirma que em situações em que um estado não quer ou não possa exercer sua responsabilidade, ação “rápida e decisiva através de meios necessários e apropriados” poderá ser tomada. Apesar de ser presente em diversos debates do Conselho de Segurança, a R2P ainda carecia de implementação prática. Esta viria a acontecer no contexto da Primavera Árabe, quando protestos contra o regime de Muammar Khadafi eram reprimidos pelas forças do regime. Ao longo de diversas semanas, indícios de crimes contra a humanidade contra civis eram discutidos nos media, por organizações da sociedade civil, no Conselho de Direitos Humanos da ONU e no Conselho de Segurança. Em fevereiro, esse último aprovou unanimemente a resolução 1970, que relembra a responsabilidade das autoridades líbias de proteger, referia a situação ao Tribunal Penal Internacional, entre outras medidas. Com o acirramento dos conflitos e a proximidade de tropas pró-Khadafi de Benghazi, membros permanentes do conselho como França e Reino Unido tentavam apoio da Liga Árabe, da União Africana e de outros estados em prol do estabelecimento de uma zona de exclusão aérea. Essa viria a ser aprovada pela resolução 1973, que contou com abstenções de Alemanha, China, Índia, Rússia e Brasil. O argumento brasileiro era que o parágrafo operativo da resolução poderia ter efeitos colaterais não previstos, exacerbar as tensões no terreno e causar mais mal do que bem aos civis que deveriam ser protegidos. A ação da NATO

derrubou Khadafi, promoveu a mudança de regime político, extrapolou os limites da resolução mandatada pelo conselho e mergulhou a Líbia em instabilidade contínua por cerca de uma década. Mostro que foi nesse contexto que negociadores brasileiros trouxeram a ideia de RwP. A proposta acentuava a importância da diplomacia preventiva; advogava que a comunidade internacional demonstrasse um alto nível de responsabilidade ao proteger quando do exercício da responsabilidade de proteger; e trazia a noção de que o uso da força deveria ser proporcional, limitado e autorizado pelo Conselho de Segurança. Quanto aos fatores explicativos parte do modelo analítico, o capítulo expõe que a estrutura do regime e o processo decisório controlado pelo Itamaraty foram fundamentais para a existência da RwP. O Brasil valeu-se de sua posição de membro não permanente em um regime hierárquico e com distinção formal entre membros permanentes com direito a veto e demais membros para engajar-se nos debates sobre a situação da Líbia, o uso da força e a proteção de civis. Tendo encontrado a resistência inicial de alguns países, a RwP angariou apoios e manteve-se parte das discussões do conselho mesmo após o fim do mandato brasileiro. Afirmo, dessa forma, que a estrutura regime foi fator explicativo necessário para a existência da proposta, mas não para a sua continuidade. Já as capacidades domésticas tanto materiais quanto imateriais não tiveram relevância para a RwP, o que foi corroborado por documentos oficiais e entrevistas com os responsáveis pela ideia. Por fim, o papel do corpo diplomático foi essencial para a RwP, que não foi discutida previamente com entes da burocracia federal como o Ministério da Defesa ou com parceiros regionais ou extra-regionais. O capítulo conclui-se com o argumento de que a RwP buscava regular o uso da força, mas não impedi-lo, interagindo diretamente com os parâmetros normativos do regime e reforçando as balizas jurisdicionais e institucionais de órgãos como o Conselho de Segurança. A proposta viria a perder força por conta de fatores domésticos como o pouco interesse por parte da presidência, a saída do chanceler Antônio Patriota e o início da instabilidade doméstica no país.

O quinto capítulo (v) estuda o apoio brasileiro ao conceito de direito à alimentação (R2F) e como esse dialoga com as principais normas, princípios e regras do regime de segurança alimentar. Também presente na literatura como direito humano à alimentação, direito à alimentação adequada e similares, o R2F funciona como um corolário à noção de segurança alimentar e aparece em debates na Organização das Nações Unidas para a Alimentação e a Agricultura (FAO) e no Programa Mundial de Alimentos (PMA). Ao trazer a importância de uma dimensão de direitos humanos, o

R2F ganhou escopo institucional na FAO e recebeu o apoio de organizações da sociedade civil. Estados passaram a incorporá-lo em legislações nacionais e textos constitucionais, com destaque para países da América Latina como o Brasil, que assegurou o R2F como direito social. A atuação do país pautava-se não pela negação das bases normativas do regime, mas pelo reforço da sua dimensão de direitos humanos e pela disseminação do R2F não só por meio de debates na FAO, mas de iniciativas como a Reunião Especializada de Agricultura Familiar (REAF) do MERCOSUL. Ainda que não tenha sido elaborado em Brasília, o conceito de R2F recebeu o apoio de negociadores e do governo brasileiro durante o marco temporal de 2011-2014 em diversas circunstâncias na FAO, como na negociação das Diretrizes Voluntárias em Apoio à Realização Progressiva do Direito à Alimentação Adequada, e nos debates de seu Comitê de Segurança Alimentar (CSA). O conceito também era discutido em foros regionais como o MERCOSUL e a CELAC. Diversos parceiros tinham visão semelhante à brasileira quanto ao R2F e apoios eram comuns nos debates na FAO, mas sem haver atuação em bloco. O capítulo demonstra que a FAO ganhou importância na política externa, de que é exemplo a eleição de José Graziano da Silva, antigo ministro extraordinário de segurança alimentar e combate à fome, ao cargo de diretor-geral da organização em 2011. O tema da segurança alimentar e o conceito do R2F também apareceram por meio de iniciativas de cooperação sul-sul e trilaterais, muitas das quais herdadas do governo de Luiz Inácio Lula da Silva (2003-2010). Tomando por base o modelo analítico desta tese, os três fatores explicativos tiveram relevância para a promoção do R2F por parte do Brasil na FAO. Com a reforma do CSA e o reforço de mecanismos de participação da sociedade civil, alguns dos quais incentivados por Graziano da Silva, e do exemplo doméstico do Conselho Nacional de Segurança Alimentar e Nutricional (CONSEA), temas como o R2F ganharam força nos debates. Além disso, a FAO é agência das Nações Unidas com orçamento regular, o que torna a distribuição de poder entre seus membros menos dependente de doações como ocorre no PMA, onde o Brasil também tentou ampliar sua influência por meio de doações de alimentos e apoio emergencial. Quanto às capacidades domésticas, iniciativas de combate à fome e à pobreza como o Fome Zero e o Bolsa Família possibilitaram a saída do Brasil do mapa da fome da FAO em 2014. Por diversas vezes, o país era referendado por publicações da entidade, assim como do Banco Mundial, do PMA e das Nações Unidas, elogiado por suas “tecnologias sociais” e procurado por delegações estrangeiras. O fato de ser um dos maiores produtores e exportadores agrícolas do



mundo criava uma ambiguidade com os temas da FAO, estando mais diretamente associado às posturas brasileiras na Organização Mundial do Comércio (OMC). Tal como ocorreu nos demais estudos de caso, o Itamaraty controlava e harmonizava o processo decisório em política externa, limitando conceitos mais disputados, como o de soberania alimentar, e tentando harmonizar tensões entre o modelo de agronegócio e o de pequena produção agrícola. A dualidade doméstica era visível em iniciativas de cooperação técnica, mas minimizada na FAO pela pouca presença do Ministério da Agricultura, Pecuária e Abastecimento (MAPA) nesse fórum. Outros entes burocráticos como o Ministério do Desenvolvimento Agrário (MDA) e o Ministério do Desenvolvimento Social e Combate à Fome (MDS) compunham posições com o Itamaraty, o que passava a imagem de um processo decisório coeso e coerente, permitindo menor dissonância na defesa das experiências desenvolvidas a nível doméstico. O ativismo brasileiro no regime de segurança alimentar perde força ainda no segundo governo Rousseff (2015-2016), quando são observáveis os primeiros sinais de reversão na trajetória inclusiva das políticas de combate à fome e à pobreza e o início da crise económica.

No capítulo final, reafirmo a importância não só do multilateralismo, mas dos princípios, normas, regras e processos decisórios parte de regimes internacionais. Ainda que estados desenvolvidos e em desenvolvimento disputem e discutam o conteúdo normativo e operacional dessas áreas temáticas, esses não apresentaram alternativas à ordem liberal em vigor. Quanto ao Brasil, seus negociadores não questionaram os fundamentos dessa ordem, o que exclui a ideia de tratar-se de ator revisionista. Da mesma forma, tampouco agiram em prol do status quo. Em âmbito multilateral, a política externa brasileira era, até recentemente, prudente. Buscava uma *via media*: manter e reforçar os componentes normativos existentes, mas procurar alterar regras e controlar sua implementação. Isso era feito por meio de diversas estratégias negociais, entre as quais a propositura de conceitos e propostas, o que foi abordado nesta tese. Em outras palavras, o Brasil objetivava favorecer mudanças *na* ordem, mas não *da* ordem. Se por um lado era beneficiário do estado de coisas, por outro não tinha capacidades para produzir transformações mais amplas. Apesar de suas diferenças, os três estudos de caso demonstram que os decisores de política externa buscavam apresentar o Brasil como mediador responsável e também resguardar os interesses do país. Não por coincidência, os três conceitos trabalhados nesta investigação referendavam experiências domésticas e/ou colocavam o Brasil como aberto ao diálogo com parceiros

desenvolvidos e em desenvolvimento. Além disso, os estudos de caso ressaltam que o Brasil busca protagonismo individual, não articulando previamente contribuições conceituais com parceiros regionais ou extra-regionais. Isso foi um dos fatores para que as propostas brasileiras não avançassem nos regimes de alterações climáticas e de paz e segurança internacionais. Os círculos concêntricos e a RWP foram inicialmente incompreendidos pelos pares, o que contribuiu para dificultar sua continuidade nas negociações. Já no regime de segurança alimentar, a articulação com parceiros latino-americanos ocorria a depender da temática discutida, mas poderia ser maior caso iniciativas de integração regional como o MERCOSUL e a CELAC tivessem agendas diretamente ligadas à dimensão multilateral.

Termino a tese com o conceito de “inércia em política externa” para analisar como e por que o Brasil foi capaz de manter comportamento ativo nas negociações sobre alterações climáticas e em fóruns como o Conselho de Segurança e a FAO mesmo durante a vigência de uma administração refratária à manutenção do dinamismo em política externa e já convivendo com os primeiros sinais de crise econômica e política. Explico que a instabilidade doméstica, agravada pelo impeachment de Rousseff, ainda não era perceptível para atores externos e mesmo para forças sociais no âmbito nacional. Em contrapartida, seu governo não promoveu mudanças bruscas em relação à compreensão de mundo da política externa de Lula da Silva e não atuou de modo contrário às burocracias advindas da administração anterior, o que poderia impossibilitar a existência das propostas estudadas. Se é verdade que manteve relação pouco cordial com o Itamaraty, não contrapôs seus negociadores em âmbito multilateral ou objetou conceitos como os círculos concêntricos, a RWP e o R2F.

A tese concluiu-se com o argumento de que a inércia em política externa começou a ser interrompida durante a presidência de Michel Temer (2016-2018), mas foi terminada somente no primeiro ano do governo de Jair Bolsonaro (2019-). Juntamente com o chanceler Ernesto Araújo e outros ministros, o presidente passou a usar fóruns multilaterais como a Assembleia Geral das Nações Unidas e o Conselho de Direitos Humanos para atacar a própria ordem de que são parte. Ainda que tenha sustentabilidade questionável, essa estratégia marca uma ruptura com a política externa desenvolvida no Brasil democrático. Com Bolsonaro, o país passou a contestar os elementos normativos e operacionais vigentes, o que o afasta da ideia de procurar agir por meio da moderação e o aproxima de comportamento revisionista. Mudanças foram observáveis nos três fatores explicativos, o que afetou o comportamento do Brasil nos

três regimes. Quanto à estrutura do sistema internacional, antigos desafios ganharam força e outros surgiram, como os populismos, os nacionalismos e visões que pregam o “antiglobalismo”. No campo das capacidades domésticas, o Brasil sob Bolsonaro continuou convivendo com índices de crescimento residuais e com a manutenção de permanente conflito entre governo e oposição, mídia, ciência e sociedade civil organizada. Isso afetou a imagem externa do Brasil, agora visto como fonte de instabilidade. No que se refere aos processos decisórios domésticos, o novo governo alterou a correlação de forças dentro do Itamaraty, abrindo espaço para não diplomatas e realizando promoções e mudanças de função seletivas. Outros ministérios e órgãos governamentais também ganharam mais espaço no processo decisório de política externa, em virtude da falta de coordenação e das disputas intra e inter-burocráticas.

Futuros trabalhos devem discutir os argumentos aqui enunciados, testando o modelo analítico e os métodos utilizados nestes e noutros estudos de casos e estudar, a partir das mesmas ferramentas, não só a política externa do Brasil, mas a de outros países.

**Palavras-chave:** Multilateralismo; Brasil; Alterações Climáticas; Segurança Alimentar; Paz e Segurança

## LIST OF ACRONYMS

ABC	Brazilian Cooperation Agency
AILAC	Independent Alliance of Latin America and the Caribbean
ALADI	Latin American Integration Association
ALBA	Bolivarian Alliance for the Peoples of our America
AOSIS	Alliance of Small Island States
ASEAN	Association of Southeast Asian Nations
ASPA	Summit of South American-Arab Countries
ATT	Arms Trade Treaty
AU	African Union
BASIC	Brazil, South Africa, India and China
BAU	Business as Usual
BRICS	Brazil, Russia, India, China and South Africa
BUR	Biennial Update Reports
CAE	MRE's Advanced Studies Course
CAISAN	Brazil's Interministerial Chamber of Food and Nutrition Security
CAMEX	Brazil's Chamber of Foreign Trade
CARICOM	Caribbean Community
CBD	Convention on Biological Diversity
CBDR-RC	Common but Differentiated Responsibilities and Respective Capabilities
CCOPAB	Sergio Vieira de Mello Peace Operations Training Center
CDM	Clean Development Mechanism
CDM+	Enhanced Clean Development Mechanism
CELAC	Community of Latin American and Caribbean States

CFA	FAO's Comprehensive Framework for Action
CFS	Committee on World Food Security
CGFOME	MRE's General Coordination for Humanitarian Cooperation and Fight Against Hunger
CIM	Brazil's Interministerial Committee on Climate Change
CIMGC	Brazil's Interministerial Commission on Global Climate Change
CINC	Composite Index of National Capability
CONAB	Brazil's National Food Supply Company
CONAREDD+	Brazil's National REDD+ Commission
CONSEA	Brazil's National Council on Food and Nutrition Security
COP	Conference of the Parties
COPROFAM	Confederation of Family Farmers Organizations of the Extended MERCOSUR
CPLP	Community of Portuguese Speaking Countries
CRA	Contingency Reserve Agreement
DDEFS	MRE's Department of Defense and Security Affairs
DOI	MRE's Department for International Organizations
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	United Nations Economic and Social Council
ECOWAS	Economic Community of West African States
EIG	Environmental Integrity Group
EIT	Economies in Transition part of the Soviet Bloc
EU	European Union
EMBRAPA	Brazilian Agricultural Research Corporation
ENREDD+	Brazil's National REDD+ Strategy
FAF	Fondo de la Agricultura Familiar de MERCOSUR

FAO	Food and Agriculture Organization of the United Nations
FARC	Revolutionary Armed Forces of Colombia
FBMC	Brazilian Forum on Climate Change
FIDH	International Federation for Human Rights
FNDE	Brazil's Fund for Education Development
G-4	Brazil, Germany, India and Japan
G-8	The Group of 8
G-20	The Group of 20
G-33	The Group of 33
G-77+China	The Group of 77 plus China
GATT	General Agreement on Tariffs and Trade
GEx	CIM's Executive Group
GHG	Greenhouse Gases
GRULAC	Latin American and Caribbean Group
GSF	FAO's Global Strategic Framework for Food Security and Nutrition
HLTF	High-Level Task Force
IAAH	International Alliance Against Hunger
IAEA	International Atomic Energy Agency
IALCSH	Hunger-Free Latin America and Caribbean Initiative
IBSA	India-Brazil-South Africa Dialogue Forum
IBSA Fund	India, Brazil and South Africa Facility for Poverty and Hunger Alleviation
ICARRD	International Conference on Agrarian Reform and Rural Development
ICC	International Criminal Court

ICESCR	International Covenant on Economic, Social and Cultural Rights
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
IDB	Inter-American Development Bank
IFAD	International Fund for Agricultural Development
ILO	International Labor Organization
IMF	International Monetary Fund
INDC	Intended Nationally Determined Contributions
IPC-IG	International Policy Centre for Inclusive Growth
IRBr	Rio Branco Institute
Labex	EMBRAPA's Virtual Laboratory Abroad Program
LOSAN	Brazil's Organic Law on Food Security
LULUCF	Land Use, Land-Use Change, and Forestry
MAPA	Brazil's Ministry of Agriculture, Livestock and Supply
MC	Brazil's Ministry of Cities
MCTIC	Brazil's Ministry of Science, Technology, Innovation and Communication
MD	Brazil's Ministry of Defense
MDA	Brazil's Ministry of Agrarian Development
MDG	Millennium Development Goals
MDIC	Brazil's Ministry of Industry, Foreign Trade, and Services
MDS	Brazil's Ministry of Social Development and Fight against Hunger
MEF	Major Economies Forum on Energy and Climate
MERCOSUR	The Southern Common Market
MESA	Brazil's Extraordinary Ministry of Food Security and Fight Against Hunger

MF	Brazil's Ministry of Finance
MINUSTAH	United Nations Stabilization Mission in Haiti
MMA	Brazil's Ministry of the Environment
MME	Brazil's Ministry of Mines and Energy
MP	Brazil's Ministry of Planning, Development, and Management
MRE	Brazil's Ministry of External Relations (Itamaraty)
MTPAC	Brazil's Ministry of Transport, Ports, and Civil Aviation
NAFC	Brazil's Federal Climate Articulation Nucleus
NAM	Non-Aligned Movement
NATO	North Atlantic Treaty Organization
NDB	New Development Bank of the BRICS
NDC	Nationally Determined Contributions
NGO	Non-Governmental Organization(s)
NIEO	New International Economic Order
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NTC	Libya's National Transitional Council
OAS	Organization of American States
OECD	Organization for Economic Cooperation and Development
OIC	Organization of Islamic Cooperation
OAU	Organization of African Unity
P3	The United States, the United Kingdom, and France
P5	Five Permanent Members of the UNSC
PAA	Brazil's Food Acquisition Program
Parlatino	Latin American Parliament
PAT	Brazil's Worker's Food Program



PBC	UN Peacebuilding Commission
PLANAPO	Brazil's National Plan for Agroecology and Organic Production
PLANSAN	Brazil's National Plan for Food and Nutrition Security
PNAE	Brazil's National School Feeding Program
PNMC	National Policy on Climate Change
PPCDAm	Plan to Prevent and Control Deforestation in the Amazon
PRONAF	Brazil's National Program for Strengthening Family Farming
PROSUB	Brazil's Submarine Development Program
PT	Brazil's Worker's Party
QCA	Qualitative Comparative Analysis
R2F	Right to Food
R2P	Responsibility to Protect
REAF	Specialized Meeting on Family Farming of MERCOSUR
REDD+	Reduction of Emissions from Deforestation and Forest Degradation
RenovaBio	Brazil's National Biofuels Policy
RwP	Responsibility while Protecting
SAARC	South Asian Association for Regional Cooperation
SAF	Brazil's Secretariat for Family Farming and Cooperativism
SCO	Shanghai Cooperation Organization
SDG	Sustainable Development Goals
SEAD	Brazil's Special Secretariat for Family Farming and Agrarian Development
SGAP-I	MRE's Undersecretariat General for Political Affairs I
SIDS	Small Island Developing States
SISAN	Brazil's National System of Food and Nutrition Security

SISVAN	Brazil's Food and Nutrition Surveillance System
UN	United Nations
UNASUR	Union of South American Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNICEF	United Nations Children's Fund
UNSC	United Nations Security Council
UNSMIL	UN Support Mission in Libya
VLS-1	Brazilian Satellite Launching Vehicle
ZOPACAS	Zone of Peace and Cooperation of the South Atlantic
WFP	World Food Programme
WRI	World Resources Institute
WTO	World Trade Organization

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## INTRODUCTION

A key debate of today's international relations is whether developing powers will accept, reject or try to modify Western-centered rules, practices and norms that sanction and guide state behavior. That proves even more important in a context of rising populisms, renationalization of governance, reconfiguration of existing institutions and promotion of novel interpretations of order and ordering (Acharya, 2004; Hurrell, 2015).<sup>1</sup> After the diffusion of power brought about by the September 11 terrorist attacks, the Iraq war, the 2008 financial crisis, and the relative rise of developing countries, more voices are being expressed, carrying distinct degrees of influence and prompting a more plural and yet unstable world order. Adding to that, states until then upholding liberal values started to question more frequently the current state of affairs and its foundational principles, norms, rules and decision-making procedures.

Debating about a crisis of multilateralism is not new. Cox (1992), for instance, discussed how a unilateral United States affected the continuation of the United Nations (UN) as a functional political forum. Years later, the focus of the discussion was on how the liberal internationalist project (Ikenberry, 2018) or the "Western international community" could endure (Buzan and Gonzalez-Pelaez, 2005), which is associated with Ruggie's (1993: 35) classical assertion that the multilateral form has characteristics that enhance its "durability and ability to adapt to change". The current discussion is related to but partly shifted away from studying the United States and the European Union (EU). It focuses on the behavior of countries like Brazil, China and India, namely how they engage with normative and operational frameworks, whether they expect to transform existing multilateral foundations and, if so, how much change are they willing and able to promote.

Taking into consideration the pool of theories informing the discipline of International Relations, this thesis initiates by looking into how developing powers engage with the basic components of the existing order, exploring how much convergent are their behaviors and inquiring to which extent their ideas are bringing about change. In particular, this work relies on these broad debates to center on Brazil's

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<sup>1</sup> The debate involving Amrita Narlikar, Andreas von Staden, Laurence Helfer and Marlene Wind, held at the 2018 General Conference of the European Consortium for Political Research (ECPR) also refers to that. See: <https://lecture2go.uni-hamburg.de/l2go/-/get/v/23334>, accessed on 23 February 2020.

behavior in specific multilateral regimes. How to characterize its foreign policy in forums like the United Nations Security Council (UNSC), the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Framework Convention on Climate Change (UNFCCC)? Is it possible to say that Brazil considers multilateralism as the “primary means of solving conflicts and making decisions internationally” (Amorim, 2010: 214)? Which explanatory factors may account for its multilateral conducts? How much transformation is Brazil expecting to promote?

Taking into consideration works on regime theory and foreign policy and their insufficiencies, this thesis investigates what change means and to which degree countries like Brazil are pursuing it. For this purpose, I unpack Krasner’s (1982) definition of regimes and look into their operational and normative components, studying whether Brazil fits into certain categories of behavior and exploring possible patterns about how this country’s foreign policy is displayed in distinct multilateral forums. I draw on the research question “how developing powers interact with the normative and operational foundations of multilateral regimes?” to delve into Brazil’s approaches to multilateralism.

Two contending hypotheses animate this thesis. The first (H1) states that developing countries like Brazil act to revise normative and operational components making the existing international liberal order. In other words, they question its bases, expect to harm its core presupposes and promote broader changes, altering the guiding components of multilateral regimes. This hypothesis directly refers to works on revisionism and transformative change like the ones of Mearsheimer (2001), Schweller (2015), and Ward (2017), also echoing notions that countries not following the rules of the game can be deemed irresponsible (Patrick, 2010).

The second hypothesis (H2) asserts that developing countries behave as pro-status quo players, complying with the state of things and avoiding advocating for changes. This hypothesis is closely associated with authors identified with liberal-institutionalist views (i.e. Ikenberry, 2015; Keohane, 2001), who contend that the present order is to endure even with the multiplication of voices and perspectives. According to this view, present normative and operational parameters are resilient enough to integrate newcomers and harmonize differences. In between these two poles, works (i.e. Acharya 2004; Bloomfield, 2016; Checkel, 2005; Deitelhoff and Zimmermann, 2013; Terhalle, 2011) bring discussions on socialization and norm

entrepreneurship, illustrating that developing countries can be socialized and agents of socialization.

The problem with most of these works is that they do not clearly distinguish what change actually means and what countries like Brazil are expecting to alter. They disregard the pivotal discussion of what regimes are made of, sticking definitive criteria to state behavior and opting for static classifications (Buzan, 2010). Having that in mind, I study the regimes of climate change, peace and security and food security as means to test the mentioned hypotheses and confer my views on the matter. Next chapters demonstrate that until recently Brazil had not assumed a pro-status quo nor displayed a revisionist position. Instead, it followed a nuanced approach in its multilateral engagements, promoting specific changes in how issue-areas should function while keeping normative components in place. By and large, this research demonstrates that Brazil advocated for changes *within* regimes, but not *of* regimes.<sup>2</sup> While its negotiators acted to keep in place regime's main principles and norms, they hoped for altering certain rules and decision-making procedures.

The three case studies are analyzed in the time frame 2011-2014, or when president Dilma Rousseff served her first term. That is a crucial and understudied part of Brazil's history, as the country was ending a period of macroeconomic stability and hyperactive foreign policy to enter a moment of protracted economic crisis and engulfing political tension (Burgess, 2008; Power, 2014). Having said that, this thesis is not about a presidential mandate or necessarily related to the political party – Worker's Party (PT) - governing the country at that moment. It focuses on specific proposals Brazilian negotiators forwarded at the UNFCCC, the UNSC and FAO. I explore how the ideas of concentric circles, responsibility while protecting (RwP) and right to food (R2F) respectively engaged with the normative and operational bases of the regimes of climate change, peace and security and food security. As next chapters illustrate, these concepts are not bounded by the mentioned time frame, being byproducts of previous configurations of domestic and structural explanatory factors.

The mentioned concepts are compared in view of three explanatory factors: regime structure, domestic assets and domestic decision-making procedures. Resembling what the literature of process tracing identify as causal mechanisms, such

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<sup>2</sup> Similarly, Tourinho (2015) argues that Brazil's primary concern with the emergence of liberal norms has not been about their substance, but rather the product of a genuine normative concern with the hegemonic way in which these norms have historically been enforced and implemented.

concepts enable the researcher to make stronger within-case inferences about the occurrence of outcomes (Beach and Pedersen, 2011; Van Evera, 1997), tying together the path between foreign policy production and its interactions with regimes' normative and operational components. I resorted to process tracing as a supplement to the comparative method, as it is a clever way to uncover causal sequences and attach meaning to the complementary phases explaining how a phenomenon emerges (Collier, 2011). Together, the comparative method and process tracing substantiate the methodological approach of this thesis.

### *Data*

The main source of original data consists of 65 online and in-person semi-structured interviews conducted between June 2015 and April 2018.<sup>3</sup> The group of respondents comprises bureaucrats and negotiators working for Brazilian federal ministries and governmental bodies as well as staff of international organizations, international financial institutions, non-governmental organizations (NGO), think tanks, research centers and universities.<sup>4</sup> Relying on a stratified purposeful sampling strategy (Palinkas *et al.*, 2015; Patton, 2014), most interviewees were selected in accordance with their proximity with the concepts part of the three case studies.<sup>5</sup> Besides high-ranking representatives such as ministers, ambassadors, and senior officials, other interviewees were identified and contacted via snowball sampling, namely junior officials and medium-level bureaucrats who were involved with the production of the mentioned concepts. I purposely selected not only governmental sources, but also staff of civil society organizations and intergovernmental institutions who were able to provide distinct interpretations of Brazil's foreign endeavors. Doing so allowed me to question entrenched "official" perspectives, capture contrasting storylines and critically study Brazil's multilateral behavior.

The number of interviews varied according to the case in question. The peace and security case (8) had fewer respondents in comparison to the climate change case (34) and the food security case (21). Two interviews were not related to specific case

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<sup>3</sup> I conducted individual and group interviews, with the latter normally having two respondents at the same time.

<sup>4</sup> See Appendix A for a complete list of interviewees.

<sup>5</sup> I combined positional and reputational approaches when sampling potential interview subjects. On that matter, see Tansey (2007).

studies, as the respondents had functions not directly related to a thematic area. That discrepancy happens in reason of the nature of the topics being discussed. As chapter IV reveals, a very reduced group of people was involved with Brazil's proposition of RWP, which was controlled and streamlined by the Ministry of External Relations (MRE), also known as Itamaraty. That was not repeated in the two other cases. The number of interviewees related to the food security case was smaller in comparison to the climate change case because of the turbulent and polarized political context in Brazil after Rousseff's 2016 impeachment, exactly when most interviews for this case were conducted. When in power, her successor Michel Temer (2016-2018) extinguished ministries and promoted changes in the federal administration, which made some respondents avoid discussing food security-related topics and presenting their views for fears of suffering possible reprisals. That occurred even with me ensuring anonymity and confidentiality.

Anonymity was an important issue. Since most interviewees were working for the federal government and for international organizations, they decided to offer their views, but requested not to be personally identified. A small number of respondents agreed to be identified, but asked to check how their responses appeared in the final manuscript. Some had no further comments, some requested revisions, and others – as contexts changed – decided to eventually remain anonymous. Because of that, some chapters – notably the one on Brazil's role in the food security regime – ended up with only two key informants opting to be identified. For these reasons, all interviewees were quoted but I decided not to identify any of them. Almost all of them gave oral consent in authorized recorded interviews and some in written form. Only two conversations took place in informal settings and were not recorded.<sup>6</sup>

Conducting interviews was a critical research tool for this thesis, as doing so allowed me to examine complex decision-making processes, uncover causal paths, go beyond mere descriptions and ask theoretically driven questions (George and Bennett, 2005). As explains Tansey (2007: 765), the aim of process tracing is to “draw a sample that includes the most important political players who have participated in the political

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<sup>6</sup> Most interviews lasted around one hour, being later transcribed and coded using software MAXQDA. All anonymous interviewees were identified by codes related to their institutional positions (i.e. the first person working for the UNFCCC I interviewed was coded UNFCCC#1; the first diplomat I interviewed was coded MRE#1, while the second was coded MRE#2. I repeated that process with all interviewees). All interviews followed a list of pre-determined topics and questions that varied in accordance with the case study. Appendix B contains a sample interview guide with several questions.



events being studied". Some of them also shared technical notes, meeting minutes and personal notes, which enriched the analysis.

Other data sources include official documentation from Brazilian governmental bodies such as Itamaraty's Citizen Information Service (SIC), federal ministries, research centers and agencies related to each case study; comprehensive documentation from UN-related international agencies, programs and institutions such as FAO, the UNFCCC, the World Food Programme (WFP), and the World Bank; and extensive literature review involving works on multilateralism, regimes, norms, International Law, developing powers, foreign policy analysis, Brazilian foreign policy, and more specifically, climate change, humanitarian intervention and food security. Data was gathered for at least five years before and five years after the mentioned period from 2011 to 2014.

*So what?*

This work is relevant for six main reasons.

First of all (i), this thesis matters for its conceptual and theoretical contributions. It goes deep into the study of multilateralism, relating it to the plausibility of change and the behavior of developing states like Brazil. I unpack the concept of regimes, delineating its constituents and discussing how much resilient are they. It is only by carefully looking into principles, norms, rules and decision-making procedures that one can grasp what interests states are pursuing in multilateral discussions and how much transformation that may originate (Krasner, 1982). Saying that specific states are revising, challenging or supporting the established order is not enough. What does that exactly mean? Why attaching specific categories of behavior to countries if preferences can vary sometimes even within the same regime? What explanatory factors should be taken into consideration when reviewing these classifications? Having the intention to grasp the relative rise of developing states, I critically look into the state of the art, having a focus on theories and concepts and further testing their appropriateness to Brazil's multilateral behavior.

Second (ii), this thesis is driven by consistent methodology. Many works on Brazil tend to center on describing the country's foreign policy in a specific period, particular negotiation or bilateral relation without relying on any methods. Although descriptive works can prove useful, proper use of methodology enriches the analysis, making clearer the pathways the researcher followed to reach a conclusion. In these

pages, I combine the use of process tracing with the comparative method to see how Brazilian-led concepts interact with regime's normative and operational foundations. Process tracing is a powerful methodological tool not sufficiently employed in the study of developing powers, especially when it comes to Brazil.<sup>7</sup> Together with it, the comparative method paved the way for me to test the weight of explanatory factors, look for patterns and ascertain contrasts. By focusing on explanatory factors and their combinations, causal mechanisms and outcomes, the analytical framework part of this work can be further tested in studies on Brazil and other developing states.

Third (iii), this study goes beyond single, within-case analysis, but does not overgeneralize its findings. It keeps a middle-range focus, comparing three representative cases of Brazil's participation in multilateral regimes and presenting conclusions that can be contrasted with similar cases. In the words of Gerring (2004: 346), "it is often difficult to tell which of the many features of a given unit are typical of a larger set of units (and hence fodder for generalizable inferences) and which are particular to the unit under study". Acknowledging such an ambiguity, this work has a clear focus on the importance of providing evidence-rich and accurate accounts of multilateral behavior coupled with rigorous qualitative methodology. I consider the contexts the mentioned cases are embedded in and their matching hypothesized explanatory factors and possible common outcomes, avoiding the pitfalls of attempting to compare things that are incomparable or finding one matching aspect but ignoring the whole.

Fourth (iv), this research looks into three understudied examples of how a developing state can intermesh with norms and rules. Recent works tackle Brazil's engagement in the climate change regime (i.e. Basso, 2019; Hochstetler and Inoue, 2019; Viola and Franchini, 2018), but overlook relevant accounts of multilateral participation such as the concentric circles. Works tend to emphasize either Brazil's more active years in the regime or its inaction, disregarding more nuanced approaches. Furthermore, analyzes avoid making explicit reference to methods, being more based on specific cases or theoretical debates. The literature is much less developed in the case of the food security regime. Authors miss studying Brazil's role at FAO and the WFP, its

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<sup>7</sup> Exceptions include Amorim Neto and Rodriguez (2016), Lopes and Valente (2016), Schenoni (2018), Seabra (2016), and Silva and Pérez (2019).

conceptual contributions and how domestic decision-making impacts foreign policy.<sup>8</sup> Available research is more devoted to South-South development cooperation initiatives (i.e. Lopes Filho, Sabourin and Sayago, 2018; Milhorance, Bursztyn and Sabourin, 2019) and national public policies and programs (Takagi, 2011). Lastly, some works explore Brazil's idea of RWP (i.e. Kenkel and Stefan, 2016; Tourinho, Stuenkel and Brockmeier, 2015), but not in a comparative manner. All in all, research on Brazil and multilateralism either emphasizes historical accounts (Lessa, Couto and Farias, 2010; F. Mello, 2014; Miyamoto, 2000) or a specific regime or negotiation.

Fifth (v) this thesis contains unpublished interview data, particularly for the climate change and food security cases. That extensive material enabled me to reconstruct causal paths and understand how ideas are produced domestically and promoted in multilateral forums. Many of these dynamics are still ill comprehended. Talking to some actors directly involved with Brazil's international insertion is crucial, especially for works dealing with process tracing like this one. Beyond providing necessary contextual information, some interviewees were able to make comparisons regarding not only the country's behavior in a specific regime, but also with respect to its overall foreign policy. That greatly enriched the analysis.

Sixth (vi), this is a timely contribution. Looking into multilateralism proves even more important today, as some developed and developing countries are questioning its foundations, bringing uncertainties on the configuration of tomorrow's world. In the specific case of Brazil, president Jair Bolsonaro (2019-) took advantage of his speech at the 2019 UN General Assembly (UNGA) to criticize the essentials of the international liberal order. According to his chancellor Ernesto Araújo, "the ultimate aim of globalization is to break the link between God and man".<sup>9</sup> What aspects drove this change? How much consistent is Brazil's foreign policy? Studying the complex configurations of domestic and structural explanatory factors as well as understanding how Brazil interacts with multilateralism becomes now even more significant.

### *Outline of thesis*

This thesis is organized into five substantive chapters.

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<sup>8</sup> Recent works (i.e. Lima and Santana, 2020; Inoue and Coelho, 2018) are bringing new perspectives on the matter.

<sup>9</sup> See: <https://www.france24.com/en/20181123-brazils-diplomacy-risk-rupture-with-araujo-appointment>, accessed on 25 February 2020.

Chapter I concentrates on theory and conceptualization. It starts with a discussion of the concepts of multilateralism and regimes, identifying their inner normative and operational components. Relying on the works of authors like Krasner (1983) and Ruggie (1992; 1993) and bearing in mind how the main theories of international relations approach the likelihood of change, I argue that today's international liberal order is divided in thematic arenas called regimes. These regimes are formed by principles and norms, or normative components, and rules and decision-making procedures, or operational elements. I contend that the study of change should take into consideration this separation, which is not usually seen in the literature. Subsequently, I delve into the debate of how developing countries interact with these operational and normative frameworks, investigating whether their conducts are convergent with certain categories of behavior. Reflecting specific theoretical currents, overarching classifications such as free rider, revisionist and partner confine the multilateral endeavors of states like Brazil, China and India to specific and predetermined types of multilateral engagement. I end the chapter defending that these players do not necessarily act to alter prevailing normative foundations. Instead, they might expect to promote ad hoc and gradual changes in the functioning of instances of global governance. Brazil is an inherent part of this broad discussion, as the three cases substantiating this thesis revolve around its multilateral behavior.

Chapter II centers on methods, research design and case selection. It concentrates on the qualitative methods of comparative case studies and process tracing, demonstrating that they can be combined to produce comparable within-case knowledge. Moreover, this chapter features the analytical framework. It consists of explanatory factors, causal mechanisms and outcomes. The three explanatory factors - regime structure, domestic assets and domestic decision-making procedures - are context-dependent and interact to produce the causal mechanisms, here treated as the manifestations of strategic courses of action. Such mechanisms embody the execution of foreign policy and are ontologically connected to and part of the logic linking explanatory factors and outcomes. The causal mechanisms are Brazilian-led proposals, ideas or concepts its negotiators push forward - possibly with the collaboration of regional and extra-regional peers - in specific multilateral debates. The outcomes involve the country's interactions with regimes' normative and operational components. The chapter ends justifying the selection of the three case studies - climate change, peace and security, and food security -, pointing out their importance and pertinence.

Chapter III is about Brazil's proposal of concentric circles and how it interrelates with the normative and operational foundations making the climate change regime, namely the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC). This chapter explores the three explanatory factors: regime structure, Brazil's domestic assets and policies in the climate realm, and the country's decision-making procedures related to climate change. Afterwards, I define the concentric circles and discuss its relationship with the explanatory factors and the regime's normative and operational components. Generally speaking, the concentric circles was promoted by Brazilian negotiators in 2014, when parties were struggling to accommodate interests on the way to the 2015 Paris Agreement. It intended to maintain the regime's normative foundations while adapting its operational provisions to current power shifts. The chapter demonstrates that regional and extra-regional peers did not have a say in the concentric circles. I conclude highlighting that the explanatory factors were individually necessary and jointly sufficient for the idea to emerge.

Chapter IV scrutinizes Brazil's proposition of RWP and investigates how it interacts with the normative and operational foundations making the peace and security regime, especially the norm of responsibility to protect (R2P) and the principle of non-intervention. First proposed in the aftermath of the much-contested 2011 NATO-led intervention in Libya, RWP appeared when Brazil was part of the UNSC as a non-permanent member together with China, Russia, India and South Africa. RWP did not deny R2P, but expected to control its operationalization, avoiding indiscriminate use of force to protect civilians. When it comes to explanatory factors, chapter IV underscores that the seat at the UNSC and the existence of domestic decision-making procedures largely controlled by Itamaraty contributed for RWP to occur. Differently from the previous case study, domestic assets did not play a significant role. I conclude the chapter illustrating that RWP continued appearing in UN debates even after Brazil left the council, which reinforces the centrality of specific bureaucratic actors.

Likewise, chapter V investigates Brazil's support for the concept of R2F and evaluates its associations with the idea of food security and other normative and operational underpinnings part of the regime. Broadly, R2F can be understood as a corollary to the notion of food security, integrating a human rights approach to its core meaning. Although not being invented in Brasília, R2F received Brazil's multilateral support in several circumstances at FAO. When promoting R2F, Brazilian negotiators attempted to mediate the positions of specific ministries and domestic actors in order to

avoid associating it with the more disputed concept of food sovereignty. Brazil's multilateral activism gained strength with the election of José Graziano da Silva, former extraordinary minister of food security and fight against hunger, for the post of FAO director-general in 2011. The chapter ends showing that national policies on hunger fighting and poverty alleviation, Itamaraty's control of bureaucratic dissent, and FAO's non-hierarchical structure were crucial for Brazil to forward R2F.

I conclude by arguing that Brazil's recent multilateral inroads were neither revisionist nor pro-status quo. Instead of advocating for changes *of* regimes or defending alternative views of world order, Brazilian negotiators opted for a more nuanced approach, striving for changes *within* regimes as far as their core normative components endure. Case studies with different combinations of explanatory factors demonstrate that while Brazil did not question the foundations of the ongoing order, it expected to alter specific rules of governing structures. I postulate the concept of foreign policy inertia to explain how Brazil's multilateral activism was possible even in a scenario of mounting economic crisis, lack of presidential diplomacy and reversal of certain domestic assets.

## CHAPTER I

### DEVELOPING POWERS AND GLOBAL ORDER: THEORETICAL INPUTS

This chapter provides theoretical and conceptual justifications for the research question that motivates this thesis, which is how developing powers interact with the normative and operational foundations of multilateral regimes.<sup>10</sup> The aim is to set the basis for the creation, in the second chapter, of an analytical framework that will be applied to the three case studies revolving around Brazil's foreign policy: climate change, peace and security, and food security. Throughout the next sections, I engage with concepts and theories related to the most representative traditions of thought in the field of International Relations, highlighting their contributions and insufficiencies. The effort is to underpin subsequent empirical work.

Two objectives motivate this chapter: demonstrate how the global order is structured and examine the behaviors of developing powers in this setup. With respect to the structure of the global order, it is evaluated with the help of theoretical and conceptual tools provided by the literature on multilateral regimes. I argue that the existing liberal order relies on principles and norms, what I later call normative foundations, and on operational elements, or rules and decision-making procedures. Together, they bound and enable the individual actions of states. As developing powers maneuver them differently in their rise, making this distinction proves crucial. Regarding their behaviors, I demonstrate that, by and large, these players do not aim to alter prevailing normative foundations, but to promote *ad hoc* and gradual changes in the more procedural aspects of global governance. In other words, they expect changes *within* the order, but not *of* the order.

Next sections are divided as follows: the first (i) centers on the regime literature and discusses the notions of principles, norms, rules, and decision-making procedures,

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<sup>10</sup> I use the term developing powers rather than rising or emerging. When it comes to rising, I sustain that it locks-in a condition that is not necessarily accurate. Recent political and economic troubles in Brazil, South Africa, and Turkey, not to mention others, have raised questions on whether they are truly rising, and, if so, based on what parameters. As many authors rely on material factors (i.e. economic growth) to attest rise, this creates a conceptual problem, since a state can be rising in one moment and not rising in the following. In regard to emerging, I follow Nye's (2015: 76) view that "the rise of China is a misnomer; recovery is more accurate". The same applies to India and to other states, which could be labeled re-emerging. Both categories are context and issue-dependent, being marked by ambiguities and overlaps. I also remember that terms like emerging regional powers, middle range powers and emerging middle powers are far from consensual. For such reasons, I opted to use a less disputed term, describing such countries as developing powers or developing states/countries. Many works tackle this complex and still ongoing conceptual discussion. See, for instance, Alexandroff and Cooper (2010), Buzan and Waever (2003), Hurrell (2006), Nolte (2010), Schirm (2010), and Schweller (2015).

relating them to the current global order.<sup>11</sup> The second (ii) departs from that to study the relative emergence of developing countries. It analyzes their overall behavior as regards the existing order, what brings them together and sets them apart. The third (iii) concentrates on how much change are these powers expecting to produce. The last (iv) summarizes, giving way to the following chapter.

### **I.1. Theory talks: regime theory and the foundations of the global order**

The scholarship of international regimes surged in the 1980s and 1990s, when authors highlighted that mainstream theories could not predict the end of the Cold War. On the one hand, realist thinking suffered attacks for neglecting domestic dynamics, for considering states as “billiard balls” and for reifying behavior. Most works attached to this theoretical paradigm affirm states attempt to maximize power or to minimize insecurity, focusing on relative gains in a context of anarchy.<sup>12</sup> Apart from its numerous contributions to the field, this theoretical perspective minimizes the importance of interstate cooperation and gives much weight to security imperatives.<sup>13</sup>

On the other hand, liberal perspectives centered on the study of the possibilities of cooperation, mostly when it comes to economic factors, leaving aside geopolitical tensions that reignited at the outset of the 1980s. Whenever criticizing realism, they devoted efforts to craft a benign view of cooperation in which states seek absolute gains (Legro and Moravcsik, 1999). As happened with the object of their criticism, this detachment from reality plagued liberal views regarding global order.

As far as I understand that the theoretical underpinnings behind the concept of regimes are closer to liberalism,<sup>14</sup> especially in its institutionalist façade, than to

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<sup>11</sup> For Bull (1995: 3-4), order is a pattern that leads to a particular result, “an arrangement of social life such that it promotes certain goals or values”. Hurrell (2007: 1) develops an extensive discussion on the concept of order, which he defines as “patterns of governance and institutionalization in world politics”. Throughout this thesis, I use the terms “global order”, “world order”, and synonyms. In all these instances, except when explicitly mentioned, I speak about the Western-led order, which was established and kept by Western powers, although facing changes with the progression of time. For a compelling work on distinctive non-Western types and views on the global order, see: Kissinger (2015). Acharya (2014), Alagappa (2003) and Tickner and Waever (2009) also deal with the topic.

<sup>12</sup> What later would be defined as offensive and defensive realism. See: Mearsheimer (2001).

<sup>13</sup> More recently, novel perspectives were brought into the realist field, for instance, the approaches of neoclassical realism to foreign policy analysis. For a comprehensive view, see: Lobell, Ripsman and Taliaferro (2009).

<sup>14</sup> Underdal and Young (2004), for instance, contend that regimes opened an important research agenda for those interested in the roles that institutions play in international affairs.



realism, I concede that regime theory gained strength to supplement gaps and build bridges between realist and liberal traditions of thought. In the same view, Haggard and Simmons (1987: 492) argue that the regimes literature can be viewed as an “experiment” in reconciling diverging traditions of thought. According to Krasner (1982), regimes can be endorsed – with different levels of degree and passion - by both theoretical schools, as it creates channels of dialogue between them.<sup>15</sup>

As regards constructivism, my position, similar to the ones of Puchala and Hopkins (1982) and Young (1982), is that regimes make way for behaviors that are not solely based on instrumental calculations of costs and benefits. The puzzling relationships between state agency and the structural buffer provided by multilateral institutions fit well with this view, since constructivism can be understood as a “kind of structural idealism” (Wendt 1999: 1), with idealism here referring to the realm of ideas and knowledge and not to idealism in a Wilsonian sense. In his holistic view of international relations, Wendt values how the structural level of analysis can substantiate interstate interactions, providing a background for reciprocal exchanges that end up in constructing state interests and identities. The systemic context, which can take the form of norms, rules, or institutions, therefore defines expectations and affects behaviors.<sup>16</sup>

The work of Krasner (1982: 1) is one of the first and most representative endeavors to outline the concept of regimes. According to his classic definition, regimes are “principles, norms, rules, and decision-making procedures around which actors expectations converge in a given issue-area”. Krasner’s definition is based on a two-step approach. The first revolves around the components of the concept and centers on the idea of regimes involving “principles, norms, rules, and decision-making procedures”, providing its central meaning and composing the core of what he identifies as a regime. This core is subdivided in normative components – principles and norms – and

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<sup>15</sup> Krasner (1982) affirms that while liberals and Grotians tend to see regimes as the normal state of international relations, realists assume they are difficult to create. When that occurs, they assume a life of their own. Wendt (1999: 5) points out the existence of an ontological coherence between neorealism and neoliberalism, since both branches of theory have a materialist ground and bear more similarities than differences. For him, whilst “neorealists see the structure of the international system as a distribution of material capabilities”, neoliberals “see it as capabilities plus institutions because they have added to the material base an institutional superstructure”.

<sup>16</sup> Similarly, Levy, Young and Zürn (1995) define regimes as social institutions that influence the behavior of states and their subjects. The distinction between regimes and international organizations or institutions, though, is that regimes lack the capacity to act (Keohane, 1988).

operational elements – rules and decision-making procedures. Together, they are the static part of the definition.<sup>17</sup>

The second part of the concept brings its dynamic element, or the convergence of actors' expectations in a given issue-area. It is dynamic because it puts into motion the principles, norms, rules, and decision-making procedures. Without the foreign policy behaviors of actors – here chiefly designed as states – the conceptual core of regimes loses its explanatory power. Deprived of interstate interaction, regimes are much more a descriptive category than a concept that can be applied for studying international affairs. As Ruggie (1992: 573) points out, “the concept of regime encompasses more of the ‘how’ question than does the concept of order”. Whereas the former encompasses a dynamic sense, the latter depicts a static snapshot of reality.

The notion of convergence brought about by the concept could give room to interpretations that it emphasizes too much state agency. This is partially true, since the concept underscores that states' expectations do not “float in space”, but are constrained and enabled by principles, norms, rules, and decision-making procedures. The practical implication of these elements can be seen in two ways. On the one side, normative and operational elements substantiate individual behaviors, as a state can propose, for instance, new norms and rules when defending a specific course of action. Alternatively, they provide structural limitations that constrain and sanction deviating behaviors.<sup>18</sup>

The concept of regimes carries an inner contradiction that much reflects the present tensions between developed and developing countries. It deals with the plausibility of change, reinforcing the possibility of states to act when their expectations are not met, which can be associated with the behaviors of China, India, Brazil, not to mention others. But then, regimes also circumscribe change to a controlled setting, which can be understood as a conservative way to approach the likelihood of novelty.<sup>19</sup> Under this reasoning, whenever a country expects to alter some aspect part of the

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<sup>17</sup> Keohane's (1984) view is instrumental and game-theoretic, as he affirms regimes lower transaction costs and provide a framework of rules, making it cheaper for governments to negotiate agreements. There is a wide array of works on the concept of regimes. See, for example, Drezner (2009); Gehring (1996); Haas (1989); Hasenclever, Mayer and Rittberger (1996; 2000); Rittberger (1995); and Young (1982).

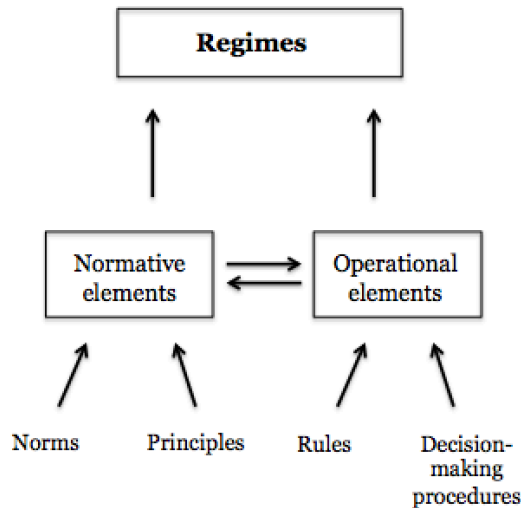
<sup>18</sup> “Patterns of state action are influenced by norms, but (...) such norm-governed behavior was wholly consistent with the pursuit of national interests” (Haggard and Simmons, 1987: 492).

<sup>19</sup> “Regimes provide some stability in a moment power is more widely dispersed” (Krasner, 1982: viii).

ongoing order, it would have to deal with a scenario that is inflexible to greater change. History has shown that creating a regime is more feasible than terminating one. In fact, regimes hardly ever cease to exist, instead being kept dormant, which can happen in reason of sunk costs and institutional bureaucracies refractory to change. Although possible, comprehensive change is scarcely seen in a rule-based and normative-infused architecture. In place of changes in substance, what we commonly see are procedural and minor shifts. This says much about how pluralist is the current order.

Krasner (1982) does not accurately define regimes' main components. He only provides a broad perspective of what principles, norms, rules, and decision-making procedures would be. The lack of precision in the build-up of a concept stretches its meaning, which can end up minimizing its ability to explain real events (Brady and Collier, 2010; Strange 1982). This is not to say, however, that the usefulness of regimes as a concept is decisively harmed. Krasner's work contributed to the setting of a new research agenda, one that is not fully studied still today.

For Krasner (1982: 2), principles are "beliefs of fact, causation, and rectitude". Norms involve "standards of behavior defined in terms of rights and obligations", whereas rules are "specific prescriptions or proscriptions for action". Decision-making procedures are "prevailing practices for making and implementing collective choice". Whilst principles and norms provide the "basic defining characteristic of a regime", rules and decision-making procedures supplement such feature. This separation creates a two-step approach in the conceptual definition of regimes. As far as Krasner reckons this division, he does not explore it deeper. In my view, carefully considering the inner elements of regimes proves a meaningful way to explain the behavior of developing powers in distinct issue-areas of global governance.



**Figure 01.** Conceptual tree of regimes. Based on Krasner (1982) and Goertz (2006)

Figure 01 contains the conceptual tree of regimes.<sup>20</sup> Considering the work of Krasner (1982), I contend that the secondary layer of the concept is composed by normative elements and operational elements. The two dimensions interact. Saying differently, normative elements are operationalized and further implemented, as well as these operational elements are related to normative-infused components. In some cases, the normative basis has a temporal antecedence over its operationalization, since countries establish norms and principles as guidance for action, which are then translated into rules and decision-making procedures. The contrary can also occur, for the fact that states can define a specific rule and then attribute some normative meaning or value to it.

Principles and norms substantiate – or should substantiate, as they carry a normative trait – the behaviors of international actors. Principles are mostly seen in the preambles and initial paragraphs or chapters of treaties and conventions. They provide

<sup>20</sup> Following the work of Goertz (2006), the concept of regimes has secondary and tertiary layers. The secondary layer comprises the dimensions of the concept, what I call the normative elements and the operational elements. The dimensions hold an ontological interplay, not having causal antecedence over one another. There is no causation in the conceptual definition of regimes. The tertiary layer includes the indicators: principles, norms, rules, and decision-making procedures. The relationship between the two dimensions is one of necessity, as a regime only exists if both are present. It makes, therefore, a “logical AND” conceptual relationship and not one of “family resemblance”. Under this ideal type, the two dimensions have equal weight in the configuration of the concept, not being subject to substitution. Beyond the debate of conceptual accuracy, I assume that in real life one dimension may have prominence over the other. This happens because, as far as principles and norms matter, states tend to focus on the rules and decision-making procedures that operationalize the former. It is within such a practical dimension that they attempt to exert influence. On the establishment of conceptual exactness, also see Sartori’s (1970; 1984) classical works on conceptual stretching and traveling.

guidance and convey the core orientations of jurisdictional documents. Treaties creating multilateral organizations are normally explicit in mentioning from which foundational principles they derive. The UN Charter, for instance, has seven principles found in article 2. The Charter of the Organization of American States (OAS) conveys 12 principles in article 5, while the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) brings two main principles in the preamble.<sup>21</sup>

Multilateralism is an implicit principle of the current order.<sup>22</sup> It operates as an institutional form that coordinates relations among three or more states “on the basis of generalized principles of conduct: that is, principles which specify appropriate conduct for a class of actions, without regard to the particularistic interests of the parties” (Ruggie, 1992: 571). According to the definition, a regime is not necessarily multilateral and/or global. Nonetheless, even though it is possible that few states in a specific geographic region define exclusive principles, norms, rules, and decision-making procedures, this is hardly seen in an interdependent world. As virtually all domains of human interaction are codified in the form of treaties, conventions, and international customs, non-multilateral regimes are exceptions. The three case studies part of this thesis – climate change, peace and security, and food security - have universal or near-universal membership.

I interpret this emphasis on multilateralism in two ways. First and foremost, as an ideal that should embody interstate relations. By this reading, multilateralism is an arrival point to all accords governing specific topics. Multilateralism would have a normative connotation, as states embrace it when engaging with others. Second, multilateralism can be understood as an instrument through which actors push forward their interests. More pragmatic, this interpretation posits multilateralism as a foreign policy option that lowers transaction costs and enhances transparency and accountability, making cooperation more feasible. Beyond more pragmatic, this view is intertwined with liberal conceptions of world order, as it highlights the importance of absolute gains.<sup>23</sup>

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<sup>21</sup> It is also worth mentioning *pacta sunt servanda*, a principle of International Law through which states should comply with what they agreed to.

<sup>22</sup> “Multilateralism and the quest for domestic stability were coupled and even conditioned by one another”, reflecting the “shared legitimacy of a set of social objectives to which the industrial world had moved” (Ruggie, 1982: 398).

<sup>23</sup> Keohane (1986) defines two corollaries to multilateralism: indivisibility and diffuse reciprocity. On the concept, also see: Caporaso (1992), Kratochwil (1993) and Ruggie (1993).

Other principles compose the bulk of the post-1945 order, for instance, refraining from the threat or use of force, relying on cooperative measures, and respecting the non-interference in domestic affairs of other states. According to the UN Charter, the observance of human rights and fundamental freedoms should also guide interstate relations. The document reassures the importance of a “larger freedom” and of the “fundamental freedoms for all without distinctions” (United Nations, 1945: 3). These original provisions were complemented by legal instruments such as the Universal Declaration of Human Rights of 1948; the International Pacts on Human Rights of 1966 and their additional protocols; the Rome Statute of 1998; not to mention a plethora of regional accords.

Norms stand in the same analytical realm as principles, as they reflect states’ “shared understandings” and “intersubjective knowledge”, explaining how actors are constituted (Hurrell, 2002:193). For Hurrell, norms can “be understood as expressions of what states are, where they belong and the kinds of roles they play”, not only constraining, but also enabling and empowering action. According to him, norms help us “make sense of the identity of actors and hence of the source of their preferences”. Ultimately, norms would embody material behavior, providing a bridge between what constitutes a state – and therefore prompts it to act – and the translation of preferences into actions. When it comes to examples, Bull (1995) identifies sovereignty as an international norm, whereas Ruggie (1992) mentions collective security.

The study of norms regained importance with the constructivist and the post-positivist turns in the scholarship of International Relations. Works of, for example, Adler (2005), Axelrod (1986), Cox (1981), Finnemore (1996) and Kratochwil (1989) brought new insights on the issue, an agenda students of regimes did not develop deeper.<sup>24</sup> Not much has been said, however, on how norms are interrelated with state behavior. As is the case with principles, they tend to remain in the realm of ideas, being manifested in a prescriptive, ought to, manner. It is therefore important to understand the way countries interpret existing norms as well as attempt to develop new ones better reflecting their interests.<sup>25</sup>

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<sup>24</sup> Finnemore and Sikkink (1998: 888) affirm that the scholarship of regimes opened the way for a “more sweeping ‘ideational turn’”, within which norms exert more influence. Central to liberal thought, “norms and normative issues” remained residual during the dominance of realism, later regaining significance.

<sup>25</sup> Such is the leitmotiv of recent works attempting to tackle the rise of developing powers and its relationship with preexisting normative frameworks. See, for instance, Abdenur (2014), Albuquerque

The UN Charter does not make direct reference to norms. The same occurs, just to mention some examples, with the OAS Charter, the Statute of the Council of Europe and the Lisbon Treaty. That illustrates the existence of a disparity between legal texts and the study and practice of international relations. Norms are subjacent to international life and present in the rhetoric of leaders and members of civil society, but not so frequently seen as such in jurisdictional documents.

One of the reasons for this discrepancy is that there exists great confusion in distinguishing principles and norms. Caporaso (1992: 602) defends that generalized principles of conduct “usually come in the form of norms exhorting general if not universal modes of relating to other states”. Hurrell (2002: 188) goes in another direction, arguing that normative theory should concentrate “on the principles of prudence and moral obligation and the consensus of shared values” part of international society. The two examples demonstrate the difficulties of establishing ontological antecedence. Whereas norms can embody principles, they can also derive from them. In the end, it is fair to say that they bear a similar value-based origin without clear conceptual boundaries. Acknowledging the problem and coming back to figure 01, I opted to emphasize their commonalities, reuniting principles and norms as “normative elements”.

Ideally, principles and norms should be taken into consideration when states formulate foreign policies. They function as parameters, sanctioning deviant behavior and providing direction. Furthermore, principles and norms embody goals that actors ought to achieve. Their character, however, is loose, which makes them at risk of being considered as words in the wind. Rules and decision-making procedures, or the operational elements composing regimes, come into play to minimize these insufficiencies.

Pointing to the same direction, Cortell and Davis Jr. (1996: 452) affirm “rules constitute specific applications of norms to particular situations” or, as mentioned in previous paragraphs, “proscriptions for action” (Krasner, 1982: 2). More concrete, rules are the means through which normative contents are revealed and perceived by actors. By limiting their scope and assuring predictability, rules put in motion abstract meanings. With the existence of rules, boundaries can be set and the wide-ranging sense

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(2016a), Bloomfield (2016), Destradi and Jakobeit (2015), Hart and Jones (2010), Hurrell and Sengupta (2012), Stuenkel (2015), Terhalle (2011), Vieira (2012a), and Vieira and Alden (2011).

of principles and norms can be controlled into feasible setups, in which states negotiate and bargain.

Rules are more “palpable”. Instead of discussing principles and norms, states dispute more assertively the formulation and transformation of rules. To the writing of this thesis, there is contestation but no clear alternatives to the principles and norms making the global order. The same does not happen with its rules. As they set limits and are visible in treaties, official documents and bilateral agreements, their definition is subject to constant argument. Take any multilateral arrangements. They are the results of conflicts over details that can range from the division of responsibilities to the clarification of what topics are to be further deepened. In most negotiations, single words can alter the complete meaning of a treaty, being subject to clashes. From climate change to nuclear non-proliferation, states do not primarily argue over principles and norms. Their ranging positions can be seen, in contrary, when it comes to the operationalization of normative components.<sup>26</sup>

Decision-making procedures are, as Krasner (1982) points out, practices for making and implementing collective choices. They are related to day-to-day routines of international organizations such as electing members for an institutional body. Under this reading, decision-making procedures ensure that an organization properly exerts its mandate, assuring that things occur as agreed upon. The functioning of the UN Security Council (UNSC), with its permanent and non-permanent members and their differentiated voting weight, is an instance of how decision-making procedures appear in reality.<sup>27</sup>

Decision-making procedures reflect power distribution. Pressures to enlarge the UNSC and include more developing countries as well as disputes at the International Monetary Fund (IMF) and the World Bank for reformed quota shares are attempts to influence current and future decision-making procedures. By sitting at the high table, countries have more means to push forward preferences and affect outcomes. Decision-

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<sup>26</sup> Trade is one of the arenas in which rules are easy to identify. The Annex 2 of the World Trade Organization (WTO) agreement, for instance, is named “Understanding on rules and procedures governing the settlement of disputes”. See: [https://www.wto.org/english/tratop\\_e/dispu\\_e/dsu\\_e.htm](https://www.wto.org/english/tratop_e/dispu_e/dsu_e.htm), accessed on 4 November 2019. Article 7 of the climate convention is another example of how rules appear in legal texts. See: <https://unfccc.int/resource/docs/convkp/conveng.pdf>, accessed on 4 November 2019.

<sup>27</sup> As another example of how decision-making procedures appear in legal texts, article 72 of the UN Charter reads that: “the Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members”. See: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>, accessed on 4 November 2019.



making procedures are also visible in technical discussions in international organizations and in experts' meetings. Knowing well these procedures is crucial for a country to validate its interests and/or halt unwanted initiatives. Moreover, by having technical expertise, states are able to more easily maneuver principles, norms and rules.<sup>28</sup>

For putting principles and norms into motion, decision-making procedures rest alongside rules in the conceptual tree of regimes above presented. They compose what I defined as the operational elements. Rules and decision-making procedures are closer to day-to-day politics, being easier to notice in interstate interactions. Furthermore, countries tend to engage in negotiations aiming at short and medium term results rather than in normative discussions that hardly ever produce tangible results. Rather than discussing the nature and the content of the notions of non-intervention and the prohibition of threat or use of force, for example, states debate how these principles take place in real situations. These are manifested through rules and decision-making procedures.

Analyzing how regimes' normative and operational elements interact is essential. As developing powers have gained more means to manifest their preferences, they endeavor to shape multilateral paradigms. From trade to climate change, states such as China, India, and Brazil expect to alter not the main principles and norms, but rather the operational elements governing them. As I further discuss in this chapter, these states expect to either frame new rules, or to make the existing ones reflect their prerogatives. They also aim to partake in multilateral decision-making instances.

## **I.2. Developing powers and multilateral regimes: setting the issue**

The order that the world came to know after the rubbles of the League of Nations and the horrors of the Second World War was not created in the void. It carries components of the Westphalian system, which was established in the aftermath of the Thirty Years War and still today bounds several parameters of international relations such as the idea of sovereign equality of states. At the same time, the contemporary order is infused with liberal premises, or new interpretations of how interstate

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<sup>28</sup> Following Haas (1992: 3), what bonds members of an epistemic community is their shared belief or faith in the verification and the "applicability of particular forms of knowledge and specific truths". The definition is closely related to Kuhn's (1970: 175) conceptualization of paradigm: "an entire constellation of beliefs, values, techniques, and so on shared by members of a given community". Manipulating such truths and techniques can be crucial for a state to advance its interests in multilateral negotiations.

interactions should occur, which occasionally clash with the diplomatic protocols and nineteenth-century views established by the ruling powers of that period. Characterizing the contemporary order is not a simple task. Its novelties contradict and complement preexisting parameters.<sup>29</sup> On the one hand, the ongoing order still endorses entrenched principles part of the European mindset, as is the case with the balance of power. On the other, it brings into the equation ideas that sometimes are at odds with the old state of affairs.<sup>30</sup>

The present order perpetuates a tension between its foundations and how power relations operate. Most principles, norms, rules and decision-making procedures were determined in a top-down manner. This architecture set the boundaries in which interstate relations occur, but was not able to guide individual behaviors. From time to time, it is questioned by states attempting to insert their own views in the shape of things to come. When not ignored, these endeavors are normally seen as sources of instability.<sup>31</sup>

The relative rise of developing powers confirms this tension. For their colonial, revolutionary or peripheral condition, they were excluded from the creation of the current order. In most issues, ranging from trade to nuclear non-proliferation, rules were defined by a group of states interested in securing privileges. Indeed, past attempts to promote change were met with discomfort, only achieving minor successes. During the Cold War, for example, the so-called Third World took part in Bandung and Belgrade conferences and in the Non-Aligned Movement (NAM) to fight what they saw as an unjust order. The proposal of a New International Economic Order (NIEO) followed the same reasoning of shifting established parameters. By and large, these movements

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<sup>29</sup> Succinctly, Patrick (2017) points out that the current liberal order is founded upon the pivotal role played by international law, institutionalism, multilateralism, self-determination, free trade and domestic liberty. The ultimate goal would be sovereign states achieving cooperative means in their relations. Together, these elements compose what he calls an open world. One that replaces an outmoded and failed European world order, which was marked by the existence of spheres of influence, protectionism and autarkic rules deprived of popular representation. I remark that hierarchy is a trend permeating both orders. Although the liberal order poses as open and democratic, reality proves more complex. The idea of a condominium of great powers continues to take place, as the UNSC inherited practices developed previously.

<sup>30</sup> Considering human rights and democracy as paragons, for example, can conflict with the Westphalian principle of non-interference in states' domestic affairs and open space for reinterpretations of state sovereignty.

<sup>31</sup> Turner and Nymalm (2019: 410) talk about a "disruption from the non-West amidst a fundamentally moral Western order that represents civilizational progress". Ordering narratives, therefore, are "problematic and unreliable descriptors of the actors and behaviours they are designed to explain".

contested the persistence of colonialism and the dominant rules perpetuating imbalances.

Although alluring, these demands could only achieve minor gains, as is the case with part IV of the General Agreement on Tariffs and Trade (GATT), which secured special and differential treatment to developing countries. Discontent voices in forums like the UN Conference on Trade and Development (UNCTAD) and the UN Economic and Social Council (ECOSOC) received lukewarm support from the established powers, subsequently losing momentum. Amid the discussions of the NPT, for example, Argentina, Brazil and India were unable to revert what they saw as a hypocritical agreement. In essence, these moves were seen as empty rhetoric.

In addition, coalitions of discontents lacked consistency during the Cold War. On the one side, they were plagued by internal rivalries, which were stirred by the two major powers, the United States and the Soviet Union. On the other, developing countries were more focused on criticizing the bipolar division than in bringing about feasible solutions. In rare moments, as during the discussions of the principle of self-determination, a group of countries was able to reunite and actively influence the international agenda. In several cases, their claims were only legitimized afterwards, when considerable international support was assured and risks of disturbing the status quo were diminished. Many of the proposals pushed by developing countries only reached the top of the agenda when validated by the states controlling it.

Currently, developing powers have more means to act. Several factors account for this shift. Firstly, states such as China, India and Brazil sustain more material capabilities than in previous decades. In reason of the promotion of domestic reforms, diffusion of economic power and growing economic interdependence, these states face renewed opportunities to exercise influence. Ranking among the major economies, they integrate global supply chains and are able to direct investments towards other developing countries, so as to their developed peers. In general terms, this economic leverage provides a basis for more ambitious political endeavors, being China the most illustrative case.

Secondly, for being the major powers in their regions, their foreign policies impact their neighborhoods. This is not to say, of course, that they are unmistakable regional leaders. Many works (i.e. Burges, 2005; Flandes and Wehner, 2015; Malamud, 2011) show that their neighbors contest this supposed leadership, with this condition being more self-given and exogenously determined than reality. Also, bearing the

burden of leadership is costly and can hinder attempts to global rise, which can lead to reluctant behavior (Destradi, 2016). Nevertheless, it is reasonable to say that China, India and Brazil are normally pointed out as regional leaders by the established powers and by international organizations. Benefits and expectancies are attached to this status.

Thirdly, in comparison with previous times, developing countries have a more prominent role in international institutions. While their quest to occupy the decision-making instances of intergovernmental bodies remains on track, they have more means to question the norms, principles and rules of such arrangements.<sup>32</sup> Examples abound. In recent years, they have gained more voting power with the approval of a long-pending reform of the IMF quota system. At the UNSC, they criticized North Atlantic Treaty Organization's (NATO) intervention in Libya. In the climate change regime, China, Brazil and India rank among the top global emitters of greenhouse gases (GHG), which makes them necessary stakeholders in climate talks.

This more pragmatic involvement with international institutions is manifested by means of active criticism of ongoing practices. Disapproval appears in official statements, in calls for new operational provisions and in alternatives to traditional bodies. The New Development Bank (NDB) of the BRICS (Brazil, Russia, India, China and South Africa), although not aiming to substitute or openly confront the World Bank, shows that its founders are not entirely comfortable with the global financial architecture. The financial G-20 is another example of how developing powers can, from time to time, exert pressure on the Bretton Woods system.

Coalitions also changed their character. Whilst groupings such as the NAM achieved not as expected in discussions on international trade, non-intervention and socioeconomic development, current coalitions are able to accomplish more. An illustrative example is the commercial G-20. Formed at the 2003 WTO ministerial conference in Cancun, it altered the landscape of trade talks, including Brazil and India at the high table alongside the United States and the EU. These developing countries enhanced the centrality of issues such as agricultural subsidies, market access and special safeguards. They also partook in decision-making processes, making discussions

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<sup>32</sup> See, for instance: Alexandroff and Cooper (2010), Florini (2011), Ikenberry (2008), Kahler (2013) and Narlikar (2013).

less unbalanced. Ironically, the formation of the WTO's G-4 is one of the reasons for the stalling of the Doha Development Round.<sup>33</sup>

The forming of coalitions provoked new configurations of power in several international organizations. Grouping together is a strategic move, as it provides more leverage to forward common ideas and grants more bargaining tools to counter rival proposals. In climate change talks, for instance, the crafting of the BASIC (Brazil, South Africa, India and China) at the 2009 Conference of the Parties (COP-15) to the United Nations Framework Convention on Climate Change (UNFCCC) was pivotal for an agreement to be reached. Developing states similarly coupled positions in the definition of the UN Sustainable Development Goals (SDG) and in recurring conferences on financing for development.

As previous paragraphs demonstrate, developing powers have more means to influence multilateral discussions. Different from past times, they can combine rhetoric with practice, actively proposing new readings on the functioning of the global order. Indeed, the distinctive characteristic of present times is that developing powers have more conditions to substantiate what they voice, leaving a situation of being mere critics to actually affecting the way interstate relations are conducted. While such countries denounce present imbalances, they also bring new visions on how power should be shared, proposing their interpretations on principles, norms, rules and decision-making procedures. They do so by following a series of strategies that stem from their new stand in global affairs.

Perspectives on these dynamics are far from consensual. A first group of authors has a pessimistic view, understanding that newcomers tend to disturb the structures of global governance. Their argument is straightforward: inasmuch as developing powers gather material capabilities and, more importantly, apply such competences in their external engagements, conflicts tend to arise (Lemke, 1997). Cooperation, although possible, is instrumental and limited, as demonstrates Glaser (1994). Mearsheimer (2001), for example, maintains that states endeavor to maximize their share of power and minimize existential threats, which can prompt a return to great-power confrontation. Owing to the fact that developing powers are not fully satisfied with the global liberal order, their positions will necessarily clash with those of the established

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<sup>33</sup> Narlikar (2015) affirms that while developing countries started to exercise greater voice, multilateral processes deadlocked and developed countries transferred their negotiating efforts to alternative forums.

powers (Schweller, 2015).<sup>34</sup> China's policies towards the South China Sea illustrate the argument.<sup>35</sup>

A second group of authors, among them Nye (2015), minimizes the possibility of turmoil and holds a more restrained position. For them, the liberal order can evolve and adapt to the rise of developing countries, integrating different views and moving towards an inclusive and more cooperative international architecture in which shared leadership is possible. Ikenberry (2015: 453) defends that despite the existence of transformations in the distribution of power, the current scenario is one of “more continuity, integration, and evolution in the existing order – rather than abrupt upheavals, revisionist agendas, and deep struggles over principles”. His perspective underscores that international organizations are resilient and adaptable enough to include states with contrasting standpoints.<sup>36</sup> Keohane (2001: 5) embraces an equivalent standpoint, but reinforces the notion that the status quo should be kept by the countries now controlling the agenda. For him, “institutions, whether emphasizing coordination or collaboration, necessarily institutionalize bias, in favor of groups that have agenda control or wish to maintain the status quo”.

A third group of authors stresses concepts such as socialization to point out how developing powers can comply with existing parameters. According to this perspective, ideas play a prominent role in the creation, diffusion and internalization of norms into domestic systems (Checkel, 2005).<sup>37</sup> In the long run, states such as China, India and Brazil would face normative and operational boundaries and be socialized, which approximates this point of view to previous works advocating for the continuity of the status quo. Epstein (2012) questions the idea of socialization, arguing that it can infantilize the ones being socialized – in this case the developing powers - and silence

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<sup>34</sup> “Successful engagement of the rising power is the preferred policy outcome. In contrast to containment and the associated great power tension and risk of war, successful engagement enables pre-existing great powers to preserve their vital interests without incurring either extensive short-term costs of heightened tension or the future costs of international instability and hegemonic war. Nonetheless, successful engagement is, at best, rare” (Johnston and Ross, 1999).

<sup>35</sup> In the view of Turner and Nymalm (2019: 413), these narratives are “discriminatory and autobiographical”, as they “rarely accommodate concern for the disruptive, violent and arguably immoral processes that brought the ‘Western order’ about. The concern is instead only about its potential demise and of who and what may follow.”

<sup>36</sup> “The post-war Western order” is “hard to overturn and easy to join” (Ikenberry, 2008: 28). Similarly, Paul (2016) forwards the idea of accommodating developing powers.

<sup>37</sup> Wendt (1999: 5) argues that the structure of the international system is defined by the “distribution of ideas”, which form the core of his constructivist lens.

their views. Bloomfield (2016) similarly argues that this perspective is too linear, treating actors as passive norm followers. Benner (2013) contends that the lack of trust among developed and developing powers makes it harder for diffuse reciprocity to function.

Fourthly, works of Acharya (2004), Terhalle (2011) and Wiener (2014) put in perspective this one-way view, arguing that developing powers can transform the rules of the game, refusing being socialized and acting as agents of socialization. As stated by Xiaoyu (2012), socialization is not just a one-directional process through which non-Western powers uncritically learn and internalize the existing norms and rules, but a means through which they shape the evolution of international society, bringing more pluralism to it.

Apart from their ontological and epistemological differences, these branches of theory attempt to understand to what extent the pillars of the liberal international order can adapt to challenges posed by states with diverging interests. The effort is much needed, as developing powers currently have more chances to combine discourses with practices, behaving more consistently than during the Cold War.<sup>38</sup> Their will to project influence is nonetheless not automatically translated into recognition or endorsement, which minimizes the pertinence of views defending the existence of cooperative interaction and two-way socialization. As difference is not entirely met with enthusiasm, what is presently in play is a continuous struggle between traditional and novel interpretations of order and ordering.<sup>39</sup>

Providing that the basic foundations of the liberal international order are still in place, *ad hoc* adjustments have occurred in specific issue-areas, which is partially a consequence of the rise of developing countries. These incremental changes have not been sufficiently comprehended, with analyzes missing to explain how these states actually behave and whether or not they are creating something new. Most works dealing with their relative ascensions tend to focus on static categorizations of these

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<sup>38</sup> Aside from all the rhetoric, developing powers are not promoting drastic upheavals against the established principles and norms, nor, in most cases, formulating openly confrontational foreign policies. Cooperation with these players continues being an underlying factor of global governance. Among the many examples, I mention the setting up of peacekeeping operations and the multilateral response to the Ebola outbreak in mid-2014. Drezner (2014) discusses the joint initiatives of the financial G-20 in the context of the 2008 crisis.

<sup>39</sup> “The transformationist rhetoric about ‘post-Westphalia’ substantially overstates the degree to which we have in fact moved beyond a state – and sovereignty-bases order – in terms of politics, law, and morality” (Hurrell, 2007: 9).

players as (soft)-revisionists, partners, balancers, free-riders, spoilers, challengers, reformists and bandwagons, without mentioning what exactly they are engaging with and how much change they are causing. As mentions Johnston (2003: 8), “definitions of status quo and revisionist”, the two poles comprising these categories, “are not only vague but also undertheorized”.<sup>40</sup>

Beyond being ambiguous, these categories minimize agency, attaching the foreign policies of developing powers to predefined types of behavior. On the contrary, these countries, as happens to their developed peers, can enable a series of contradicting conducts, not composing a unison group of challengers or supporters of the ongoing order.<sup>41</sup> Moreover, a state can act dissimilarly within the same regime, sometimes engaging with its developing peers and on other occasions going alone or seeking support from the developed powers. The same country can question existing normative and operational foundations and, in other circumstances, endorse them.

Throughout this work, I advocate that, generally, developing powers are participating and contributing to existing multilateral institutions, which is a clear indicator of a non-revisionist orientation. Commonly, they expect *ad hoc*, specific changes in regimes’ operational elements without calling into question ongoing normative foundations. By disaggregating the core normative dimension of regimes from the operational one, I contend that developing powers are focusing on the latter aspect and relying on a more nuanced and procedural approach. This analytical angle makes sense of these players’ policies in several fields of global governance, policies that are contesting certain rules and decision-making procedures, but not expecting to challenge the global order in its entirety.

This middle-ground position incorporates some features of the mentioned theoretical contributions, identifying the behavior of developing powers as process-oriented (Stefan, 2016). On the one side, they would strive for changing the decision-making instances and political agendas of multilateral institutions, making them reflect the current distribution of power. Also, they expect to alter rules considered

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<sup>40</sup> Gilpin (1981) relies on three components to define what would be a revisionist or a pro-status quo state: the distribution of power, the hierarchy of prestige and the rights and rules that govern or influence the interactions among states. While a revisionist country would want to alter these three elements, a status quo state would attempt to keep them in place. Discussing whether China is a status quo or revisionist power, Johnston (2003) brings five indicators accounting for this type of behavior.

<sup>41</sup> As argue Mazarr *et al.* (2018: 14), “states can theoretically be revisionist in one issue area (i.e. economics) while retaining status quo inclinations in another (i.e. geopolitics)”.



anachronistic, hypocritical and unjust.<sup>42</sup> On the other side, they do not want to overthrow existing normative frameworks, which could characterize them as spoilers and irresponsible stakeholders. Nevertheless, they attempt to control the putting into practice of some principles and norms, controlling their operationalization and avoiding situations in which norms-based claims could lead to consequences contrary to their interests. Although I reckon that incrementalist approaches towards rules and decision-making procedures and defensive stances towards principles and norms can eventually result in normative transformation and/or substitution, I understand it is not a general trend in current international relations.<sup>43</sup>

In the next section, I argue that in place of expecting changes *of* regimes, developing powers hope for changes *within* regimes. Mostly, they are focusing less energy on principles and norms and looking forward to bringing changes to the rules and decision-making procedures that operationalize principles and norms (Harig and Kenkel, 2017). Applying varied foreign policy strategies, these countries endeavor to construct what they see as a more balanced order. This argument is further tested with the analysis of Brazil's behaviors in the regimes of climate change, peace and security and food security.

### **I.3. The degree of change: developing powers in multilateral regimes**

The importance of this section to the overall thesis is that it questions, with empirical examples, perceptions that developing powers are attempting to promote thorough normative changes, which could lead to new configurations of order. Two main positions are defended here: (i) that developing powers do not want to alter the normative foundations of the global order and (ii) that they cannot do so. The last part (iii) talks about the degree of change and presents a framework summarizing the discussion.

First (i), there is no clear indication that developing countries are actively aiming to alter the normative foundations of the global order.<sup>44</sup> Following previous theoretical

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<sup>42</sup> Also see Buzan (2010) and Xiaoyu (2012).

<sup>43</sup> Accordingly, Ikenberry (2015: 452) argues that developing powers are “not seeking a ‘post-liberal’ order based on closed blocs, economic spheres of influence, or neo-imperial groupings.”

<sup>44</sup> “It is incorrect to imply that the rising powers aspire to create a radically different world order. Visibly, for the majority of the international community – rising powers included – the real issue is one of compliance by all with existing rules, without unilateralism, and with expanded opportunity for participation in decision-taking” (Patriota, 2017: 5).

debates, I contend that the bulk of the global liberal architecture is still in place and that the most representative instances of it like the UN and the Bretton Woods system have not been effectively challenged. Up to now, new normative provisions have not substituted basic interstate principles such as the prohibition of threat or use of force, non-intervention, and common but differentiated responsibilities and respective capabilities, just to mention three.

One could argue that this happens because these countries were the greatest winners of a more interdependent and globalized world.<sup>45</sup> In reason of upholding a developing condition, they could benefit from non-reciprocity clauses in multilateral treaties, which allowed them to opt out or delay the fulfillment of compulsory obligations, a situation that was established in the past and persists today. Documents such as the GATT, the Convention on Biological Diversity (CBD) and the UNFCCC presuppose divisions of responsibilities reckoning the existence of imbalances between developed and developing countries. GATT's 1979 Enabling Clause, for example, divided parties in graduating categories and guaranteed non-reciprocity, which is formally an exemption from the most-favored nation clause, the fundamental principle of the multilateral trading system.

Since the main jurisdictional documents did not accompany shifts in the distribution of power between developing and developed states, detachment between written law and reality became commonplace. For this disparity, developing countries can sustain legalistic positions and reinforce the original provisions of treaties and accords, avoiding or at least delaying the assumption of additional responsibilities. By doing so, they can counter accusations of possible inaction with the argument that they are abiding by the rules of the game.

Another sign that developing countries pursue compliant conducts is the fact that the institutions they create, which are up to now mostly noted in the financial realm, do not harm current principles and norms. In contrast, these new institutions – many of them with a regional basis - reinforce existing normative frameworks. Neither the Contingency Reserve Agreement (CRA) nor the New Development Bank (NDB) of the BRICS effectively challenges the Bretton Woods system. The CRA, for instance, is based in US dollars. The NDB aims at “complementing the existing efforts of

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<sup>45</sup> Chan, Hu and He (2018: 614) mention that the rise of countries like China “gives it an increased stake in the international order that has permitted its ascent thus far. As a result, it should have less incentive to upset this order even though it now has more capability to challenge it”.

multilateral and regional financial institutions for global growth and development”.<sup>46</sup> The Shanghai Cooperation Organization (SCO), for its turn, defends the principle of non-interference, which replicates paradigmatic article 2 §7 of the UN Charter. These and similar examples helped pluralize global affairs and provided space for its constituents to exert influence, but did not erode the components of the global liberal order.

Coupled to this, comes a notion shared by developing states that the ones not following current normative foundations are their developed peers.<sup>47</sup> According to this vision, when their interests are at stake, developed powers override or ignore normative and operational parameters, opting to bypass and forego historically grounded frameworks, most of which they originally established. These breaches are visible through direct disrespect of established rules or by crafting dubious resolution texts that leave room to further violations of international law. The US-led intervention in Iraq in 2003 is a clear example. It lacked consistent diplomatic support and legitimacy, being based on debatable UNSC resolution 1441. While the document allowed UN member states to “use all necessary means” against the Iraqi regime and gave it a “final opportunity” to comply with its disarmament obligations, the resolution did not authorize noncompliance with article 2 §4 of the UN Charter.<sup>48</sup> Furthermore, the existence of weapons of mass destruction, which supposedly was the main reason behind hawkish voices calling for intervention, was not entirely proven (Puri, 2016).<sup>49</sup> In the occasion, the principle of prohibition of threat or use of force was bypassed in response to other foreign policy imperatives.

The argument that the ones confronting the basics of the global order are the developed powers is frontally opposed to the idea of irresponsible stakeholders, crafted by Patrick (2010). He affirms developing powers have enhanced their status and, for this reason, they *should* assume more obligations. His position confirms a misperception that is commonly shared by Western scholars. First of all, it assumes

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<sup>46</sup> For the NDB’s agreement, see: <http://ndb.int/download/Agreement%20on%20the%20New%20Development%20Bank.pdf>, accessed on 7 November 2019.

<sup>47</sup> Schweller (2015) affirms that hegemons are best positioned and most motivated to be revisionist powers. For a discussion on the concept of hegemony, see Prys (2010).

<sup>48</sup> See: <http://www.un.org/Depts/unmovic/documents/1441.pdf>, accessed on 8 November 2019.

<sup>49</sup> Also see Amorim (2017).

developed powers as the keepers of the ongoing order, exempting them from any deviant behavior and considering that they are already undertaking the heavier share of the burden. Second, for directing the assumption of responsibilities towards developing powers, Patrick remarks that these countries are not fulfilling their roles. At best, these would be seen as opportunistic free-riders. At worse, as spoilers or challengers, which is not entirely true. Third, such simple definitions create morally oriented categories of friends and foes of the ongoing order, which is intrinsically problematic. Fourth, the argument ignores that developing powers also contributed to its formation and continuation.<sup>50</sup>

Since I do not follow this reading of “who should do what”, I understand things differently. I base my argument on the main legal texts and customary international law to then interrogate whether countries comply with them. Having said that, I contend that there is no clear evidence that developing powers are attempting to override the current order. I assume that the notion of responsibility is to be treated not with reference to future action, but along the lines of present behavior. UNSC resolution 1973 that guided NATO’s no-fly zone and subsequent regime change in Libya, for instance, echoes that transgressions of international law do not solely occur due to the foreign policy behaviors of developing powers. Same reasoning can be said in the climate change regime, another case study of this thesis. Of course, I do not mean that non-compliance is mostly or solely due to developed powers’ actions or inactions. If I did so, I would reproduce the already criticized prescriptive vision of responsibility.

Second (ii), if developing powers expected to promote new configurations of global order, they would not have the means to do so. To begin with, considerable division exists between them, which presents a clear impeditive for joint engagement in the promotion of change. This situation opposes the idea of a unified global South that would speak with a common voice and rely on shared values. As much as such rhetoric gained force amid a bipolar dispute that relegated them to a Third World condition, its roots continue to echo today in their bureaucracies though with debatable results. The meetings of the BRICS, for example, commonly cast a collective sense and call for mild revisions of contemporary governing structures. Similar happens with regional meetings

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<sup>50</sup> Works on role theory and status also defy attaching predefined categories to the behavior of developing countries. See, for instance, Gaskarth (2017), Loke (2013), Stuenkel (2014), Ward (2017) and Wehner and Thies (2014).

involving these countries. Different interests nonetheless difficult the formation of cohesive blocs and weaken the prospects of coordinated initiatives (Schirm, 2009).

Their foreign policies can greatly vary according to factors such as the issue-area in question, the (regional) groupings they are attached to and their domestic contexts. Rhetoric apart, the way they view principles and norms is not the same and that can affect the possibilities of cooperation (Albuquerque, 2016a; Hochstetler and Milkoreit, 2015). In the case of the nuclear non-proliferation regime, Brazil, China and India do not uphold similar readings of the NPT, emphasizing disarmament and non-proliferation in dissimilar fashion. In the climate change realm, however, their positions convey in the defense of the principle of common but differentiated responsibilities and respective capabilities. By and large, the absence of concerted behavior diminishes the ability of these powers to alter the underlying mechanisms of global politics.

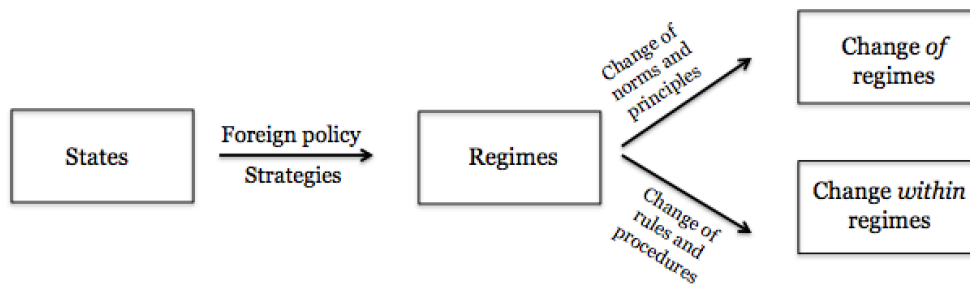
Furthermore, developing powers could not alter the fundamental components of the existing order because that would be considerably costly. Imagine a scenario in which a rising country attempts to substitute the basic elements governing interstate relations, creating something from scratch. In such a hypothetical situation, it would face limitations posed by a plethora of treaties, rules and norms, and the objection of the ones profiting from the present state of things. Pro-status quo states would delegitimize calls for change or, in a more “realist” scenario, resort to the use of force.

Speaking about the degree of change (iii), I do not ignore that renewed readings of present normative and operational elements are being pushed forward, as it occurs with debates on international cooperation, internet governance and human rights within and outside the UN. My view, however, is that developing powers intend to complement and adapt norms rather than promote radical shifts. Building upon a previous background, they introduce novelty without undermining old paradigms (Ikenberry, 2015). To some extent, that contributes to make regimes more flexible and with a broader pool of norms and rules, something Keohane and Victor (2010) call regime complexes.

The major goal of developing powers is to alter regime’s operational elements, or rules and decision-making procedures. Such a perception is directly related to their foreign policy actions and diplomatic discourses. *Ad hoc* changes in specific issue-areas of global governance are seen as less dramatic and more feasible than the promotion of sweeping normative transformations. As figure 02 shows below, more than substituting

regimes that do not correspond to their interests, which would account for changes *of* regimes, developing powers look for gradual, step-by-step changes *within* regimes.<sup>51</sup>

As they rise, developing powers battle for more representative multilateral decision-making instances and hope to have more opportunities to voice preferences. Although they are involved in discussions on principles and norms, these states are more interested in arguing over how to operationalize them. In my view, acting as such does not characterize a country as revisionist or reformist. Otherwise, all states – developed and developing - doing so could be labeled in a similar manner, which reinforces my point that these concepts are often employed carelessly.



**Figure 02.** Developing powers in multilateral regimes

Figure 02 portrays a chain of events that starts with the formulation of foreign policy strategies and ends with the type of change they may engender. I anticipate two possibilities of change, one radical – a change *of* regimes - and the other procedural or nuanced – a change *within* regimes. I understand, however, that developing powers might also want to avoid transformation and keep the status quo. They can even expect to alter a specific element of a particular regime for the sake of keeping possible privileges and/or to exclude them from rivals.<sup>52</sup>

<sup>51</sup> Similarly, Ikenberry (2015: 452) defends that the power transition of today is not triggering a “fundamental struggle over the deep principles of order, even as it diffuses power and authority away from the West”. He does not go deeper, however, into the distinction between normative and operational elements. Also see Ikenberry (2011).

<sup>52</sup> I acknowledge that a series of consistent changes within a regime can eventually lead to change of that regime. Most authors raising this point work on China. Kinzelbach (2012), for example, affirms China’s human rights diplomacy at the UN contests implications of human rights rather than the norms themselves. She argues that although China has not provided an alternative normative frame to human

As next chapter demonstrates, when interacting with normative frameworks, developing powers employ a series of foreign policy strategies, which can involve the promotion of alternative principles and norms, attempts to control their implementation by resorting to novel rules and reformed decision-making procedures, the maintenance of the status quo, a broader engagement with multilateral regimes, or a combination of the above.<sup>53</sup> Diplomatic expertise proves critical, as a country needs to convince others and overcome the mistrust of the ones controlling the agenda. These gatekeepers not only hinder opposing views, but also selectively choose which proposals and concepts to legitimize.<sup>54</sup>

Most developing states have a hard time to promote their interests. When they have the means to voice preferences and exert influence in multilateral negotiations, they need to deal with possible resistance coming from the ones controlling the decision-making instances, as is the case with the five permanent members (P5) of the UNSC, the nuclear weapon states part of the nuclear non-proliferation regime, and the chief trading countries of the WTO. Also, the system itself was made to avoid thorough or swift shifts.<sup>55</sup> Today's multilateral "spaghetti bowl" of normative and operational elements operates as a force that enables and halts new ideas and proposals.<sup>56</sup>

#### **I.4. Final remarks**

This chapter primarily engaged with theoretical and conceptual contributions. I explored the components of the concept of regimes, dividing them in normative and operational elements. Afterwards, I located developing powers in this setup, asking

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rights, it can end up eroding existing normative elements. For another perspective, see Okano-Heijmans *et al.* (2018).

<sup>53</sup> According to Ikenberry (2015: 454), these are states "pursuing various sorts of 'stakeholder' strategies: pushing for more multilateralism, influencing world politics through agenda setting, bridge building, and coalition diplomacy. Seen from this wider angle, the global order is witnessing an expansion in the constituencies and supports for a reformed and updated liberal international order".

<sup>54</sup> Hurrell (2007: 9) argues that the aspirations of this normatively ambitious international society remain "deeply contaminated by the preferences and interests of powerful states".

<sup>55</sup> Last decades experienced an "enormous expansion in the range of issues and problems that are subject to regulation and institutionalization" (Hurrell, 2007: 6). This expansion, nevertheless, was more conservative than inclusive when it comes to the interests of the countries outside the "core" of the Western-led order. On the expansion of the international society and the views of the English School, see Bull (1995), Buzan (2014) and Watson (1992). For a critique, see Keene (2002).

<sup>56</sup> I borrow the term from Bhagwati (1995).

whether they can be identified as agents of change and questioning what exactly they are expecting to alter. I argued that these players do not endeavor to promote radical transformations or revise the core presupposes of the ongoing liberal order. More than changes *of* regimes, I understand that these players expect changes *within* regimes. In my view, portraying them as revisionist countries without specifically identifying how they approach existing frameworks is misleading. The following chapter recaps such discussions and introduces a framework of analysis to be tested with Brazil's engagements in the multilateral regimes of climate change, peace and security and food security.



## CHAPTER II

### METHODS, CASE STUDIES AND ANALYTICAL FRAMEWORK

This chapter presents the methods, case studies, and analytical framework part of this thesis. The idea is to support previous theoretical and conceptual discussions with the methods of process tracing and the comparative method, allowing the study of relations between explanatory factors, causal sequences, causal mechanisms, and outcomes.<sup>57</sup> I explain in greater detail what strategies of research were chosen and how theoretical knowledge can be applied comparatively.

The chapter is divided in four sections. The first (i) centers on the two qualitative methods, the comparative method and process tracing. It debates how they can be combined to produce within-case knowledge that is also comparable. In the pathway between explanatory factors and outcomes I investigate causal mechanisms, here treated as foreign policy outputs or manifestations of strategic courses of action. The second (ii) presents the analytical framework, which comprises three explanatory factors – regime structure, domestic assets, and domestic decision-making procedures –, causal mechanisms, and outcomes. This last component reveals how states interact with the normative and operational elements making regimes and directly engages with the research question of this thesis. The third (iii) discusses the selection of the three case studies: climate change, peace and security, and food security. The last section (iv) summarizes.

#### **II.1. Qualitative methods**

This work is built upon a qualitative methodology, combining the comparative method with process tracing. The comparative method is useful to outline contrasts and similarities, eliminate hypothesized explanatory factors, and attest their relative weight.<sup>58</sup> Process tracing is a clever way to trace causal paths and attest how the

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<sup>57</sup> With regard to nomenclature, Collier (1993: 107) separates the “case study method” from the comparative method, which involves the “systematic analysis of a small number of cases”. As he acknowledges, however, case studies can be brought implicitly or explicitly into the comparative method. I will use case studies in plural and/or comparative case studies to refer to more than one case (small-N) and comparative method when making reference to the method itself. Process tracing alludes to within-case analyzes.

<sup>58</sup> I use the terms explanatory/causal factors and outcomes, which are present in the methodological literature on process tracing and the comparative historical analysis, rather than independent and dependent variables, which are commonly associated with quantitative methods. The term variable implies that something should vary. In some cases, however, outcomes and explanatory factors may not

interrelations between explanatory factors and outcomes occur. For its preoccupation with causal mechanisms and alternative routes to the same results, process tracing supplements gaps inherent to the comparative method.

### **II.1.1. The comparative method**

The goal of the comparative method is to discover empirical relationships between a particular explanatory factor and the outcome, while other possible causal factors are kept constant. Akin to the statistical method, the comparative method has the underlying objective of providing scientific explanations for complex phenomena. The crucial difference, clarifies Lijphart (1971: 684), is that the comparative method “should be resorted to when the number of cases available for analysis is so small that cross-tabulating them further in order to establish credible controls is not feasible”. The number of cases, therefore, is small enough (small-N) that it precludes statistical analysis. Furthermore, the comparative method requests more data and is more time consuming than the statistical method. These approaches can be nonetheless combined, with the comparative method identifying hypotheses and the statistical method carrying out the analysis of a larger sample.

Comparison is normally employed to generate hypotheses, test existing theories and build new ones.<sup>59</sup> Hypotheses generating case studies formulate hypotheses; theory-testing case studies assess prevailing theoretical knowledge; and theory-building case studies aim to improve theories. Being ideal types, these categories do not reflect the fact that most cases are not limited to one purpose. Drawing a line between hypotheses generating, theory testing and theory building is misleading. Empirically, the analysis can start with the examination of mainstream theories and, in case they do not satisfactorily explain a puzzle, forward novel views.<sup>60</sup>

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vary. In others, the researcher may be more interested in evaluating the intermediate elements between explanatory factors and outcomes, or the causal mechanisms.

<sup>59</sup> Lijphart (1971) defines four types of case studies. Both theory confirming and theory infirming case studies have the ultimate goal to test theories. He identifies two other types of case studies: atheoretical and interpretive. I question purely atheoretical case studies because even when one does not rely on existing theories or merely intend to describe phenomena, previous knowledge inductively guides the analysis.

<sup>60</sup> Seawright and Gerring (2008) identify seven types of case studies: typical, diverse, extreme, deviant, influential, most similar, and most different. Deviant cases are linked to theoretical anomalies and are poorly explained, which can open room for new interpretations and novel theories. Typical cases are representative of the overall population of cases, being useful to prove causal mechanisms and to

The comparative method has advantages. The researcher can focus on a specific explanatory factor, attesting its relative importance to the overall study. That process can prove necessary in analytical frameworks with many explanatory factors and a small number of cases.<sup>61</sup> With this focused investigation, one can meticulously infer patterns of correlation not only among the hypothesized causal factors, but also between them and the outcomes. The exercise ensures a more approximate picture of which factors truly matter. Subsequent empirical investigation may confirm previous theorized relationships.

The comparative method derives from Mill's (1974 [1843]) classical work on the methods of difference and agreement. While the method of difference compares an instance in which the outcome is present with another in which it is absent, the method of agreement compares different instances in which the phenomenon occurs, eliminating any potential explanatory factors that are not shared by the cases (Collier, 1993). In other words, whereas the same outcome Y is present in the cases studied through the method of agreement, the same does not occur with the method of difference. According to Falletti and Mahoney (2015: 332), the comparative method has a similar logic of "eliminative procedure", as it rejects factors that do not account for the outcomes.<sup>62</sup>

The aim of the comparative method is to study cases in which the factors of interest are present, ensuring that the analysis is congruent and feasible. Through comparison, one can assess rival explanations leading to the same results. Moreover, relying on more than one case is useful because it guarantees parallel examination of a theory or group of theories. As cases have individual features, "showing that a particular model or set of concepts usefully illuminates these cases" is a central goal of the comparative method (Collier, 1993: 108).

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disconfirm deterministic arguments. The authors reckon that the status of a case may change during the investigation: an exploratory case can end up being confirmatory and vice-versa.

<sup>61</sup> Lijphart (1971) presents remedies to this issue, such as: increasing the number of cases; reducing or combining the initial explanatory factors; and focusing the analysis on comparable cases.

<sup>62</sup> Przeworski and Teune (1970: 32) develop the notion of most similar and most different systems designs. Whereas the most similar systems design is based on the idea of systems – or cases - as similar as possible, the most different systems design is based on a group of cases that presents distinct characteristics. Seawright and Gerring (2008) show that, in most similar systems design, cases are similar in all measured explanatory factors, except in the factor of interest (i.e. factor X1).

Collier also argues that explanatory factors do not operate autonomously for the fact that processes of change take place in different ways and in accordance with specific contexts. Suitably, the comparative method admits diachronic exploration, which increases the number of observations and allows the researcher to compare specific traits of a country in different time frames, being then able to match such features with the ones of other states.

The comparative method suits this research because I could not answer how Brazil's foreign policy materializes in multilateral arenas by just looking into a single case. Without analyzing more cases, the explanation would be insufficient to address the research question. Three cases were therefore chosen, composing a small-N that is far from the formal requirements for the statistical method, but a group that can be compared in greater detail. Likewise, the comparative method is valuable for research designs with varied explanatory factors, which is the case of this work.

One insufficiency of the comparative method is that it does not clearly answer the how question. It is good to describe correlations and ascertain which case(s) may be different. This is a great starting point. What is missing is in what way explanatory factors and outcomes relate and what causal explanations are transported from one end of the analytical framework to the other. Attesting deeper meaning for each case and demonstrating how static correlations are transformed into dynamic interactions become harder if one does not look for causal mechanisms and rival explanations.

For the mentioned reasons, the comparative method enhances its explanatory power when combined with process tracing.<sup>63</sup> Initial findings of the comparative method can be tested and complemented through careful, step-by-step techniques provided by process tracing. These posterior conclusions can validate the initial ones, in an iterative methodological progression (Collier, 1993). In many comparative analyzes, the connection between explanatory factors (X) and outcomes (Y) is described to be independent mediating elements. The linkages between X and Y, nevertheless, are neither given nor direct. Instead, they are populated by several interplays that take place chronologically and analytically between factors and intermediate elements and

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<sup>63</sup> Other method of within-case analysis is pattern matching (Campbell, 1975). Counterfactual analysis is also commonly mentioned (Goertz and Mahoney, 2012).

between these and the outcomes.<sup>64</sup> One way to minimize this limitation is to introduce greater analytical richness with process tracing and its focus on internal comparison.

### **II.1.2. Process tracing**

Process tracing is a “fundamental tool of qualitative analysis” that is valuable for analyzing singular or recurring events. It gives attention to description “as a key contribution, and emphasizes the causal sequence” between explanatory factors and outcomes as a greater means to evaluate causal claims (Collier, 2011: 823). With process tracing, each element of a study carries a potential causal weight that is pushed forward with the progression of events. When uncovering a chain of causality, the researcher attaches meaning to the complementary phases that together explain how a phenomenon took place.

Employing process tracing involves two stages. First, the researcher describes phenomena, paying attention to explanatory factors, causal mechanisms, and outcomes. Description is made without further consideration to the interrelations between explanatory factors and the possible causal claims associated with them. As contends Collier (2011: 823-834), “the descriptive component of process tracing begins not with observing change or sequence, but rather with taking good snapshots at a series of specific moments”. For him, the process of describing is a “crucial building block”.<sup>65</sup> Second, the researcher delves into a more dynamic stage, exploring trajectories of change and causation, which goes against deterministic arguments that X is to unavoidably cause Y.<sup>66</sup>

Collier (2011: 824) distinguishes four main advantages of process tracing: (i) identifying new political and social phenomena; (ii) providing leverage to quantitative analyzes;<sup>67</sup> (iii) assessing causal mechanisms; and (iv) evaluating prior defined

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<sup>64</sup> “The in-depth analysis of a single unit is useful in elucidating causal mechanisms because its characteristic style of evidence-gathering – over-time and within-unit variation – is likely to provide clues into what connects a purported X to a particular Y” (Gerring 2004: 349).

<sup>65</sup> “To characterize a process, we must be able to characterize key steps in the process, which in turn permits good analysis of change and sequence” (Collier, 2011: 824).

<sup>66</sup> For a good example of how process tracing should be employed, see Tannenwald’s (1999) work on why nuclear weapons have not been used since 1945. She discusses a normative prohibition on the use of nuclear weapons, which she calls nuclear taboo.

<sup>67</sup> Goertz and Mahoney (2012: 48) affirm there are “sound reasons to believe that both qualitative and quantitative approaches are valuable and complement one another”.

hypotheses, discovering new ones, and weighing novel causal claims. The last two are the ones most connected with this thesis' methodological aspirations. To inquire how developing powers interact with the normative and operational foundations of multilateral regimes, I started the analysis by examining mainstream theories of international relations and their related hypotheses to then consider alternative readings on the behaviors of these powers. The means through which they act - the manifestations of their foreign policies - are directly related to the notion of causal mechanisms.

Causal mechanisms can be defined as the intermediate steps connecting causal factors and outcomes (Van Evera, 1997). Each of these elements is revealed by observable pieces of evidence located in time that allow the investigator to compose a detailed analytical picture. Beach and Pedersen (2011: 4) argue that the study of causal mechanisms "enables the researcher to make strong within-case inferences about how outcomes come about".

Beach and Pedersen (2011) classify three versions of process tracing: theory-testing, theory-building, and explaining outcome. Their classification is centered on the evaluation of causal mechanisms. The variants unveil how process tracing is linked to the comparative method because with both methods researchers can test the existing knowledge or, in case it proves insufficient or inaccurate, propose novel interpretations. Whereas theory-building process tracing pertains to the inductive side of knowledge production, theory testing process tracing follows a deductive path.

Theory-testing process tracing uses existing theories to investigate whether a hypothesized causal mechanism appears in a single case. Theory-building process tracing produces a causal mechanism by means of which X is linked to Y. Data is collected with respect to the case in question and used to produce conclusions that can be further tested with other cases. Theory-building process tracing should be used, for instance, when a correlation between X and Y is known, but "we are in the dark regarding the potential mechanisms linking the two", and when Y is identified but possible causative X(s) are not. The created causal mechanism is more general than the one present in the theory-testing variety of process tracing (Beach and Pedersen, 2013: 16).

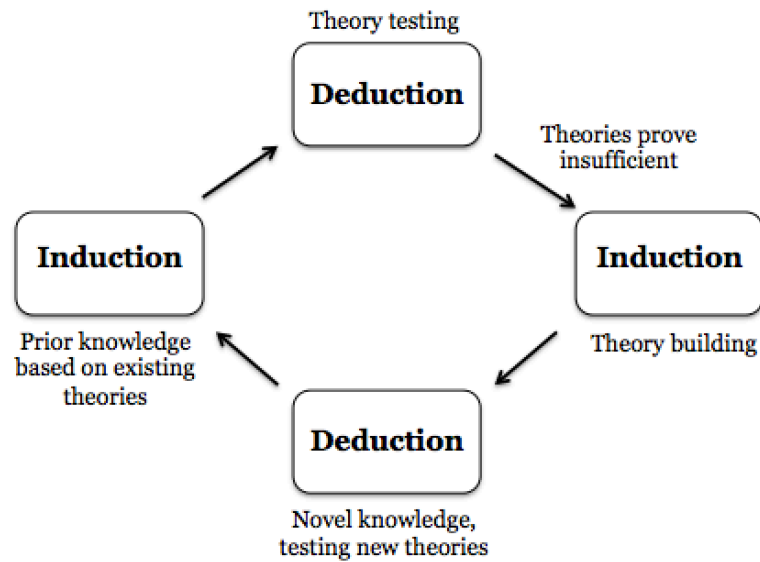
In contrast to theory-building and theory-testing process tracing, explaining outcome process tracing does not attempt to generalize the findings of an individual case to other cases. The idea is to neither test an existing theory nor produce a new one.

The goal is to evaluate non-systematic and located explanations for an individual phenomenon. With explaining outcome process tracing, the objective is to “craft a minimally sufficient explanation” for studies on, for example, why the Vietnam War happened or the fall of the Berlin Wall (Beach and Pedersen, 2011: 3).

Explaining outcome process tracing aims to develop case-specific mechanisms. Its combination of explanatory factors, causal mechanisms, and outcomes is case-tailored. In some situations, however, explaining outcome process tracing can be seen as a “theory-guided empirical research” with “ambitions that reach beyond the single cases” (Beach and Pedersen, 2011: 22). Some accounts of explaining outcome process tracing can be consequently nested within small-N methodological designs such as the comparative method and qualitative comparative analysis (QCA).

Unlike Beach and Pedersen (2011), who see process tracing as a threefold method, Gerring (2007) considers it a single deductive method. I agree with him that process tracing should be seen as an individual method, but not as a deductive method. In my view, Beach and Pedersen center their analysis on three ways of looking into causal mechanisms rather than on three independent methods. When it comes to Gerring’s point on deductive reasoning, I find it difficult to clearly box process tracing in such logic of inference because one can combine, for example, theory-testing and theory-building approaches. In this respect, I agree with Falleti and Mahoney (2015: 336), who affirm that when formulating new theories and building sequential hypotheses, “the process tracing researcher might be best served by not deploying too-strict theoretical expectations that could act as blinders and straightjacket the interpretation of the process under study”.

In the same vein, figure 03 illustrates that knowledge production should not be defined by sharp separations of inductive and deductive modes of thinking. The interconnections between these logics appear not only in works that rely on process tracing, but are also present in the rationale of the comparative method. It is precisely their links that make research richer and less bounded.



**Figure 03.** Logics of reasoning

Some authors mention four process tracing tests to verify causal inference: straw-in-the-wind, hoop, smoking gun, and doubly decisive. These tests help to ascertain necessity and/or sufficiency, also being useful to strengthen, weaken, or eliminate rival hypotheses.<sup>68</sup> A straw-in-the-wind test is the least accurate of the four, as it can raise doubts about the validity of a hypothesis, but not individually eliminate it. For example, it can show that a given explanation is more circumstantial than contributing to the outcome. Straw-in-the-wind tests indicate “neither a necessary nor a sufficient criterion for accepting or rejecting a hypothesis”, only slightly weakening rival hypotheses (Collier, 2011: 826). Hoop tests provide a stronger basis for accepting an explanation, since they can eliminate a hypothesis, but not confirm it. In sum, hoop tests establish a criterion of necessity, but not of sufficiency. Smoking-gun tests operate in the opposite way. They offer a sufficient but not necessary criterion for accepting causal inference. Doubly decisive tests are somewhat rare, since they provide robust inferential leverage, confirming a hypothesis that meets necessary and sufficient standards and eliminating rival hypotheses (Van Evera, 1997).

Beach and Pedersen (2011) admit that there is considerable confusion about how process tracing should be conducted. Goertz and Mahoney (2012: 96) agree that it is

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<sup>68</sup> “There is an inherent connection between process tracing tests, generalizations about necessary and/or sufficient conditions, and the use of specific within-case observations” (Goertz and Mahoney, 2012: 93).



easier to use these tests to eliminate hypotheses rather than to “convincingly support a hypothesis”. In fact, when applying process tracing, authors rarely rely on the four tests, mostly focusing on hoop and smoking-gun tests (i.e. Schenoni, 2018). In Collier’s (2011: 828) view, “these tests are not always easy to apply”, which makes them more points of reference in relation to necessity and sufficiency than empirical guides to process tracing operationalization. Furthermore, if process tracing is combined with the comparative method, the elimination of a hypothesis in one case will not necessarily mean the same to the other cases. A good solution would be to conduct process tracing in all individual cases and evaluate the results comparatively.

Instead of giving too much attention to the mentioned tests, Collier (2011) defends that process tracing should be seen as results-oriented research strategy. He argues that researchers should explore causal ideas embedded in sequential narratives, pondering the weight of different hypotheses, and treating the different pieces of evidence that matter for the study. By doing so, one can check if causal factors are missing and whether they truly matter. Process tracing as a method matters for its concern with improving causal analysis, and for the fact that it is an iterative method, by way of which one can trace how an outcome came about.

### **II.1.3. Causal mechanisms, equifinality and counterfactuals**

As previously discussed, one of the key goals of process tracing is to trace causal mechanisms (Checkel, 2008). Confusion exists, however, with the differences between causal mechanisms and intervening variables. On the one hand, intervening variables are self-serving entities that interact but are not dependent on X and Y. On the other hand, causal mechanisms do not exist independently of explanatory factors, being, instead, “integral parts of a ‘machine’ that produces Y” and systems that transmit causal forces from X to produce Y (Beach and Pedersen, 2011: 8). Hence, causal mechanisms and intervening variables are not synonyms. Rather than simply playing a relational role between X and Y, causal mechanisms push forward the path of causation, attesting how causal forces are transmitted through a series of interlocking parts (Beach and Pedersen, 2012). Schimmelfennig (2001), for instance, relied on the mechanism of rhetorical action, that is, the strategic use of norm-based arguments to explain why the EU decided to expand to Central and Eastern Europe. Others (Checkel, 2005; Risse, Ropp, and

Sikkink, 1999) focused on how socialization and its diverse aspects operate in practice.<sup>69</sup>

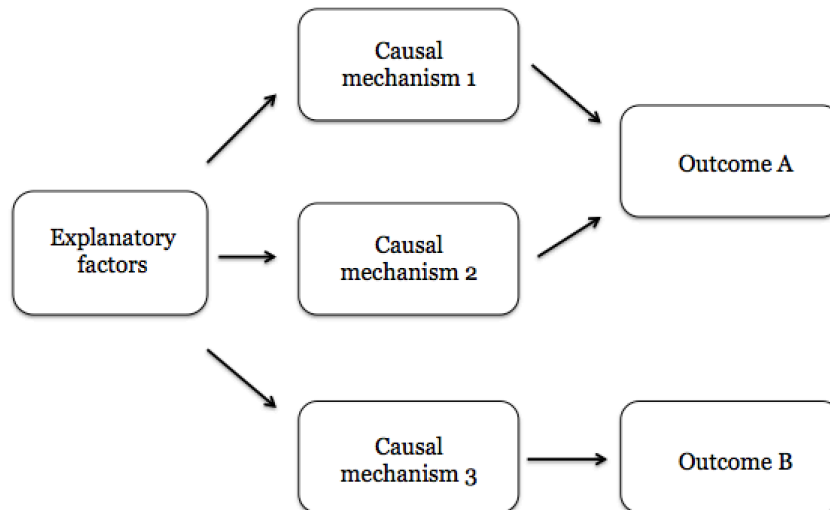
In the process of defining the causal mechanism of interest, one can consider alternative mechanisms that may lead to the same outcome. This exercise can prove if the mechanism being tested is sufficient or necessary. The reasoning is similar to Mill's methods of comparison and to process tracing tests, as researchers attest the degree of sufficiency and necessity of a factor by means of evaluating their pertinence to specific cases. In some cases, alternative causal mechanisms may be more decisive for the outcome than the original mechanism. In other cases, a combination of causal mechanisms may be required. Moreover, a causal mechanism can develop throughout time, acquiring distinct traits that contribute to its final form.<sup>70</sup>

Figure 04 shows that the same combination of explanatory factors operating with different causal mechanisms may result in equivalent outcomes, which undermines the strength of the initial causal mechanism and requires the author to proceed with further tests. In this situation, it is unclear which of the two causal mechanisms was more relevant. Alternatively, the same explanatory factors can produce a distinct outcome if mediated by a different causal mechanism.

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<sup>69</sup> Checkel (2005) identifies three causal mechanisms: strategic calculation, role-playing, and normative suasion. In another work (Checkel, 2014), he surveys how international institutions influence state-level action through several processes and mechanisms.

<sup>70</sup> Parker (2010: 1084) calls "fingerprints" the processes in which the later stages of the mechanism have dissimilar features in comparison to the earlier stages. Fingerprints would be "distinctive spatial and temporal patterns of change", conveying an evolving process of causal sequencing.



**Figure 04.** Causal mechanisms and causal paths

Figure 04 illustrates that multiple paths of causation can lead to the same outcome, which alludes to the notion of equifinality. According to Goertz and Mahoney (2012: 59), “in practice, qualitative causal models designed to accommodate more than a small number of cases often include both conjunctions of causal factors and equifinality”.<sup>71</sup> Considering the same explanatory factors and causal mechanisms, one can first look for possible traces of equifinality within each case.<sup>72</sup> Then, cross-case comparisons may show that some explanatory factors and causal paths are matching, which enhances comparability and helps to identify crucial causal factors or combination of factors.

In the previous chapter, I argued that mainstream theories of international relations often do not explicitly expose the elements connecting explanatory factors and outcomes. Rather than carefully explaining how things happen, their focus is on

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<sup>71</sup> In set theory, necessity and sufficiency are expressed by the \* sign and the logical AND. Goertz (2006) exemplifies that type of logic using a necessary and sufficient condition concept structure in which  $X1 * X2$  causes outcome X. At the same time, X1 and X2 alone do not cause X, which means they are not sufficient conditions. Following Amorim Neto and Rodriguez (2016) and Mahoney, Kimball and Koivu (2009) X1 and X2 would be INUS conditions, or necessary parts of a combination that is sufficient for outcome X to occur. The family resemblance structure is represented by the + sign and the logical OR. Using the same example, Goertz (2006) explains that  $X1 OR X2 OR$  a combination of  $X1+X2$  leads to outcome X, which means that both X1, X2 and  $X1+X2$  are sufficient for the outcome. Also see: P. Mello (2019) and Ragin (2008).

<sup>72</sup> In reality, equifinality may always occur in Social Sciences. As far as we try to trace all relevant explanatory factors, causal mechanisms, and outcomes, it is virtually impossible to explore them with the same level of attention. Missing factors may be playing a relevant and unknown role.

establishing broad models of analysis that can be applied to a multitude of cases. I understand that possible causal mechanisms can be directly associated with existing theories. In the case of the realist school of thought, defensive and offensive foreign policy behaviors such as military buildup, placement of economic sanctions, and the construction of rival regional orders can mediate the interaction of explanatory factors and outcomes (i.e. Mearsheimer, 2001; Walt, 1991; Waltz, 1979). As for liberal-institutionalism and its variants, I mention economic interdependence, institutional influence, and spillover effects (i.e. Easton, 1965; Haas, 1958; Keohane and Nye, 1977; Nye, 2004; Risse, 2005). When it comes to constructivism, mechanisms normally revolve around norm socialization, learning processes, and social change (i.e. Checkel, 2001; Cortell and Davis Jr., 2000; Finnemore and Sikkink, 1998; March and Olsen, 1998).

In addition to causal mechanisms, counterfactuals may prove useful. Counterfactual reasoning means reconstructing a case with an imagined intervention (Gerring, 2004). A counterfactual assumption would be one in which “without X, Y would be different”. By looking for “what if” scenarios, one can certify whether Y would still occur in the absence of X. Counterfactual reasoning uses hypotheticals and inquires for necessity in order to confirm whether X is needed for Y to happen. Nevertheless, counterfactuals do not guarantee causality. Applying this research strategy to works with several cases may not be feasible, as values of X can vary across cases, which makes it harder for the researcher to control the impact of the absence of the factor of interest on the outcome.

I further demonstrate that my analysis departs from a specific causal mechanism, which is Brazilian-led multilateral proposals. It involves, for example, novel ideas and concepts that may affect regimes’ existing normative and operational foundations.

#### **II.1.4. Bridging process tracing with the comparative method**

Methodologically speaking, this thesis is based on a combination of the comparative method with process tracing. This was my choice for a series of reasons. Firstly (i), because it ensures that cross-case and within-case pieces of evidence are brought together, facilitating the establishment of causal inferences. Merely affirming that a connection between X and Y exists is insufficient. More information is needed on why they are interrelated and how the causal forces are pushed forward (Falleti and Mahoney, 2015). Levy (2008: 11) sustains that within-case methods like process tracing

supplement Mill's methods because they "rule out spurious inferences" and enable complex causation. More than that, joining the comparative method with process tracing makes it easier to determine how a shift in the value of a given X affects the content of Y (Goertz and Mahoney, 2012).<sup>73</sup> Process tracing complements and deepens the comparative method, as it allows one to "peer into the box of causality to locate the intermediate factors lying between some structural cause and its purported effect" (Gerring, 2007: 45).

Secondly (ii), attesting that an explanatory factor is sufficient and/or necessary is not enough. A research that stops there adds to the general scholarship, but does not innovate in methodological aspects. That is why this thesis goes beyond the study of a single case. More recently, some works (i.e. Goertz, 2017) call for integrated approaches not only between quantitative and qualitative analyzes, but also among multimethod qualitative methodologies. Amorim Neto and Rodriguez (2016), for instance, demonstrate how the association of comparative historical analysis with process tracing operates in practice.

Thirdly (iii), both the comparative method and process tracing devote attention to context. Whereas quantitative analysis is based on data-set observations, qualitative research relies on causal-process observations, which are "an insight or piece of data that provides information about context or mechanism", contributing to causal inference (Collier, Brady and Seawright, 2010: 2). The study of two or more cases depends on the previous definition of which contexts they are embedded in (Collier, 1993).

Fourthly (iv), the comparative method is useful to outline parallels and contrasts between causal mechanisms. By doing a comparative analysis, one can test if the same causal mechanism is suitable for more cases, which enhances the generalizability of the study. Process tracing alone cannot do so. For example, if causal mechanism M1 works for case A and mechanism M2 for B and C, the researcher can see if M2 also operates for case A. This process of carefully looking into causal mechanisms is analogous to checking which explanatory factors are sufficient or necessary.

Fifthly (v), both methods have components that can be nested within Venn diagrams of necessity and sufficiency. While process tracing relies on the four tests to check for sufficiency and necessity, the comparative method comparatively weights

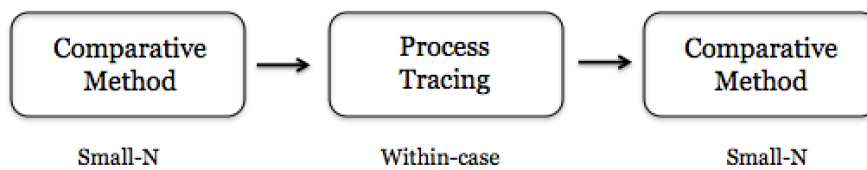
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<sup>73</sup> For Goertz and Mahoney (2012), within-case methodologies are the main sources of analytical leverage, with cross-case comparisons exerting a supporting role.

what explanatory factors relate to the outcomes and are present in the studied cases. The combination of both methods can show that an explanatory factor does not function individually, needing to engage with other factors to produce an effect.<sup>74</sup>

Sixthly (vi), the two qualitative methods follow a similar logic of causal inference. Both attempt to ascertain “causes-of-effects”, a logic of reasoning that starts with an outcome and then goes back to check what factors account for it. The opposite approach, “effects-of-causes”, is closer to quantitative methods and investigates what known X(s) produce an effect on Y (Goertz and Mahoney, 2012).<sup>75</sup>

Lastly (vii), the combination of the comparative method with process tracing allows one to carry out theory testing and theory building exercises (Beach and Pedersen, 2011). When existing theories cannot rightly explain the phenomena under study, these qualitative methods contribute to integrative theory building endeavors. Figure 05 shows that one can first comparatively test theories and, by knowing that they do not apply to the cases under study, engage with within-case theory-building. Subsequently, the theoretical contribution of an individual case can be tested with the broader group of cases.



**Figure 05.** Bridging the comparative method with process tracing

Briefly, the comparative method allows one to explore the interrelationships

<sup>74</sup> Both comparative historical analysis and QCA stem from set theory and work with combinations of explanatory factors (or conditions). Briefly, comparative historical analysis seeks “large-scale and often complex outcomes of enduring importance (i.e. state building, democratic transitions, societal patterns of inequality, war and peace)”, having its emphasis placed “on empirically grounded, deep case-based research; and its attention to process and the temporal dimensions of politics” (Mahoney and Thelen, 2015: 30-34). It has, therefore, a “macroconfigurational” focus that goes beyond the scope of this study. Also see: Falleti and Mahoney (2015).

<sup>75</sup> Apart from stressing this separation, Goertz and Mahoney (2012: 45-46) affirm “causes-of-effects” and “effects-of-causes” approaches can be combined. This happens because qualitative researchers also look for the effects of individual causes in specific outcomes.

between explanatory factors and to inform what X(s) are linked to Y. How this connection operates, what causal mechanisms take place, and how causal sequences evolve is something supplemented by process tracing. These advantages will be seen in the coming chapters.

## **II.2. Analytical framework**

Gerring (2004: 342-344) defines explanatory factors as the “several relevant dimensions of a case” or “within unit cases” built upon one or more observations. These are co-variational in essence, as a treatment on a specific causal factor impacts the outcome. Explanatory factors precede outcomes because the very existence of outcomes depends on antecedent elements. Feedback effects are possible, as results can influence and modify initial elements, creating a dynamic process.

As explains Lijphart (1971: 690), “scanning all variables is not the same as including all variables”. The temptation to consider several explanatory factors can make comparison unrealistic. I follow his advice, opting for a parsimonious research design that considers three explanatory factors, one causal mechanism and four possible outcomes. While I reckon the existence of other explanatory factors and mention them throughout the case studies, they were not included in the analytical framework. It provides a controlled comparison of Brazil’s foreign policy in three multilateral regimes. Were I to include more explanatory factors, I could lose sight of what I want to explain and endanger overdetermining outcomes. The more factors you take into consideration, the more correlations and paths – be they causal or not – exist, which increases the possibilities of equifinality and, at the same time, diminishes accurate readings of phenomena.

Paying attention to explanatory factors and their meanings is pivotal, since trying to discern a causal relationship from a “snapshot – a single case without within-unit co-variation – would be engaging in a truly random operation” (Gerring, 2004: 344). For this reason, one should first define the explanatory factors of interest, locate them in time and space, and finally attest how they integrate the explanation. The more factors one searches for, the less bounded is the research and the more difficult it will be for the analyst to certify what elements are part of a causal pathway. Taking this into account, this thesis is centered on three explanatory factors: regime structure, domestic assets, and domestic decision-making procedures. The causal mechanism comprises

Brazil's multilateral proposals. The outcomes involve how these proposals interact with existing multilateral normative and operational elements.

### **II.2.1. Explanatory factors**

Regime structure (X1) involves two dimensions: (i) types of membership and voting procedures, or what I call the degree of openness of multilateral decision-making instances, and (ii) the existing operational and normative elements composing the issue-area in question. When it comes to the first dimension (i), states part of a regime can be formally distinguished in types of membership, which affects how decision-making processes take place. The UNSC is the best example, as it has 5 veto-wielding permanent members and 10 non-permanent members elected by the UNGA for a term of two years. Heupel (2008) argues that the legally binding nature of UN Chapter VII resolutions suggests the existence of a hierarchical distribution of power in the organization. In practice, the P5 are entitled to control, in a top-down manner, the application of these resolutions.

Unlike the UNGA, which reunites all 193 members once a year, the UNSC gathers frequently and conveys extraordinary meetings when threats to international peace and security arise. This institutional format provides a clear advantage for the P5. On the one hand, they can maintain permanent missions and diplomatic personnel constantly dealing with matters of peace and security. On the other hand, their negotiators have access to undisclosed information about unfolding events that non-UNSC members cannot access. The dialogue on peace and security can also spillover to other issue-areas, producing unintended effects. Furthermore, permanent members receive relatively more attention. Media, public opinion, and other states follow what is being discussed at the UNSC.

In some other regimes, voting power is also uneven. Quota shares determine how much power countries have in forums such as the IMF and the World Bank. They are good examples of bodies without formal separation of membership also having undemocratic decision-making instances, which impairs the ability of most states to promote interests and forward proposals. As for the WTO, it does not discriminate between parties and members can individually obstruct a negotiation, but decisions are in fact made by a handful of countries (Hurrell and Narlikar, 2006).

Other multilateral forums are relatively more representative, as is the case with FAO and the International Atomic Energy Agency (IAEA), in which each member state



has one vote. Climate summits under the UNFCCC also work with a one state, one vote policy. One could argue that institutions dealing with issues of “low politics” such as food security or climate change are more open than bodies discussing “high politics” subjects like peace and security. Nevertheless, the idea does not hold true, as the many arenas of global governance are interrelated, which makes the setting of thematic hierarchies a faulty endeavor.

Concerning the second dimension composing the explanatory factor (ii), states make decisions and forward proposals taking into consideration the existing operational and normative elements part of an issue-area. When presenting a new reading on a principle or norm or trying to control how it is operationalized, countries review jurisdictional documents and customary law around the topic being discussed. Novel ideas are not produced all of a sudden, so negotiators carefully study how to successfully influence multilateral talks and defeat contending propositions.

As next chapters indicate, states dispute the meaning of paradigmatic normative and operational foundations. Depending on the context, some of these elements may be so ingrained in multilateral routines that countries have a hard time to promote shifts. In other contexts, these elements may be more malleable, enhancing the plausibility of change and allowing more diversity. That might happen when a group of states decides to renegotiate existing principles and norms or, more frequently, multilateral rules and decision-making procedures. In some cases, the opportunity to bring about transformation appears during specific moments, when a new accord like the Paris Agreement is being negotiated or when a norm such as the responsibility to protect (R2P) is reclaimed to justify the use of force.

The preliminary hypothesis associated with this explanatory factor is that the opener and more democratic are the decision-making instances of a multilateral forum, the lesser limitations a country faces to engage with regimes’ ongoing normative and operational foundations. States sitting at the “high table” or wielding voting power face fewer constraints to propose new approaches, concepts, and ideas. A favorable context also contributes to make proposals more likely to achieve the expected results. The counterfactual reasoning related to that hypothesis is that countries operating in multilateral forums with exclusivist decision-making instances and deep-rooted normative and operational frameworks have a harder time to promote their interests.

Domestic assets (X2) refer to whether a state has an advantage on which it can rely to underpin multilateral initiatives. Generally speaking, an asset can be a material

element like GDP growth, Gini Index, size of military, number of nuclear warheads, control of natural resources, etc. Examples abound. In the nuclear non-proliferation regime, nuclear weapon states are expected to have more bargaining power for they possess these artifacts. At the same time, countries that control nuclear-related technology, materials and equipment, as it occurs with the members of the Nuclear Suppliers Group, should also be able to influence multilateral decision-making. The biggest trading nations – or at least the more representative economies – shape the rules governing multilateral trade within and outside the WTO. Most forested countries can more easily put their weight behind climate negotiations on greenhouse gas emissions from land use, land-use change, and forestry. Although these material assets can be measured in quantitative terms, that is not the intention of this research.

Domestic assets can also include public policies and plans. When bringing successful national policies to the multilateral level, for instance, countries expect to be considered legitimate and respectful actors. For reuniting expertise, they put themselves in the position of being able to craft multilateral standards of conduct and frame broader talks. The roles of Brazil and India in the discussions of intellectual property rights and public health at the WTO are illustrative. China's behavior in the food security regime also exemplifies the argument. As it lifted millions out of the poverty line, Chinese diplomats attempt to exhibit the Chinese model as the one to be followed in debates at FAO, the WFP, and related institutions.

Domestic assets may also be non-quantifiable. Negotiators can resort to, for example, the peaceful history of their states when dealing with matters of peace and security at the UNSC. They can recall the tradition of support for international law when debating at the International Court of Justice (ICJ), and mention how their nations help bring together developed and developing countries when engaging in debates at the UNGA. These symbolic resources complement the more tangible assets, as they can also be used to shape the preferences of others and create attraction (Nye, 2014).

These assets, be they material or immaterial, are not automatically translated into more bargaining power. They need to be developed by negotiators to become strategic tools of foreign policy. When properly enabled, domestic assets can eventually create multilateral leverage. On the contrary, inadequate use of these assets can undermine and tarnish multilateral reputation. A state that does not preserve its natural resources, for example, can suffer intense criticism in climate negotiations. Diplomatic discourses that rely too much on self-made traditions and domestically generated

notions of positive behavior can also oppose multilateral conducts. A state that historically defends the principle of non-intervention may appear contradictory if it supports humanitarian interventions. Misuse of or over-reliance on these possible sources of multilateral power can backlash, harming the ability of a country to promote its interests.<sup>76</sup>

The preliminary hypothesis associated with this explanatory factor is that the existence of domestic assets related to a specific issue-area can contribute to the multilateral position of a country. When holding material and/or immaterial assets, a state can better substantiate its foreign policy actions, being able to strengthen its position in relation to its peers. Alternatively, if not properly managed, these assets can also disrupt multilateral efforts.

Domestic decision-making procedures (X3) refer to what domestic actors matter in the definition of a foreign policy initiative and how they interact to define a strategy. I center my attention on the role of bureaucracies – mainly federal ministries - and the leader. The importance of bureaucratic actors depends on the area under study and the proposal being put forward. Their relationship can greatly vary. In some cases, they cooperate. In others, they compete for resources, access to the leader, and public attention. Not only their expertise matters, but also how they surpass domestic competition to define foreign policy.<sup>77</sup>

Two domestic players receive special attention in this thesis: the president and the Brazilian Ministry of External Relations (MRE). These two actors, for legal and functional reasons, are historically the most relevant for the formulation and guidance of Brazil's foreign policy.<sup>78</sup> They are part of what Hermann (2001) names “decision units”. Malamud (2001) uses the term hyperpresidentialism to refer to Brazil's – and Latin American - presidential concentration of power.<sup>79</sup> As for the MRE, the creation of

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<sup>76</sup> Goertz (2017: 25) calls these constraint causal mechanisms. “They are not about how X produces Y, but rather how X prevents Y from occurring or constrains Y”.

<sup>77</sup> In his classic work on the Cuban missile crisis, Allison (1971) develops three models of foreign policy decision-making. For a discussion on his models, see Bendor and Hammond (1992). Putnam's (1988) logic of two-level games is also illustrative.

<sup>78</sup> That prerogative is present in Brazil's federal constitution, namely arts. 62 and 84 (VII and VIII). For a comparative work investigating whether domestic politics or the international system influences foreign policy, see: Amorim Neto and Malamud (2015).

<sup>79</sup> “The constitutional reform of 1988 granted Brazilian presidents the strongest institutional autonomy in Latin America” (Malamud, 2001: 22).

the country's diplomatic academy in 1946, the Rio Branco Institute (IRBr), set the basis for Itamaraty to formally control foreign policy formulation (Amorim Neto and Malamud, 2019).<sup>80</sup> Since then, a bureaucratic culture has been stimulated, which helps Itamaraty adapt to changing political environments and insulate itself from societal pressures (Albuquerque, 2013). More recently, other bureaucratic actors, civil society organizations, and subnational governments are being able to contest this isolation and influence foreign policy (Faria, 2008).

With regard to other federal ministries, they do not formulate foreign policy, but can exert agency (Pinheiro, 2009). In the climate change regime, for instance, the ministries of the Environment (MMA) and of Science, Technology, Innovation and Communication (MCTIC) sit together with the MRE to define Brazilian positions. In the food security regime, the agendas of the ministries of Agriculture, Livestock, and Supply (MAPA) and of Agrarian Development (MDA) were often contradictory.<sup>81</sup> In these situations, the MRE was crucial to prevent bureaucratic tensions from undermining Brazil's multilateral credentials. The ability of bureaucratic actors other than Itamaraty to influence foreign policy depends on the themes being discussed, which makes decision-making procedures to vary in accordance with each regime.

In other words, states are not black boxes, but entities in which domestic actors defend preferences and dispute the decision-making process (Risse-Kappen, 1995). Wight (2006: 2010) argues that the ability to exert agency is layered and inextricably linked to social contexts. In his view, social agents are "necessarily situated and constrained, although the determinants of activity are multiple and contradictory and cannot be subsumed under the logic of a single monolithic system".<sup>82</sup>

Domestic decision-making procedures can display distinct levels of cohesion: cohesive (a), partially cohesive (b), and non-cohesive (c). Cohesive decision-making (a) applies to situations in which bureaucracies and president have converging views. It happens when no significant clashes are identified and when these players cooperate domestically to underpin Brazil's external positions. For example, when leader and ministries sum up forces to promote a novel idea in a multilateral forum. In some cases, cohesion occurs because the decision-making power is centered on a few actors. In

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<sup>80</sup> According to Amorim Neto and Malamud (2019), professionalization of diplomatic corps is a necessary condition for a foreign ministry to display high policymaking capacity.

<sup>81</sup> The MDA was dissolved in 2016.

<sup>82</sup> Milner (1997) and Moravcsik (1997) also have seminal works on decision-making.

other cases, it happens because bureaucratic players refrain from assuming positions. A single actor may hence compose Brazil's views on a specific issue-area.

In reality, however, perfect convergence is almost impossible, as bureaucratic actors do not fully agree on many issues and bargaining frequently occurs. It is part of politics in democracies and non-democracies. For this reason, I assume that decision-making procedures are cohesive when negotiators bring a consistent position to the multilateral level. In this case, the country's position will be easily identifiable by its peers, independent of possible domestic dissonance. When surveying the position of state A in negotiation N, one will be able to clearly recognize a particular proposal, idea, or initiative. Irrespective of possible domestic contrasting views, the "official" position is coherently presented as one. Conflict may exist in the domestic level, but it is not apparent in the multilateral arena.

Partially cohesive decision-making (b) takes place when conflicting dynamics between domestic actors are visible not only in the domestic sphere, but also in the multilateral arena. Difference is brought to the systemic level of analysis. In partially cohesive decision-making circumstances, domestic bureaucracies forward divergent proposals, which can complicate the leverage of a country in a negotiation. Nevertheless, the view of a domestic actor or group of domestic actors prevails. External observers and multilateral peers will be able to identify the inexistence of perfect coherence, but clashing perspectives will be controlled by the leader and/or a ministry with relatively more power. As an example, country B brings members of the ministries of Defense and External Relations to nuclear non-proliferation talks at the IAEA to debate if the nuclear program of another state matches international safeguards. In this case, negotiators of B uphold diverging views on the issue and others can perceive so, but diplomats of B successfully forward a single although partially cohesive position.

Lastly, non-cohesive decision-making (c) happens when divergence in both domestic and multilateral levels of analysis is the norm. In non-cohesive decision-making, no group or actor is able to triumph over others and foreign policy behavior seems schizophrenic and highly erratic. In this instance, a country has one or more multilateral positions and it is difficult to identify which one is the "official". The decision-making process is plagued by contradictions and domestic bureaucratic conflicts are repeated outside the country. In fact, bureaucratic actors know that using the multilateral sphere is strategic to voice dissent and surpass domestic competition. A

good example is the role of the United States in climate negotiations under the presidency of Donald Trump. While he announced that the country would withdraw from the 2015 Paris Agreement, its negotiators continued to participate in annual climate conferences and in technical mid-term review meetings.<sup>83</sup> In this context, different groups are defending inconsistent views, sometimes directly confronting the presidency through the media and statements, and other times acquiescing.<sup>84</sup>

The preliminary hypothesis regarding this explanatory factor is that the more cohesive is the domestic decision-making process, the more consistent a country will be in the multilateral arena, presenting itself as a reliable actor able to forward proposals and ideas. When appearing more coherent and speaking with one voice, a state has more chances to convince others and defeat rival propositions.

Table 01 shows the three explanatory factors (X1, X2 and X3), the levels of analysis and how they are measured. Ideally, the three explanatory factors converge towards the formulation of foreign policy.

<b>Explanatory factors/indicators</b>	<b>Levels of analysis</b>	<b>Measurement</b>
<b>Regime structure (X1)</b>	Systemic	<ul style="list-style-type: none"> <li>a. Types of membership and voting procedures</li> <li>b. Existing operational and normative elements</li> </ul>
<b>Domestic assets (X2)</b>	Domestic (national)	<ul style="list-style-type: none"> <li>a. Material capabilities</li> <li>b. Public policies and plans</li> <li>c. Immaterial/symbolic assets</li> </ul>

<sup>83</sup> In 2017, the United States had “two rival delegations” at the Bonn Climate Summit. See: <https://www.forbes.com/sites/davekeating/2017/11/06/there-are-two-rival-u-s-delegations-at-the-bonn-climate-summit-which-one-speaks-for-america/#3eaaf1791e96>, accessed on 10 November 2019.

<sup>84</sup> Investigating the role of civil society actors is not the main goal of this thesis. Nevertheless, their positions will be considered, whenever pertinent, in respect to how they relate and possibly influence ministries and the presidency.

<p style="text-align: center;"><b>Domestic decision-making procedures (X3)</b></p>	<p style="text-align: center;">Domestic (bureaucratic)</p>	<p>a. Role of bureaucracies</p> <p>b. Role of the presidency</p>
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**Table 01.** Explanatory factors

In some circumstances, all explanatory factors matter for the outcome to occur. The analyst will then need to explore how and why they come together. Otherwise, a multilateral proposal may be the result of an individual explanatory factor, which, in this case, will be sufficient for the outcome to take place. The weight of each explanatory factor vary with the case study and that may happen for many reasons: the existence of recurrent bureaucratic clashes and inability of negotiators to translate and communicate ideas, which impairs the production of coherent proposals; opposition of states having veto power, creating a difficult structural environment for developing states to act; misuse of domestic assets; and/or contradictions among the explanatory factors that may arise when the interests of a state are manifested. Within-case analysis can demonstrate what explanatory factors play a role, which can further lead to new theoretical contributions.

I will look into dynamics that occur in the systemic level and the domestic level, the latter involving the state as a whole and the bureaucratic dimension. In this respect, Carlsnaes (1992: 267) affirms “both domestic and international institutions are, if anything, structures constraining and enabling foreign policy actions”. In a classic study, Rosenau (1967) reinforces that domestic explanatory factors may be as relevant as the systemic ones. The role of bureaucracies is well explained by Allison (1971), mainly with the bureaucratic politics model and the organizational process model, and by Tan’s (1993) inter-branch politics model. Garrison *et al.* (2003) reflect on the diversity of perspectives in the field of foreign policy analysis that forged new paths of inquiry to understand actor’s choices in global politics.

These elements provide the starting point upon which foreign policy is set and further operationalized. In between them and the outcomes, rest the causal mechanisms, which will be the subject of the next section.

### **II.2.2. Causal mechanisms**

In respect to causal mechanisms, I investigate Brazilian-led proposals in multilateral regimes. These proposals correspond to the causal mechanisms of interest in the three case studies: climate change, peace and security, and food security. For resting between the mentioned explanatory factors and outcomes, these elements connect both poles of the analytical framework. They carry causal meanings and are the byproducts of one or more explanatory factors, being ontologically connected to and part of the logic linking them and the outcomes.

As for the term “proposals”, I refer to ideas and/or concepts. Proposals are observed, for instance, when a concept aiming to address a negotiation deadlock appears. A country can promote ideas to guarantee a better placement for its interests or to be considered a responsible mediator. This reasoning dialogues with the notion of “entrepreneurial behavior”, which, according to Ravenhill (2018: 517), alludes to purposive actions by states that may support key elements of the existing system, or display the intention of changing them. Guimarães and Almeida (2018: 532) use the same concept to contend that an entrepreneurial power “seizes opportunities created by disruptive crises to successfully accomplish its goals through the mobilization of performative tools”. Gardini (2016: 12) relies on the term “international manager”, stressing the importance of economic issues and emphasizing the preference for “order, coordination and predictability over change, inspiration or dominance”.

Acknowledging the relevance of such contributions, this thesis has a more specific focus. It argues that developing powers might prefer to engage with regimes’ operational elements – rules and decision-making procedures – instead of their normative foundations, or the standing principles and norms. Proposing new norms is costly and demanding, as a state needs to substantiate its contribution and make it palatable to peers. Furthermore, countries may opt to advance new rules or innovative interpretations of specific parts of existing norms. Beyond arguing that state behavior depends on the issue-area being discussed, I further show that the regional dimension, key for Guimarães and Almeida (2018), is not as important for the study of Brazil’s multilateral endeavors.

In particular, causal mechanisms convey concrete initiatives intentionally produced by government negotiators. They are the means through which a country manifests its interests and attempts to shape the evolution of multilateral institutions.



Causal mechanisms are methodological categories that, when translated into reality, correspond to tangible expressions of foreign policy. They are the results of foreign policy, or, saying differently, foreign policy outputs. These outputs are visible, identifiable approaches that interact with the main contents of multilateral regimes. In chronological terms, foreign policy outputs result from the convergence or divergence amongst explanatory factors. Causally speaking, they carry the meanings originated with foreign policy formulation.

Furthermore, causal mechanisms are the living manifestations of foreign policy strategies. Once the decision-makers define through which means the country should pursue its interests, they strategically determine a type of behavior. This strategic thinking is only perceivable when translated into observable outputs such as when a country blocks a negotiation, attempts to mediate contrasting views, or presents a proposal.<sup>85</sup>

Brazilian-led proposals can be promoted individually or with the collaboration of regional and/or extra-regional peers. Looking for intervening steps in the sequential chain between the formulation of foreign policy and its interaction with standing components of regimes is important because the exercise can reveal patterns of behavior, the role of other actors, and path dependence. Hypothetically, before engaging multilaterally Brazil may first opt to test the waters, discussing a proposal regionally with the Southern Common Market (MERCOSUR), the Union of South American Nations (UNASUR), and the Community of Latin American and Caribbean States (CELAC). Otherwise, it may seek the support of extra-regional partners like the BRICS and the G-20.

When first presented regionally, the proposal in question may, in place of being a Brazilian proposal, turn into a “regional” proposal. Opting for a collective approach lowers the costs of transaction and diminishes the risks of negative responses. The possible advantages generated by the proposal would ideally be shared. In other respects, when the original proposal is first discussed with extra-regional states, it may become an “extra-regional” proposal. A Brazilian-led proposition may therefore be modified or adapted in situations in which the country chooses a shared stance instead of going alone. Brazil may also opt to directly partake in a multilateral negotiation,

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<sup>85</sup> As regards the term “strategy”, countries’ general behavior can best be seen in ad hoc engagements, as argues Etzioni (2012). In place of a grand strategy – which states also sustain in official rhetoric –, looking for their conduct in specific negotiations is much more useful, as it can disclose possible inconsistent behaviors.

skipping prior consideration with others and individually assuming possible burdens and benefits.

Finally, in all the three case studies part of this thesis Brazil presents a specific proposal that interacts with existing multilateral components. In the climate change regime, the country advanced the notion of “concentric circles”, which dialogues with the principle of common but differentiated responsibilities and respective capabilities; in the peace and security regime, the proposal of “responsibility while protecting”, which deals with the norm of R2P and the principle of non-intervention; and in the food security regime, the idea of “right to food”, which engages with the principle of food security. Their differences are visible in how they were conceived, what explanatory factors mattered for their inception, their causal pathways from the domestic to the multilateral level, and how they interact with regimes’ foundations.

### **II.2.3. Outcomes**

With regard to outcomes, they are intrinsically connected with this thesis’ research question. As I study how Brazilian-led proposals interact with the main normative and operational components of multilateral regimes, the outcomes naturally refer to these elements. On the one hand, I look for the interaction of Brazil’s initiatives with existing norms and principles. On the other hand, I explore regimes’ rules and decision-making procedures. I study to what extent Brazil’s propositions are convergent with the existing parameters of the ongoing order.

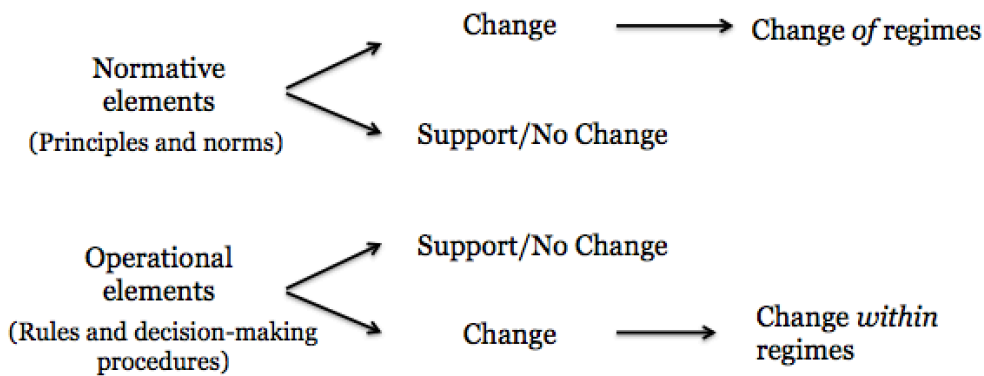
Convergence refers back to the notion of degree of change. In this respect, if a country is fully satisfied with both the normative and operational elements of the existing order and its interests match the current state of things, one should not expect it to defend transformative change. Reasonably, that state would endorse existing parameters, as it profits from them. Contrarily, if a country is not benefiting from current frameworks, there exists a greater possibility that it will expect to change normative and/or operational components.<sup>86</sup>

Figure 06 illustrates the argument delineated in the previous chapter that changes of norms and principles are more drastic than changes in rules and decision-making procedures. This occurs because transforming principles and norms means

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<sup>86</sup> I leave out possible situations in which a country does not interact at all with the components of a regime.

shifting the basis upon which the existing order is kept. Substituting normative elements of a specific issue-area of global governance means altering its prominent features, which leads to a change *of* regimes. If this happens with several regimes, we would be witnessing a comprehensive reconfiguration of the international order. Alternatively, shifts in just the rules and decision-making procedures do not fundamentally threaten the continuation of the global order.



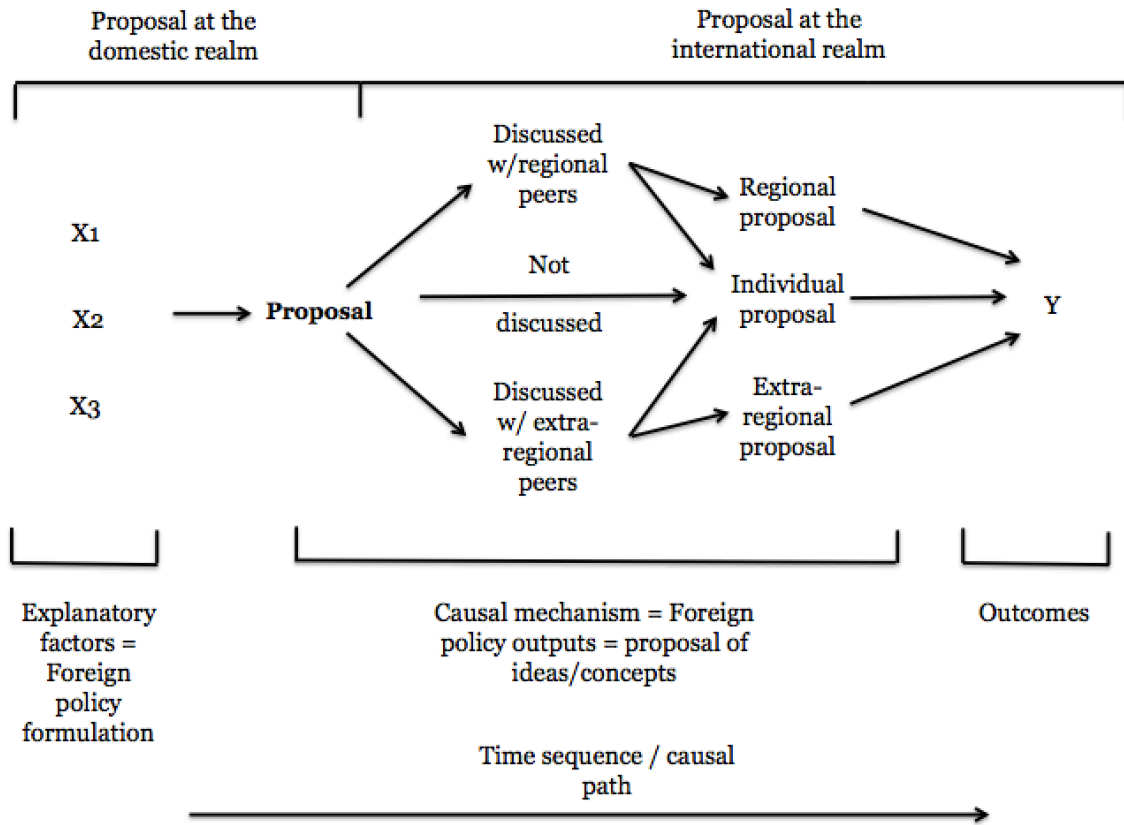
**Figure 06.** Outcomes

In general, it is by examining how states deal with regimes’ components that one can ascertain their multilateral behavior. In each of the case studies, I analyze the meaning of Brazil’s proposals with respect to standing treaties, conventions, and other jurisdictional documents. I compare how the country’s initiatives interrelate with established frameworks in order to attest if Brazil can be considered a promoter of change.

It is important to mention that I will not analyze the “successes” or “failures” of Brazilian-led proposals, as that would require an “effects-of-causes” logic, which is commonly associated with quantitative methodology. My research design focuses on “causes-of-effects”, following a distinct way of thinking. Additionally, studying successes or failures needs a different research design, literature review, and data collection, since one could not properly demonstrate if a proposal is “successful” without exploring the perceptions of other state and non-state actors.

## II.2.4. Analytical framework

The combination of explanatory factors, causal mechanism, and outcomes lead to the analytical framework summarized in Figure 07.



**Figure 07.** Analytical framework

Figure 07 shows that one or more explanatory factors can engender a proposal, which is the causal mechanism of interest. Whereas the explanatory factors substantiate foreign policy formulation, the causal mechanism represents one step further, as it is the expression of a strategic course of action. As mentioned, the proposal can be directly presented during a multilateral negotiation or discussed with regional and/or extra-regional peers. In these cases, its original content can be altered and it can turn into a regional proposal or an extra-regional proposal. The last step of the analytical framework represents the moment when the proposition is forwarded in the multilateral domain. It is only at this time that it interacts with regimes' normative and operational components.

The analytical framework displays a time progression that is connected to a causal sequence. Proposals evolve throughout time and with each step from their formulation to their final presentation at the multilateral realm. This analytical framework will be applied to the three case studies part of this research, which will be subsequently compared. By doing so, I will be able to test mainstream theories of international relations and their views on the rise of developing powers. More than that, I will be capable of confronting their contributions with my argument that these countries aspire to produce adaptive changes in multilateral regimes.

### **II.3. Selection of cases**

Generally speaking, a case study is defined as an in-depth analysis of a single unit, a “relatively bounded phenomenon” that relates to a larger class of similar phenomena (Gerring, 2004: 341).<sup>87</sup> In this thesis, Brazil is the unit to be studied and the case studies are instances of its behavior in specific multilateral forums. Brazil is part of the broader population of “developing powers” or, even wider, “nation-states” or “countries”. When discussing the case studies, other states like China and India will be brought into the equation only if they prove suitable for my investigation on Brazil. In that case, I will be able to demonstrate if developing powers act accordingly. The pertinence of these other countries, however, is marginal for the analysis.

As Flyvbjerg (2006) sustains, case studies are crucial for unveiling and clarifying the causes behind a problem and their consequences for the problem itself and for some subsets of the broader population of cases. Gerring (2004: 348) argues it allows “one to test the causal implications of a theory, thus providing corroborating evidence for a causal argument”. When working with case studies, the analyst can describe the inner fundamentals of an issue and assert how and why it operates in a certain way. Relying on case studies is a strategic means to connect more abstract meanings with empirical knowledge, which ensures that the object under study is comparable. Furthermore, cases are bounded by time and space constraints, which makes the case and its analysis context-dependent. Explanatory factors operate in a certain way and generate specific causal sequences because they are immersed in a pool

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<sup>87</sup> Likewise, Levy (2008: 2) defines a case study as “an attempt to understand and interpret a spatially and temporally bounded set of events”.

of relations that is hardly replicable. Changes in an explanatory factor, the time frame of analysis or the causal mechanism alter the configuration of the case under scrutiny.

This reliance on context does not mean that one cannot generalize from case studies. The degree of generalization depends on how the case in question is chosen; how it relates to the overall population; if it is a deviant case, and how much deviant it is; what causal claims can be made; and whether its components can be applied to distinct cases (Goertz, 2017). A case can be suitable not only for theory testing, but also for theory building, illuminating points that mainstream approaches cannot elucidate. Having said that, instead of looking for case representativeness, the main focus of this thesis is to find case comparability or internal comparability.<sup>88</sup>

Ragin (1997) assumes “casing” to be meaningful and complex configurations of events and structures, a systematic dialogue of ideas and evidence that is not totally predetermined at the onset of the analysis, being subject to constant revisiting. This “circular way” of doing research, as defined by Gerring (2004: 350), may be the “primary and most important finding of the investigation”.

Brazil was not chosen by accident. First of all, the country has, throughout its history, exerted important roles at the multilateral domain (i.e. Daudelin and Burges, 2011; Fonseca Jr., 2008; 2014). From the Hague Peace Conferences of 1899 and 1907 to the League of Nations and its successor, the UN, Brazil has participated in several multilateral experiences. In most of them, it has recurrently attempted to influence the shaping of multilateralism and to intertwine the content of multilateral regimes with its foreign policy goals. Besides, Brazilian policymakers have nurtured the hope to partake in decision-making instances like the Council of the League of Nations and the UNSC. During the military dictatorship (1964-1985), Brazilian views on multilateralism combined active criticism of what it saw as an unjust order in the making, in which power was restricted to a condominium of states, with the defense of national sovereignty. Brazil’s attitudes towards the NPT, considered a means of freezing world power amongst the nuclear weapon states, illustrate the idea of an unequal order. When it comes to sovereignty, the military withdrew Brazil’s candidacies for non-permanent membership of the UNSC in the period 1968-1988 for fears of having its repressive practices and human rights violations publicly exposed.

The return to democracy came together with a renewed interest in

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<sup>88</sup> On representativeness, also see: Seawright and Gerring (2008).

multilateralism. Brazil needed to overcome its international isolation and be seen as a modern democratic country willing to contribute to the post-Cold War context. Keeping the continuing quest for autonomy, Brazilian decision-makers understood the need to participate in multilateral arenas being renegotiated under an American-led unipolar moment, which left little room to maneuver.<sup>89</sup> Being left aside of evolving regulatory frameworks such as the WTO, the UNFCCC, and the NPT would be harmful to Brazil's endeavors to renew its diplomatic credentials (Lampreia, 1998). During the presidency of Fernando Henrique Cardoso (1995-2002), Brazil could not, for systemic and domestic reasons, nourish illusions of grandeur, therefore acting in accordance with ongoing normative and operational frameworks (Saraiva, 2011). The idea was to transform Brazil into a responsible stakeholder, available to contribute to humanitarian intervention efforts and to the promotion of regional stability.

During Luiz Inácio Lula da Silva's years (2003-2010), multilateralism continued to occupy a special locus in Brazil's foreign policy (Vigevani and Cepaluni, 2007). Domestic economy was stabilized and the international system more permissive, which opened spaces for Brazil and other developing countries to behave more assertively. Also, the relative ascension of China provided new possibilities of cooperation. In this context, Brazil saw multilateralism as a means to express its ideas. Presenting itself as one of the leaders of the so-called Global South, Brazil promoted individual initiatives and organized coalitions. From crafting the G-20 in the WTO and the BASIC at the climate realm to lining up with the G-4, Brazil demanded more inclusive multilateral decision-making instances. Its policymakers understood that engaging multilaterally was strategic in an increasingly multipolar world (Amorim, 2010).

More recently, domestic turmoil, spiraling corruption scandals, and striking political and economic instability affected Brazil's activism. Nevertheless, some previous initiatives continued being pushed forward in multilateral forums under the presidency of Dilma Rousseff (2011-2016). Either for reasons of foreign policy inertia or Itamaraty's relative autonomy, Brazil presented ideas and concepts in several regimes. It was able to come with new proposals – some of them hoping to surpass negotiation deadlocks - even in a moment when domestic factors were unfavorable. I will further explore this puzzle in the next chapters.

All in all, Brazil has strategically dealt with multilateralism, making use of

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<sup>89</sup> On Brazil's quest for autonomy, see: Saraiva (2010).

multilateral institutions to forward its foreign policy interests.<sup>90</sup> It has a recognizable role in several issue-areas, sometimes linking its actions in one regime with its behavior in others. Furthermore, for being a developing country, Brazil can play with this in-between condition, a feature that is illuminated in the case studies.<sup>91</sup> The selection of the regimes of climate change, peace and security, and food security respected specific criteria: the same types of explanatory factors, time frame, causal mechanism, and possible outcomes.

While the three case studies have the same types of explanatory factors, next chapters demonstrate that their configuration and temporal sequences are not equal. As a consequence, the cases have distinct causal narratives producing outcomes that are comparable but not identical (Bennett and Elman, 2007).

As for the time frame, it refers to the period between 2011 and 2014, when the three Brazilian proposals that are central for this thesis were pushed forward. Whereas the concept of responsibility while protecting emerged in 2011 in the regime of peace and security and the idea of concentric circles appeared in 2014 in climate change talks, the proposal of right to food gained more importance after the election of José Graziano da Silva for FAO's director-general in 2011. Although this time span is congruent with the first mandate of Rousseff (2011-2014), I opted to not define the research in terms of specific presidential terms or in relation to the political party in power at the moment. Choosing such a strategy would be misleading, as I do not want to specifically study a style of leadership or how a political party influences foreign policy. The cases clearly demonstrate that the mentioned proposals are not necessarily a direct consequence of Rousseff's presidency. Besides, foreign policy was not a beloved issue of her government, therefore operating more in an inertial mode than guided by an explicit goal.

In order to avoid selection bias, the cases were not randomly selected. I first scanned various occasions in which Brazil's foreign policy interacted with established multilateral normative and operational elements. Afterwards, I looked for situations in which Brazilian-led proposals were identifiable. By doing so, I could narrow down the

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<sup>90</sup> A senior diplomat (MRE#14) described Brazil's approach to multilateralism until recently: "we emphasized the multilateral system. It was something we considered strategic because it was through multilateralism that we could obtain what we judged necessary and important".

<sup>91</sup> The same interviewee (MRE#14) reflected on Brazil's in-between condition: "Brazil upheld the demands of the South. For its geography and history, it stays in a very unique position. It is a country that understands the path to development but still shares problems that are common to the developing world".



number of possible cases, choosing fewer issue-areas. This left me with seven possible cases, the three chosen ones – the regimes of climate change, peace and security, and food security – and four others that were excluded: human rights, internet governance, trade, and nuclear non-proliferation.

Some considerations should be made on why these cases were not included. Internet governance is a regime still in the making and no multilateral convention specifically deals with the issue, so I could not investigate how Brazil interacts with operational and normative frameworks directly associated with the matter. As a legal basis is missing, when discussing topics related to Internet governance, privacy, and online rights, countries rely on human rights treaties. Furthermore, for being such an early regime, a historical background would be lacking, which is essential for studies using process tracing. With that said, it is important to mention that Brazil together with Germany contributed to prepare the ground for this originating regime.<sup>92</sup>

As for the human rights regime, it is based on regional treaties and conventions with near universal membership. Brazil is a key player both at the world stage and in the Americas. The regime was excluded, however, because no Brazilian proposal could be singled out from the country's recent multilateral activism. Throughout the years, Brazil has influenced several human rights-related issues ranging from gender to economic and political rights. That broad spectrum of initiatives impairs the achievement of comparative accuracy.

Similar problem happens with the trade regime. When negotiating trade, Brazil's engagement is focused on topics such as the elimination of European and American agricultural subsidies, agricultural market access, trade facilitation, non-agricultural market access, and preferential treatment for least developed countries and developing countries. Furthermore, the paralysis of the Doha Round made states favor inter-regional and bilateral trade agreements, weakening the centrality of the WTO.

Lastly, in the nuclear non-proliferation regime Brazil has defended the equal weight of the principles – also known as pillars - of non-proliferation, nuclear disarmament, and access to peaceful nuclear technology. This perspective has been quite stable throughout the evolution of Brazil's foreign policy, leaving aside more recent ideas operating with the same set of explanatory factors and under a matching time frame.

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<sup>92</sup> On that matter, see Mares and Trinkunas (2016) and Santoro and Borges (2017).

Table 02 shows that the established regimes of human rights, nuclear non-proliferation, and trade fall short in meeting the overall criteria. In these regimes, the causal mechanism of interest is missing.

<b>Regimes/ Criteria</b>	<b>Established regime/current paradigmatic treaty(ies)</b>	<b>Identifiable Brazilian proposals</b>	<b>Pertinence of proposals to the time frame 2011- 2014</b>
Nuclear non-proliferation	Yes (NPT, 1968)	Yes (i.e. fulfillment of the NPT's three pillars)	No
Human rights	Yes (UN Charter, 1945 + Human Rights Covenants, 1966 + Additional Protocols)	Yes (i.e. various)	No
Trade	Yes (GATT, 1947 + Marrakesh Agreement, 1994)	Yes (i.e. various)	No
Internet governance	No	Yes (i.e. right to privacy in the digital age)	Yes (2013)
Peace and security	Yes (UN Charter, 1945)	Yes (i.e. RwP)	Yes (2011)
Food security	Yes (FAO, 1945)	Yes (i.e. right to food)	Yes (throughout the period)
Climate change	Yes (UNFCCC, 1992 + Kyoto Protocol, 1997)	Yes (i.e. concentric circles)	Yes (2014)

**Table 02.** Selection of cases

The three chosen case studies appropriately satisfy the analytical framework and the research question of this research. The explanatory factors generate causal mechanisms (i.e. proposals) that interact with regimes' existing normative and operational foundations. I follow Goertz and Mahoney's (2012: 183) advice, who say that cases should be selected in accordance with the manifestation of the outcome (Y=1). That is a valuable strategy for investigating necessary conditions, as they "provide leeway for seeing how causal mechanisms operate in practice". In a more recent work, Goertz (2017) defends that cases having explanatory factors leading to outcomes (1, 1) can be good examples of how causal mechanisms connect the two poles of the analytical framework.

Moreover, climate change, peace and security, and food security are instances of developing powers' interest to shape established multilateral foundations. They are closer to what Eckstein (1975: 115) calls critical cases: "one about which the analyst has particularly strong expectations that it will fit the hypothesized causal pattern".

Finally, I chose these cases because they remain understudied. With the exception of the peace and security regime, in which authors have been writing on the proposal of RWP, the regimes of climate change and food security received less attention. This is striking given their overall importance to international relations and to Brazil's external insertion.

#### **II.4. Final remarks**

This chapter assessed the methodological underpinnings of the thesis. It started with an overarching discussion about the two qualitative methods upon which the research is based: the comparative method and process tracing. More than showing their pertinence, I argued that their combination composes a more detailed way to study foreign policy. Together, the comparative method and process tracing combine within-case and cross case research strategies, making way for works that privilege the role of causal mechanisms linking explanatory factors and outcomes.

Further, I composed an analytical framework with one systemic and two domestic explanatory factors, a causal mechanism, and outcomes. As for the explanatory factors, they involve regime structure, domestic assets, and domestic decision-making procedures. The causal mechanism refers to Brazilian-led proposals,

whereas the outcomes concern how these initiatives interact with regimes' operational and normative components.

I concluded the chapter explaining why I opted for the three cases and why they matter. In the next chapters, the regimes of climate change, peace and security, and food security are evaluated and compared. Applying the discussed methodology to empirics can reveal patterns of foreign policy formulation and implementation. The analysis may also demonstrate how Brazil regards the role of regional and extra-regional actors when proposing a novel idea.

### CHAPTER III

#### BRAZIL AND THE CLIMATE CHANGE REGIME<sup>93</sup>

This chapter focuses on the first case study of the thesis, the climate change regime. More specifically, I analyze Brazil's proposition of concentric circles, which can also be found in official documents as concentric differentiation, and investigate how it interrelates with the regime's normative and operational foundations. The proposal of concentric circles was enacted by Brazilian negotiators in talks leading to the 2014 climate conference in Lima and in the context of the 2015 Paris Agreement.<sup>94</sup> On the one hand, it is a clear example of how a developing state endeavors to shape existing multilateral frameworks. On the other hand, it illustrates how novel ideas can originate outside the global centers of knowledge production.

I argue that the proposal is a legalistic interpretation of how the regime should evolve, which goes along with the hypothesis that Brazil does not expect to drastically alter the ongoing order. Recovering the initial provisions of the 1992 United Nations Framework Convention on Climate Change (UNFCCC) and its principle of common but differentiated responsibilities and respective capabilities (CBDR-RC), the idea preserves the distinction between developed and developing countries, but highlights that all parties should contribute in the global effort to curb climate change. Moreover, I contend that the proposal has a direct relationship with the three explanatory factors part of the analytical framework. It appears during a transitional moment of a non-hierarchical regime; it is promoted when Brazil could still rely on its domestic assets; and it is consistent with the country's diplomatic activism in climate talks.

The chapter is divided in seven sections. The first (i) depicts the structure of the regime, underscoring the evolution of its normative and operational components. I portray Brazil's behavior amidst these changes. The second (ii) presents Brazil's domestic assets and group of climate-related public policies, which are associated with its energy matrix and efforts to control deforestation. The third (iii) looks for the country's decision-making process related to climate matters. Sections four to six are the core of the chapter. They discuss what conveys the concentric circles and how it

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<sup>93</sup> This chapter partially draws from Albuquerque (2018a).

<sup>94</sup> For Brazil's history in the regime, see: Vieira (2012b) and Viola and Franchini (2018).

came about (iv); its relationship with the explanatory factors (v); and with the regimes' normative and operational foundations (vi). The last section (vii) concludes.

### **III.1. The structure of the climate change regime**

The institutionalization of the climate change regime began in 1992, with the signing of the UNFCCC at the United Nations Conference on Environment and Development. The convention entered into force in 1994, currently enjoying nearly universal membership with 197 parties. From 1995 on, states gather at annual conferences of the parties (COP) to revise legal gaps and advance the mandate of the convention.<sup>95</sup> In 1997, the Kyoto Protocol complemented the early document and determined legally binding targets for emission reductions for developed country parties (formally known as the Annex I parties) in the period 2008-2012 (Rajamani, 2006). As a means to prevent a legal void, Kyoto's implementation period was further extended in 2012 by the Doha Amendment, which defined 2013-2020 as a second commitment period for Annex I parties.<sup>96</sup> The Paris Agreement came into the equation at the 2015 COP-21, establishing a post-Kyoto architecture. It has legal force and operates under the convention, which continues to be the bedrock of the regime.

Briefly speaking, the convention divided countries in annexes defining their respective obligations. Annex I parties include industrialized states members of the Organization for Economic Cooperation and Development (OECD) and "economies in transition" part of the Soviet bloc (EIT). Annex II solely involves the OECD countries, which are expected to financially assist developing states in mitigating carbon emissions and adapting to climate change. They should also take "all practicable steps" to ensure technical support for developing countries and to EIT (United Nations, 1992: 8). From its origin, the regime divided countries in accordance with their respective obligations and capabilities towards climate change, leaving developing powers aside from any binding commitments and grouping them as the non-Annex I parties.

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<sup>95</sup> The main goal of the UNFCCC is to stabilize greenhouse gas concentrations in the atmosphere (United Nations, 1992). For a list of all COPs and their final documents, see: <https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-cop>, accessed on 12 November 2019.

<sup>96</sup> Parties adopted a roadmap to a post-Kyoto agreement at the 2011 COP-17 in Durban and decided that the protocol should be amended at the 2012 COP-18 in Doha. As of 10 December 2019, 135 parties have accepted the Doha Amendment, while 144 instruments of acceptance are required for its entry into force. See: <https://unfccc.int/process/the-kyoto-protocol/the-doha-amendment>, accessed on 10 December 2019.

The normative centerpiece of the regime is the principle of CBDR-RC. It places the heavier burden on the developed countries, as they are historically responsible for greenhouse gas (GHG) emissions and hold financial and technical capabilities (Roberts and Parks, 2007).<sup>97</sup> At the same time, the word “common” remarks the need for joint efforts from both developed and developing countries. As far as some states are expected to be doing more, all parties should contribute. The regime was created with a “North-South” separation, with the “North” being associated with the Annex I parties and the “South” with all other countries that did not have binding obligations. To some extent, that division echoes previous disputes related to environmental issues dating back to the 1970s and 1980s.<sup>98</sup>

The idea of differentiation refers back to notions of equity and climate justice. It reckons countries’ different levels of economic development, historical responsibilities for carbon emissions, and unequal technological and financial capacities. That was the state of things in 1992, when the convention was established, and in 1997, when the Kyoto Protocol was signed. Structuring a climate regime was part of a greater effort to promote shared governance in topics that could not receive enough attention during the Cold War.

When the regime was established, countries like China, India, and Brazil could maintain traditional positions and avoid assuming binding responsibilities. They could blame the Annex I states for climate change, request funds and technologies, and eschew deeper engagements with multilateral norms and rules. In their view, that outcome was fair, given the historical responsibility of the industrialized countries for GHG emissions.

Apart from the overall cooperative rhetoric, the absence of the United States from Kyoto impaired the establishment of broader cooperative sense. Russia ratified the protocol in 2005, delaying its entering into force for almost a decade. Australia only proceeded with its ratification in 2007. Furthermore, Kyoto itself lacked ambition, as its baseline for emissions levels was too conservative. Amid this lack of mutual confidence and leadership, developing powers blamed their developed peers for inaction. The regime evolved in a fragile manner, with parties constantly avoiding the implementation of provisions present in the convention, such as the need to develop, update, publish,

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<sup>97</sup> Regarding the principle of CBDR-RC, the whole philosophy behind the negotiation process is that developing countries should have the right to develop.

<sup>98</sup> For instance, debates at the 1972 United Nations Conference on the Human Environment.

and make available national inventories of anthropogenic emissions; the communication to the COPs of information related to implementation; and the adoption of national and regional programs to mitigate climate change.<sup>99</sup>

Throughout time, the regime has experienced redistributions of power and responsibilities. In the mid-2000s, the principle of CBDR-RC started being severely questioned given the rise in emissions by developing nations, namely China, India, Brazil, Indonesia, and others. These countries suffered increasing pressures to assume greater responsibilities from both the Annex I parties and the least developed states.<sup>100</sup> For not being constrained by binding commitments, the developing powers faced accusations of keeping defensive positions and free riding. The main source of criticism was that the legal status of these players was detached from their emissions levels and the responsibilities they were expected to handle.<sup>101</sup> Referring to the non-binding nature of the Kyoto Protocol, an interviewed Brazilian negotiator mentioned that already in 1997 officials involved in climate talks used to say: “this is going to be a future problem”.<sup>102</sup>

Under pressure, Brazil, South Africa, India, and China reunited at the 2009 COP-15 in Copenhagen and formed the BASIC.<sup>103</sup> The group entered a multilateral landscape traditionally controlled by the EU, being composed by actors with differing interests, energy matrices, and emission patterns (Hallding *et al.*, 2011). As a heterogeneous group, the BASIC appeared with a minimal agenda encompassing the exercise of leadership of the G-77+China and the maintenance of CBDR-RC as the guiding principle (Blaxekjaer and Nielsen, 2015). For the BASIC countries, the assumption of responsibilities should be voluntary, and financial and technological

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<sup>99</sup> These and other rules are visible throughout the text of the convention, for instance, articles 4, 7, and 12 (United Nations, 1992).

<sup>100</sup> For a historical series of GHG emissions, see: <http://data.worldbank.org/indicator/EN.ATM.CO2E.KT/countries>, accessed on 14 November 2019. Also see: <http://cait.wri.org>, accessed on 14 November 2019.

<sup>101</sup> As Voigt and Ferreira (2016: 287) argue, “‘positive discrimination’ in favor of developing countries has led to asymmetric environmental obligations”.

<sup>102</sup> Interview with MRE#3.

<sup>103</sup> This process initiates more clearly at the 2007 COP-13 in Bali, when developing countries started to undertake nationally appropriate mitigation actions and decided, together with their developed peers, to set a long-term cooperative action, aiming at a post-2012 period of compromises. Moreover, parties agreed to apply measurement, reporting, and verification provisions for developing countries. See: [https://unfccc.int/sites/default/files/non-annex\\_i\\_mrv\\_handbook.pdf](https://unfccc.int/sites/default/files/non-annex_i_mrv_handbook.pdf), accessed on 14 November 2019.



support should continue to come from the developed powers. The BASIC altered the way negotiations are conducted, since the four states could combine positions, publish joint communiqués, and threaten to leave negotiations (Hurrell and Sengupta 2012). With the BASIC, the regime started to resemble other multilateral arenas such as the WTO, in which decision-making involves the participation of developing powers.

Differences between the BASIC states are recognizable, for example, their strategies of measuring carbon emissions, the emphasis they place on determined topics, and their contributions to the regime. At first, forming the coalition responded to a reactive and protective move. In the view of the BASIC, the developed powers were the ones trying to revise and disrespect the regime's jurisdictional foundations. As both the convention and the Kyoto Protocol created specific categories of countries and degrees of responsibility, any attempts to shift the status quo should be met with suspicion. As some decisions of subsequent COPs were not being entirely respected, the BASIC considered its claims to be legitimate. Developed countries' pledge to provide annual US\$ 30 billion for the period 2010-2012 and yearly US\$ 100 billion until 2020, for instance, lacked implementation (Albuquerque, 2016a; Hochstetler, 2012a; Hochstetler and Milkoreit, 2015).

Amid these changing dynamics, COPs continued taking place and Kyoto's amendment maintained the original distinction between Annex I and non-Annex I countries. The Durban Platform for Enhanced Action and the Doha Amendment to the Kyoto Protocol renewed multilateral efforts, setting the path towards Paris, when a new agreement, convention, or legal treaty was expected. This process was nevertheless plagued by uncertainty. During Kyoto's second implementation period (2013-2020), Canada, Japan, Turkey, and Russia opted out of the treaty, weakening negotiations and showing that dissonance and lack of commitment might also involve the Annex I parties.<sup>104</sup> At this phase, the blame-and-shame game focused not only on the BASIC states, but also on the developed powers.

Parties debated the division of responsibilities embodied in CBDR-RC. Kyoto reinforced the principle, but increasing emissions from the BASIC countries exacerbated a binary view of the regime, thwarting negotiations (Voigt and Ferreira, 2016). In the opinion of the Annex I parties, they were alone in tackling climate change

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<sup>104</sup> See: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-7-c&chapter=27&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-7-c&chapter=27&clang=en), accessed on 16 November 2019.

in a world that did not resemble 1992. Their obligations were too strict while others could free ride. For the BASIC members, they were doing what they could and in accordance with their levels of development. For them, the Annex I parties were trying to revoke CBDR-RC, circumventing obligations and harming the regime.

Together with the criticism, the BASIC states suggested that they could be doing more, which demonstrates the intention to shift their initial defensive positions. On the one hand, climate change was increasingly perceived as a strategic issue that involves structural socioeconomic transformations. Taking part in this process and being able to influence its progression captured the attention of policymakers in the developing world.<sup>105</sup> On the other hand, the mounting relevance of the regime leading to the 2015 COP-21 in Paris provided developing powers new opportunities to act, make proposals, and be considered responsible actors.

In like manner, changes in the content of talks were visible. The original themes of the convention had their provisions and technicality enlarged and new topics, for instance loss and damage, were introduced, making negotiations slower and greatly complicating consensus making.<sup>106</sup> To some extent, that increase can harm the proper functioning of the regime because individual states and coalitions can bargain with several topics and explore spaces of maneuver. As more issues are incorporated, parties have more conditions to rely on their domestic climate-related assets to influence talks. Still centered on mitigation of carbon emissions, discussions today revolve around topics like adaptation,<sup>107</sup> loss and damage, reduction of emissions from deforestation and forest degradation (REDD+), finance, and means of implementation, not to mention others.

Succinctly, from the 2013 COP-19 in Warsaw onwards the regime started moving into the Intended Nationally Determined Contributions (INDCs), through which all parties should voluntarily assume carbon emission targets (United Nations, 2014). In a sense, the regime evolved from Kyoto's top-down approach to a bottom-up

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<sup>105</sup> In the Chinese case, efforts to develop greener technologies are directly related to high levels of urban pollution. For the Chinese Communist Party, curbing the adverse effects of climate change is strategic to avoid domestic turmoil. See: Falkner (2016).

<sup>106</sup> Loss and damage refers to effects of climate change that people have not been able to cope with or adapt to. It involves extreme climate-related events like hurricanes.

<sup>107</sup> Adaptation is adjustment in ecological, social, or economic systems in response to climatic impacts. See: <http://www.ipcc.ch/report/ar5/wg2/>, accessed on 16 November 2019.

framework, as each party should say how much it could deliver. With the Paris Agreement, INDCs became Nationally Determined Contributions (NDCs), or what each party should prepare, communicate, and enhance with the progression of time. These pledges would be embedded in domestic law, assuring predictability (Bodansky, 2016).

The road to Paris was taken when renewed interest to promote bilateral cooperation on climate change became clear. Talks involving the United States, the EU, China, India, and Brazil prior to COP-21 brought together the principal emitters and their points of view towards a common denominator. That diplomatic activism was crucial for the new agreement to come about.

Two points should be made about the regime's decision-making procedures. The first concerns what is written in law and the second how things operate in practice. First, the regime continues to be marked by a one-country one-vote policy, as defined by the convention (United Nations, 1992). Since decisions should be consensual, all parties equally vote in the annual COPs, formally having the same capacity to allow or block agreements.<sup>108</sup> All parties, from Tuvalu to the EU, could then act as veto players. That factor singles out the climate arena in comparison to, for example, the IMF, the World Bank, or the UNSC. Although the division of responsibilities persists with the Paris Agreement, it does not give special prerogatives - such as veto power - to any member. Furthermore, the foundational documents that established the regime specified open and non-hierarchical formal decision-making instances.

Second, and apart from that, most decisions are made in meetings involving few states during or prior to COPs. They are then presented to the "others" as a means to garner legitimacy and "multilateralize" the process. These arrangements may also take place in groupings like the Major Economies Forum on Energy and Climate (MEF), the G-7, and the financial G-20. Patrick (2015: 115) uses the term "minilateralism" to refer to "informal, non-binding, purpose-built partnerships and coalitions of the interested", which can be understood as instrumental arenas subject to states' forum shopping and, ultimately, alternatives to formal institutions of global governance.

During the 2010 COP-16 in Cancun, for example, Bolivia stood alone in opposing the final agreement on the grounds that it saw the document, among other things, "to be insufficient and full of loopholes for polluters". If the formal criteria of

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<sup>108</sup> Any party may propose amendments to the UNFCCC as long as they are consensual. Nevertheless, an amendment being adopted by a three-fourths majority vote can only occur "as a last resort" (United Nations, 1992: 18).

one-country, one-vote prevailed, that would be sufficient for the Cancun accord to sink. Isolated, negotiators were accused of being obstructionist and unrealistic. In the end, La Paz acquiesced after “intense pressure from the chair of talks and other countries”, demonstrating that power indeed plays a role in the climate realm.<sup>109</sup>

As discussed, while the regime was initially controlled by the EU and the United States, other stakeholders now have more conditions to shape the agenda. These days, Brussels and Washington need to find common ground not solely with Russia and Japan, but also with the BASIC states. The transition towards a bottom-up legal architecture and the enlargement of the pool of topics discussed represent new avenues for action. Currently, China, India, and Brazil are key to dialogues involving issues like means of implementation, division of responsibilities, and measurement of emissions. Brazil’s concentric circles proposal appears in this context.

### **III.2. Brazil’s domestic climate-related assets**

This section discusses the second explanatory factor, which refers to Brazil’s domestic climate-related assets. Similarly to what happens with the structural dimension, domestic features can add up to explain multilateral behavior. When promoting initiatives, negotiators tend to consider domestic public policies, not to mention material and immaterial assets.

While there is no such thing as “climate material capabilities”, it is fair to say that some states might hold distinctive features. Large GHG emitters, for example, have a natural standing in climate talks, as they are the ones mostly contributing for the problem and needing to engage for it to be controlled. Leaving the United States, China, or India aside would harm the chances of real advancements. Other actors such as the EU are major financial providers, being able to influence negotiations.

In contrast, smaller developing states can also translate domestic disadvantages and power asymmetries into multilateral influence. Countries facing existential threats due to the consequences of climate change like the small island states in the Caribbean and the Pacific, can express their views prominently in the climate domain. The same happens with some African states when discussing issues such as adaptation. In these cases, negotiators make reference to national vulnerabilities in their communications

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<sup>109</sup> See: <https://www.theguardian.com/environment/cif-green/2010/dec/21/bolivia-oppose-cancun-climate-agreement>, accessed on 16 November 2019. Also see: <https://www.theguardian.com/environment/2010/dec/11/cancun-climate-change-summit-deal>, accessed on 16 November 2019.

with the media, networks of NGO, UN officials, and other countries. By doing so, they can access the decision-making process and insert specific interests into the broader multilateral agenda. Reinforcing a sense of urgency and bargaining for financial and technological support are strategies these parties commonly pursue. The importance of the topic of loss and damage, for instance, is a direct consequence of the activism of these smaller countries.

Other domestic features can enhance the bargaining power of a state: its energy matrix; whether it has tangible assets on the ground, as is the case with forest coverage; and the existence of public policies to address climate change, which can underpin international pledges and provide legitimation. Moreover, these factors can, individually or jointly, be part of a country's foreign policy. In principle, a state holding domestic advantages will be capable of influencing a wider range of topics.

Of course, these domestic assets should be considered in relative terms. It is only by means of comparison that one can grasp the relevance of a country's emissions levels, energy matrix, or forest coverage. Take the examples of Pakistan and Colombia. Pakistan ranks 20<sup>th</sup> in world's GHG emissions and Colombia occupies the 34<sup>th</sup> position. In global terms, however, their share of the problem is not that significant: Pakistani emissions represent 0,75% of the total, whilst Colombian stand for 0,36%.<sup>110</sup> In regional terms, Pakistan lags behind China, India, Japan, and Indonesia, while Colombia is only the 5<sup>th</sup> largest emitter in Latin America. As I further show, the Brazilian case is less incongruent, as it ranks high in almost all the domestic features here described.

I understand that these assets can be self-identified, externally identified, or both. Commonly, decision-makers overestimate national features, overvaluing assets as unique in attempts to portray benign images. Alternatively, international organizations such as the UNFCCC and the United Nations Development Program (UNDP) can commend a state's public policies or its contributions to climate finance. In the best scenario, domestic assets would receive international and national backing, reinforcing the chances of a state to influence negotiations.

When it comes to Brazil, it ranked 7<sup>th</sup> in world's GHG emissions in 2014.<sup>111</sup> In comparison to the other BRICS countries, Brazil ranked 4<sup>th</sup>. Considering the G-

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<sup>110</sup> See: <http://www.wri.org/blog/2017/04/interactive-chart-explains-worlds-top-10-emitters-and-how-theyve-changed>, accessed on 18 November 2019.

<sup>111</sup> See: <http://cait.wri.org>, accessed on 19 November 2019.

77+China, Brazil also ranked 4<sup>th</sup> and, in relation to Latin America and the Caribbean, its emissions (1.4 Gt) equated a combination of Mexico's (730Mt), Argentina's (440Mt), and Venezuela's (340Mt). Brazil was the 5<sup>th</sup> largest carbon emitter in the periods 1990-1996, 1998-1999, 2001, and 2003-2005.<sup>112</sup> In terms of per capita emissions, Brazil had 2.6 metric tons per capita in 2014. World levels stay in 5 metric tons per capita, whereas per capita emissions from Latin America and the Caribbean are 3.1, with the OECD members having 9.5.<sup>113</sup> Brazil's per capita profile also reflects the country's widespread inequality.

As it holds the major part of the Amazon rainforest,<sup>114</sup> Brazil is the 2<sup>nd</sup> state in forest area (4.935.380 km<sup>2</sup> in 2015), standing only behind Russia and followed by Canada, the United States, the Democratic Republic of Congo, China, Australia, and Indonesia.<sup>115</sup> While in 1990 the country had 65,4% of its land area composed of forests, the number shrunk to 58,9% in 2016. Notwithstanding, it is still considerably larger than global (30,7%); European (38,1%); and Latin American (46,2%) levels.<sup>116</sup>

Deforestation in Brazil has never ceased, although its pace was moderated by national domestic plans such as the Plan to Prevent and Control Deforestation in the Amazon (PPCDAm), specifically its command and control axis. From 2004 to 2012, forest clearing dramatically decreased from 27.000 km<sup>2</sup> to 4.571 km<sup>2</sup>.<sup>117</sup> Even though deforestation returned to increase between 2013-2015, rates did not surpass 2011 levels,

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<sup>112</sup> See: <https://www.climatewatchdata.org/ghg-emissions?breakBy=location&filter=TOP%2CCHN%2CUSA%2CEU28%2CIND%2CRUS%2CJPN%2CBRA%2CIDN%2CCAN%2CMEX%2CTOP>, accessed on 19 November 2019. Depending on the source, data can vary. The World Resources Institute's (WRI) CAIT Climate Data Explorer also places Brazil in the 7<sup>th</sup> position, but considers a different metric that excludes emissions from land-use, land-use change and forestry (LULUCF). See: <http://www.wri.org/blog/2017/04/interactive-chart-explains-worlds-top-10-emitters-and-how-theyve-changed>, accessed on 19 November 2019.

<sup>113</sup> See: <https://data.worldbank.org/indicator/EN.ATM.CO2E.PC?view=chart>, accessed on 19 November 2019.

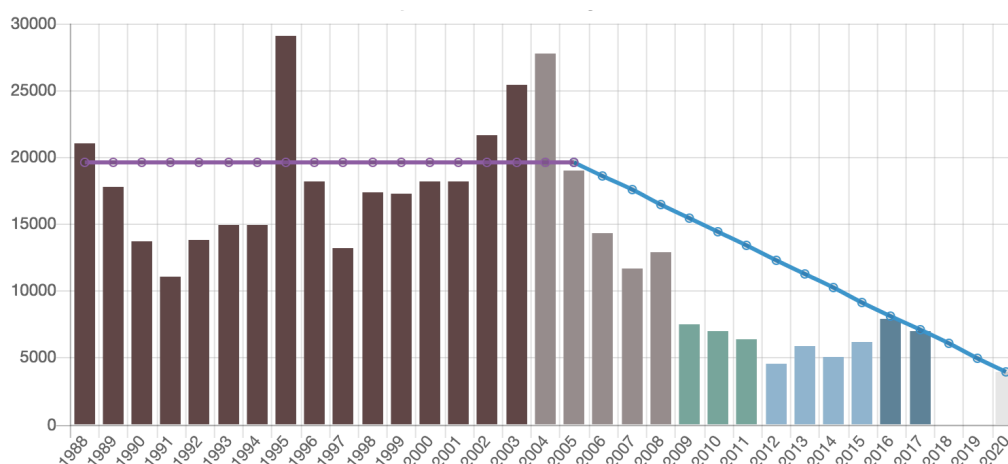
<sup>114</sup> Not to mention other biomes such as the Cerrado savanna, the Atlantic rainforest, Pantanal, Caatinga, and Pampas.

<sup>115</sup> See: <https://data.worldbank.org/>, accessed on 20 November 2019.

<sup>116</sup> Idem.

<sup>117</sup> See: <http://www4.unfccc.int/submissions/INDC/Published%20Documents/Brazil/1/BRAZIL%20iNDC%20english%20FINAL.pdf>, accessed on 20 November 2019.

as shows figure 08.<sup>118</sup> In 2016, however, Brazil’s Amazonian deforestation rates reached 7.893 km<sup>2</sup>, exceeding 2009 levels.



**Figure 08.** Deforestation in the Brazilian Amazon (sq. km)<sup>119</sup>

Deforestation in the Cerrado savanna, which comprises most of Brazil’s Center-Western region, attained worse rates, with 11.881 km<sup>2</sup> cleared in 2015. Although forest clearing fell from 2004 to 2009 due to satellite monitoring activities and the advancement of tailored public policies, it stagnated until 2012 to rise again in the next year, displaying a deforestation rate more than twice the one of the Amazon.<sup>120</sup> Growing influence of the agribusiness sector, which is responsible for a substantial share of Brazilian exports, bureaucratic constraints, and lack of funds explain the situation. Deforestation in the Amazon and the Cerrado made Brazil’s GHG emissions to surge

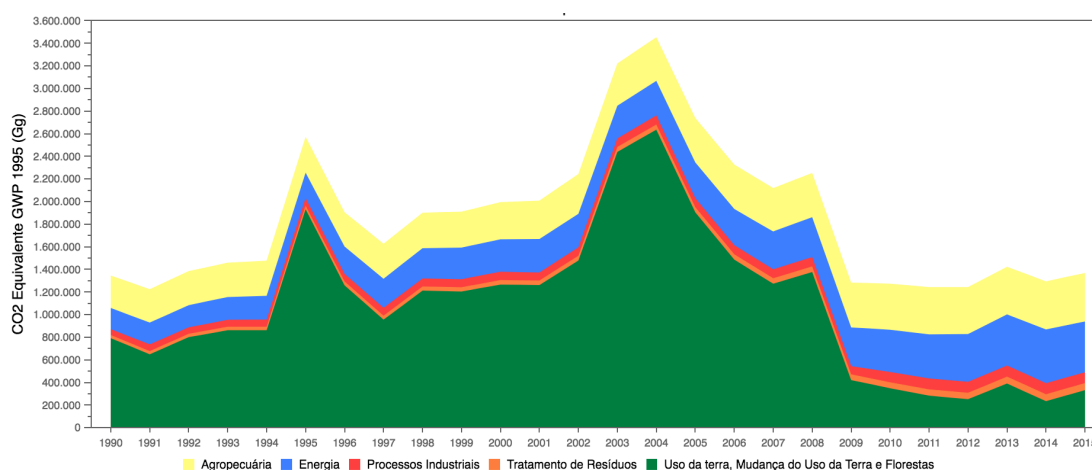
<sup>118</sup> For Brazil’s annual deforestation rates, see: <http://www.obt.inpe.br/OBT/assuntos/programas/amazonia/prodes>, accessed on 20 November 2019. For an alternative view, the Greenhouse Gas Emission and Removal Estimating System (SEEG) is compiled by a group of NGO. See: [http://plataforma.seeg.eco.br/total\\_emission#](http://plataforma.seeg.eco.br/total_emission#), accessed on 21 November 2019.

<sup>119</sup> Figure 08 refers to the “Legal Amazon”, a region defined for regional planning purposes, involving the Northern region and parts of the Center-Western and Northeastern regions of Brazil. See: <http://combateadesmatamento.mma.gov.br/>, accessed on 20 November 2019. Also see: [http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/legal\\_amazon/rates](http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/legal_amazon/rates), accessed on 21 November 2019.

<sup>120</sup> See: <http://combateadesmatamento.mma.gov.br/>, accessed on 21 November 2019.

even amidst its worst economic recession, creating fears that recent progresses could be reversed (Viola and Franchini, 2018).<sup>121</sup>

As for its emission profile, Brazil stands in a reasonably comfortable position in comparison to the BASIC states and the Annex I parties (Hallding *et al.*, 2011). Until recently, the country's emissions were primarily driven by land use, land use change, and forestry (LULUCF). In 2010, emissions from LULUCF did not rank first for the first time in the country's historical series, in reason of the successes in curbing deforestation. In that year, emissions originated from agriculture and livestock (32%); energy (29,4%); LULUCF (27,4%); industrial processes (7,1%); and waste management (4,2%). As show figures 09 and 10, an ongoing shift towards the sectors of agriculture and livestock and energy is visible, demanding more accurate actions in these areas.<sup>122</sup>



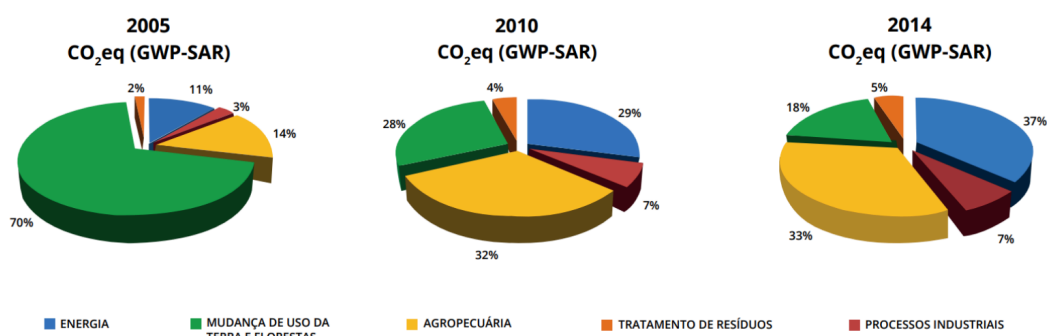
**Figure 09.** Brazilian GHG emissions per sector<sup>123</sup>

<sup>121</sup> Brazilian GDP submerged 3,8% in 2015 and 3,6% in 2016. The bitter economic crisis came together with political turmoil, a burgeoning corruption scandal, massive street protests, decrease in social expenditure, and eventually impeachment. Recent analyzes point out that Brazil's GHG emissions stagnated, but not reduced, from 2009 to 2012, to rise again in 2015 and 2016. See, for instance: <http://seeg.eco.br/>, accessed on 21 November 2019.

<sup>122</sup> See: <http://sirene.mcti.gov.br/web/guest/emissoes-em-co2-e-por-setor>, accessed on 22 May 2018. Data for the period 2010-2015 recently disappeared from this government website, but can be found here: <http://educaclima.mma.gov.br/panorama-das-emissoes-de-gases-de-efeito-estufa-e-acoes-de-mitigacao-no-brasil/>, accessed on 21 November 2019.

<sup>123</sup> The green bar depicts emissions from LULUCF; orange, waste management; red, industrial processes; blue, energy; and yellow, agriculture and livestock.





**Figure 10.** Emissions per sector: temporal evolution (Brasil, 2016)

To Brazil's advantage, the major part of its emissions (around 90%) is divided in three sectors (energy, agriculture and livestock, and LULUCF), composing an emission profile not dependent on a specific sector. For that reason, policymakers can devise custom-built programs, not having to face the political costs of tackling a single sector responsible for the major part of emissions. Less than a third of its emissions come from LULUCF, which can be controlled by effective public policies, as the ones inconsistently implemented in the Amazon and the Cerrado. Moreover, emissions from the energy sector illustrate a greener energy matrix in relation to other major emitters.

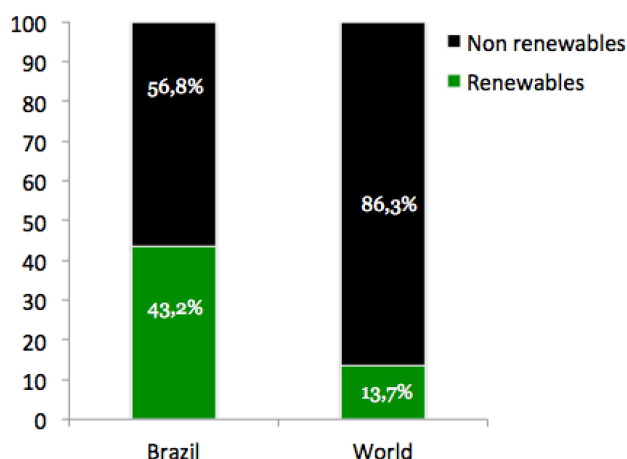
For matters of comparison, more than 75% of South Africa's emissions come from the energy sector.<sup>124</sup> India has a parallel profile, with around 70% of its emissions originated in the energy sector, while the United States have almost 88%, a similar amount as the EU (90%) and China (80%). Brazil's profile is closer to countries such as Argentina (47% energy; 25% agriculture and livestock) and Colombia (49% and 30%), but even in relation to these cases Brazil's emissions are more balanced.<sup>125</sup>

The composition of Brazil's energy matrix is key to understanding its advantages vis-à-vis other countries, as depicted in figure 11. World's energy matrix is mainly composed of non-renewables such as oil, coal, nuclear, and natural gas, which account for 86,3% of global and 89% of OECD's total energy production (International Energy Agency, 2019a). Brazil's energy matrix, for its turn, is composed by 43,2% of

<sup>124</sup> Approximate numbers. See: [https://unfccc.int/files/national\\_reports/non-annex\\_i\\_parties/biennial\\_update\\_reports/application/pdf/rsaghg\\_bur1.pdf](https://unfccc.int/files/national_reports/non-annex_i_parties/biennial_update_reports/application/pdf/rsaghg_bur1.pdf), accessed on 23 November 2019.

<sup>125</sup> Data from the Climate Watch Data Project. See: <https://www.climatewatchdata.org/countries>, accessed on 23 November 2019.

renewables, which creates a distinguished position for the country when compared to global standards (Empresa de Pesquisa Energética, 2018).



**Figure 11.** Brazilian and global energy matrix

Brazil’s energy matrix is divided in oil (36,2%); biofuels (17,4%); natural gas (12,9%); hydropower (11,9%); wood fuel and charcoal (8%); coal (5,6%); other renewables (5,8%)<sup>126</sup>; nuclear (1,4%); and other non-renewables (0,6%) (Empresa de Pesquisa Energética, 2018). Furthermore, Brazil’s electricity grid is even “cleaner” than global standards, comprising 80,3% of renewables compared with world’s 25,3% (Empresa de Pesquisa Energética, 2018; International Energy Agency, 2019b).<sup>127</sup> Adding to that, Brazil is the second largest global producer of biofuels after the United States. It is worth mentioning, however, that 65,2% of the country’s electric matrix is reliant on hydropower, which is vulnerable to droughts and subject to socioeconomic and environmental impacts due to, among other things, the construction of reservoirs. The building of the Belo Monte Dam, for instance, displaced more than 30,000 people, affected water supplies and fishing stocks of coastal communities, and motivated the Inter-American Commission on Human Rights to request the suspension

<sup>126</sup> Such as wind and solar power.

<sup>127</sup> As regards annual investment, net capacity additions, and production in 2016, Brazil ranks 2<sup>nd</sup> in hydropower capacity; 5<sup>th</sup> in wind power capacity; 3<sup>rd</sup> in solar water heating capacity; and 2<sup>nd</sup> in biodiesel and ethanol production (REN21, 2017).

of the project.<sup>128</sup> Brazil not only rejected the request, but also recalled its ambassador to the OAS and refused to disburse its annual contribution.<sup>129</sup>

The stated climate-related assets were matched by public policies and plans, for example the 2008 National Climate Change Plan, which brought an array of measures and associated targets to curb GHG emissions. In the following year, Brazil became the first non-OECD state to draft a National Climate Change Law (Law n. 12.187), which incorporated the National Plan and established a National Policy on Climate Change (PNMC). The PNMC made official Brazil's pledge to an expected reduction of 36,1% to 38,9% regarding the projected emissions by 2020, which was part of the country's commitment at COP-15. In 2010, the country developed a low-carbon agriculture plan, which granted low-interest loans to farmers who adopted sustainable agricultural practices.<sup>130</sup> Apart from that, a National Commission and a National Strategy on REDD+ were created in 2015, and the National Plan on Adaptation to Climate Change was launched in 2016. In 2017, Brazil established a National Biofuels Policy (RenovaBio), with a focus on lowering emissions through the promotion of sustainable production of ethanol, biodiesel, and biogas.

For COP-21, Brazil was the only large developing state to present in its Intended Nationally Determined Contribution (INDC) economy-wide absolute targets for emissions reduction ranging from 37% in 2025 to 43% in 2030 below 2005 levels (Hochstetler, 2012b). Rousseff's administration advanced that the country's INDC was not contingent upon international support and would eliminate illegal suppression of vegetation by 2030; restore and reforest 12 million hectares by 2030; increase the share of sustainable biofuels to 18% in the energy matrix by 2030; boost the share of renewables to 45% by 2030; and expand the use of renewables other than hydropower in the power supply to at least 23% by 2030. Furthermore, the INDC opened space for

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<sup>128</sup> See: <https://igarape.org.br/tempering-the-human-cost-of-building-brazils-dams/>, accessed on 23 November 2019.

<sup>129</sup> See: <https://economia.estadao.com.br/noticias/geral,brasil-nao-paga-oea-por-cao-de-belo-monte-imp-,787892>, accessed on 23 November 2019.

<sup>130</sup> Additionally, it is worth noting Brazil's Bolsa Verde program, which was created in 2011 expecting to promote environmental conservation through productive inclusion of impoverished families. In 2018, Temer's administration discontinued the program. Amongst other national programs and laws, I highlight the 2000 National System of Conservation Units, the 2008 Sustainable Amazon Plan, and the 2012 Forest Code. For a compilation of domestic policies, see: Gamba (2015).

South-South cooperation projects, especially with Portuguese speaking countries (Brazil, 2015).

At the same time, domestic assets can restrain multilateral behavior. If not properly managed, they can delegitimize and go against the interests of a state. The Brazilian case appears generally positive, but some factors raised doubts on whether the country can fulfill its pledges: the 2014-2016 economic crisis, which made environmental policies lose pace; bureaucratic mismanagement; budget cuts affecting the Ministry of the Environment and deforestation monitoring authorities; and the lack of proper implementation of the 2012 Forest Code, which averted recent efforts to curb deforestation (Viola and Franchini, 2018).<sup>131</sup> These factors affected Brazil's image as a reliable player in the climate arena. Such setbacks could also be perceived during Temer's presidency, when Norway announced it would cut forest protection payments to Brazil through the Amazon Fund.<sup>132</sup> Other hurdles are more perennial, posing not negligible challenges to Brazil's credentials, as is the case with the expansion of oil production, the risks of relying too heavily on hydroelectric power, the dependence on natural gas as an alternative, and a bioenergy sector experiencing discontinuities and growing pains (Luomi, 2014).<sup>133</sup>

Apart from existing difficulties, Brazil's domestic assets were taken into account in the setting of its multilateral proposals. Throughout time, from being considered a country that acts in a defensive manner, mostly because of its protective stance over the Amazon, Brazil has become a participative actor who manifests interest in influencing the advancement of the regime. The importance of the group of domestic policies and relatively clean energy matrix is further examined with the proposition of the concentric circles.

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<sup>131</sup> On the relationship between the Forest Code and deforestation, see, for instance: <http://www1.folha.uol.com.br/ambiente/2016/12/1840178-novo-codigo-florestal-contribuiu-para-aumento-no-desmatamento.shtml>, accessed on 24 November 2019.

<sup>132</sup> <https://www.reuters.com/article/us-norway-brazil-amazon/norway-cuts-forest-protection-payments-to-brazil-to-35-million-idUSKBN19E1R2>, accessed on 24 November 2019.

<sup>133</sup> Climate Action Tracker, a consortium of research organizations, rates Brazil's INDC as "insufficient", the same classification it confers to the EU, Australia, and Mexico. Regarding Brazil, it says: "Brazil will need to reverse the current trend of weakening climate policy, by sustaining and strengthening policy implementation in the forestry sector and accelerating mitigation action in other sectors - including a reversal of present plans to expand fossil fuel energy sources." See: <https://climateactiontracker.org/countries/brazil/>, accessed on 24 November 2019.

### **III.3. Domestic decision-making processes related to climate change**

Brazil's multilateral endeavors are the result of discussions involving a series of domestic actors. Far from consensual, these debates reverberate distinct and sometimes clashing standpoints, which reflects the existence of varied interest groups, lobbies, and civil society organizations disputing Brazil's climate agenda. For matters of consistency with the analytical framework, I here show which bureaucratic actors influence the definition of Brazil's positions and investigate whether domestic disputes are reflected in the country's multilateral behavior.

In general, Brazil's Ministry of External Relations (MRE or Itamaraty) is the bureaucratic institution that, alongside the presidency, carries the country's positions. In the specific case of climate change, other ministries are also involved in the domestic decision-making process. The list is extensive. The ministries of the Environment (MMA); Science, Technology, Innovation, and Communication (MCTIC); Mines and Energy (MME); Agriculture, Livestock, and Supply (MAPA); Finance (MF); Transport, Ports, and Civil Aviation (MTPAC); Planning, Development, and Management (MP); Industry, Foreign Trade, and Services (MDIC); Cities (MC); not to mention the Civil House of the Presidency are associated with national climate policies. Their participation, technical expertise, and influence are quite distinct.<sup>134</sup>

The MME, which guides the implementation of policies on renewable and non-renewable energy, is more active in the domestic realm. Its weight is better perceived externally when parties are debating topics related to bioenergy. MAPA's role is also mostly sensed domestically, especially in respect to policies like the mentioned low-carbon agriculture plan and the tensions between agribusiness and deforestation. MAPA's participation is more easily seen through its Brazilian Agricultural Research Corporation (EMBRAPA), which partakes in discussions on REDD+ and sustainable rural practices.

As for the MF, its Secretariat of International Affairs is the national designated authority to the Green Climate Fund and represents Brazil in other financial boards like the Climate Investment Funds.<sup>135</sup> The MTPAC deals with transportation and urban

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<sup>134</sup> Brazilian ministries have a routine of shifting names, being also agglutinated or extinct, as governments promote ministerial reforms. I here use their official names as of 01 June 2018. This list is not exhaustive. The ministries of Defense, Health, and Education, for instance, participated in the discussions that led to the 2008 National Climate Change Plan.

<sup>135</sup> The MF also discusses topics such as carbon pricing.

mobility,<sup>136</sup> but its multilateral involvement is minor. In the main, MP oversees and evaluates public policies that might be tangential to climate change. The MDIC operates through its General Coordination of Energy and Sustainability, which aims to disseminate climate-related topics in Brazil's industrial and agribusiness sectors. Lastly, the MC develops initiatives with multilateral development banks such as the Inter-American Development Bank (IDB) and other external partners on urban mobility, sustainable practices in urban contexts, and disaster management and reduction.

As far as all these bureaucratic actors develop activities that touch upon climate change, three ministries chiefly define Brazil's positions: the MCTIC, the MMA, and Itamaraty. The MCTIC is responsible to coordinate Brazil's national communications to the climate convention and its biennial update reports (BUR).<sup>137</sup> The MCTIC is also the responsible authority for technology transfer and the Clean Development Mechanism (CDM), an instrument of the Kyoto Protocol devised to aid developing countries in achieving sustainable development. Brazil is one of the champions of the CDM and, after China and India, one of the biggest beneficiaries of it. Moreover, the MCTIC organizes, in partnership with other entities, Brazil's emissions estimates and the inventory of anthropogenic emissions and removals.<sup>138</sup>

The MMA is the governmental body that deals with climate change, namely through its Climate Change and Forests Secretariat. The MMA defines strategies and public policies related to Brazil's plans on mitigation and adaptation; articulates a national strategy to implement and finance Brazil's INDC; develops technical and scientific cooperation projects; promotes initiatives on REDD+, sustainable forest management, and preservation of Brazilian biomes; develops studies using geospatial data; and is part of the country's delegations, actively participating at the subsequent COPs. Its activities are also intermeshed with topics like biodiversity, disaster risk reduction, rural development, territorial management, and genetic heritage.

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<sup>136</sup> I mention its 2013 Sectoral Transport and Urban Mobility Plan for the Mitigation and Adaptation to Climate Change.

<sup>137</sup> Every party to the UNFCCC is required to make periodic national communications concerning its domestic policies on climate change. BUR contain updates of national GHG inventories. See: <https://unfccc.int/process/transparency-and-reporting/reporting-and-review-under-the-convention/biennial-update-reports-and-international-consultation-and-analysis-non-annex-i-parties/biennial-update-reports>, accessed on 26 November 2019.

<sup>138</sup> The MCTIC dialogues with scientific institutes in Brazil and outside the country as well as systematize, together with the MMA, studies on impacts, vulnerabilities, and adaptation.

Itamaraty's role has been predominantly performed by its Division of Climate, Ozone, and Chemical Safety. Generally, the same diplomats deal with these topics and gather at successive COPs, which enhances their knowledge and ability to influence outcomes.<sup>139</sup> By participating in meetings, these negotiators are socialized into the established language and the jurisdictional and technical wording that overwhelm negotiations. In doing so, they can become familiar with key themes, players, and interest groups. Getting to know the multilateral domain through learning processes is not a Brazilian prerogative, since other countries act similarly. Underdal (1998: 21) argues that policies – or multilateral decisions – can develop through processes of learning and diffusion of beliefs and ideas. Becoming incorporated into the “standard operating procedures” is a way to make this happen.

Throughout time, subnational governments, trade unions, civil society actors such as NGO, media outlets, and academia have gained more importance.<sup>140</sup> They sometimes overtly criticize governmental positions, which can be seen in debates related to deforestation, but their ability to shape Brazil's international agenda is reduced. Although new initiatives to promote conversation have recently been developed, the willingness to take their positions into account is limited.<sup>141</sup> Up to this moment, the country's multilateral positions are still defined in a top-down manner and spaces of exchange lack permanence.

So many domestic actors being able to vocalize preferences risk overpopulating the decision-making process.<sup>142</sup> They not only dispute scarce resources, but also

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<sup>139</sup> Some of these diplomats also worked at the MMA.

<sup>140</sup> In the specific case of subnational governments, Amazonian states have diverging stances regarding REDD+ and climate finance in relation to the MMA. An interviewee (MRE#2) mentioned that discussing such topics with them is like hosting a “mini-COP” in Brazil, for the difficulties of reaching consensus and the existence of differing levels of development in the country.

<sup>141</sup> The definition of Brazil's INDC, for example, involved several civil society organizations, which filled up an online questionnaire and then gathered in meetings mostly with Itamaraty and the MMA. Itamaraty made public a preparatory meeting organized on November 11<sup>th</sup> 2015 that substantiated the country's positions for the COP-21. It was broadcasted live on its YouTube and Facebook channels. The Brazilian Forum on Climate Change (FBMC) also organized several meetings with civil society actors. For an analysis of the lack of proper dialogue with civil society organizations, see: <https://apublica.org/2015/12/o-brasil-nao-esta-inteiro-na-cop21/>, accessed on 26 November 2019. Also see: Rittl (2015).

<sup>142</sup> A good example of dissonance happened during the 2014 UN Secretary-General's Climate Summit, which established the New York Declaration on Forests. Contrary to the position of the federal government, the subnational governments of Acre, Amapá, and Amazonas signed the non-binding document.

contend over the selection of priorities. The situation originates distinct layers of domestic governance, which might harm the interaction between national bureaucracies and affect Brazil's positions. Several government initiatives attempted to surpass such dissents, for instance, the 1999 Interministerial Commission on Global Climate Change (CIMGC), led by the MCTIC;<sup>143</sup> the 2003 Interministerial Executive Commission on Biodiesel; the 2007 Interministerial Committee on Climate Change (CIM) and its Executive Group (GEx), this last one coordinated by the MMA;<sup>144</sup> the Brazilian Forum on Climate Change (FBMC); the 2013 Federal Climate Articulation Nucleus (NAFC);<sup>145</sup> and the 2015 National REDD+ Strategy (ENREDD+) and National REDD+ Commission (CONAREDD+).<sup>146</sup>

These attempts did not solve the problem, since the interministerial groups also competed for space and prestige, with most topics being divided between the MCTIC and the MMA. As the regime evolved, new layers were added to Brazil's domestic climate governance, which ended up making disputes more apparent. "It is somehow ridiculous, because we have many groups and the same people participating in them".<sup>147</sup>

Regarding the role of the leader, climate change did not rank high in the priorities of Brazilian presidents. After the demise of the military dictatorship, promoting environment-related issues was seen as a means to renew the country's tarnished image, which came along with the institutionalization of the regime. Brazil was more receptive to multilateral norms and rules during the mandates of Fernando Henrique Cardoso, but that disposition was not translated into successful policies. In fact, as argues Vieira (2012b: 10), during that time the government "consistently opposed the view that developing countries should be included in emissions reduction" efforts. Clashes between ministries also hampered the functioning of the CIMGC, which was created during Cardoso's government.

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<sup>143</sup> Which deals with issues related to, among other things, the clean development mechanism.

<sup>144</sup> The CIM involves 16 ministries and the Civil House of the presidency, dealing with the National Climate Change Plan. The GEx reunites eight ministries and the FBMC.

<sup>145</sup> It is composed by federal and state governments and is coordinated by the MMA and the Civil House of the presidency.

<sup>146</sup> For a broader view on the domestic decision-making processes related to climate change, see Hochstetler and Viola (2012) and Viola and Franchini (2014).

<sup>147</sup> Interview with MRE#2.



According to Vieira (2012b), quarrels between groups holding distinctive positions were clearer during Lula da Silva's administration, as these became more vocal and the inconsistencies of the country's development model more evident. On the one hand, deep-rooted "developmentalist" ideas gained traction in several ministries, were reinforced by Lula da Silva's then chief of staff and minister of Mines and Energy, Dilma Rousseff, and found echo in Itamaraty's attempt to conduct an "autonomous" foreign policy. On the other hand, environmental issues gained importance thanks to MMA's greater bureaucratic leverage and mounting pressures from civil society organizations. These contradictions and lack of domestic cohesion complicated domestic climate governance throughout Lula da Silva's presidency.

Apart from that, several policies to curb deforestation started during his government and the MMA gained ground under the supervision of senator Marina Silva (2003-2008), who ran for president in 2010, 2014, and 2018, and included climate change in the ministry's portfolio.<sup>148</sup> During COP-15, Lula da Silva announced Brazil's emission reduction targets, saying that they "will force a developing country with many economic difficulties to spend US\$ 166 billion until 2020 (...) to show the world that with just words and bargains we would not reach a solution".<sup>149</sup> His attempt to exert leadership and promise that Brazil would financially help other countries can be directly related to Marina's presidential candidacy and growing political weight.

In comparative terms, climate change received less attention during Rousseff's administration. Deforestation returned to increase due to lack of leadership and a spiraling economic crisis. Interviewees working in Brazilian and international NGO were the most vocal against her.<sup>150</sup> At the same time, new initiatives and Brazil's INDC were defined under the guidance of her environment minister, Izabella Teixeira (2010-2016), the longest-serving minister during Rousseff's presidency.<sup>151</sup> A negotiator argued that the president was "very involved" in the definition of Brazil's INDC and minimized possible negative influence of her alleged "developmentalist" views. "They

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<sup>148</sup> Hochstetler and Keck (2007) affirm that during Lula da Silva's administration environmental activists entered the bureaucracy of the MMA, being able to shape public policies. Carlos Minc (2008-2010) was appointed minister after Marina's resignation.

<sup>149</sup> Available at: <https://sustentabilidade.estadao.com.br/noticias/geral,leia-na-integra-o-discurso-de-lula-na-cop-15,484275>, accessed on 28 November 2019. In the end, Brazil did not fulfill its pledges.

<sup>150</sup> Interview with NGO#4, NGO#8 and NGO#9.

<sup>151</sup> A government official (MMA#1) defended that the MMA had less bureaucratic power with Marina or Minc under Lula's presidency than with Izabella Teixeira under Rousseff's government.

did not impact our work. If she holds these notions, why did she authorize an absolute reduction target [in our INDC] in Paris? These narratives do not match”.<sup>152</sup>

In the view of another negotiator, Rousseff’s meetings prior to COP-21 demonstrate that Brazil’s influence continued in spite of changes in government. “Contradictions in our policies do not invalidate – and I guess many sectors fail to reckon that – what was being made in terms of presidential diplomacy”.<sup>153</sup> In May 2015 Brasília received the visit of the Chinese prime minister Li Keqiang and the two countries issued a joint-declaration on climate change. In June, during Rousseff’s visit to Washington, Brazil and the United States reaffirmed their compromise to tackle climate change. In August, during Angela Merkel’s visit to Brasília, Brazil and Germany issued a joint-communicé. A week before COP-21, in November, Rousseff met with French foreign minister and president of the conference, Laurent Fabius. According to the same interviewee: “it is curious that these declarations were well received outside Brazil and encountered unenthusiastic reactions within the country. (...) These declarations fomented a political momentum that led to Paris”.<sup>154</sup>

All things considered, the domestic decision-making process was not coherent or peaceful.

Every ministry wants to have a say, but their views are not necessarily related to the regime. Often, bureaucratic interests contradict what negotiators defend at the COPs and in multilateral discussions. This is absurd. Having a climate policy or legislation that is thought to be solely domestic-driven, without considering all the efforts to achieve collective global cooperation, is puerile.<sup>155</sup>

More important than domestic disputes is to understand how disharmony is softened and translated into the country’s multilateral positions. Itamaraty’s role is

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<sup>152</sup> Interview with MRE#3. Comparing Brazil’s pledges at the COP-15, with Lula, and at the COP-21, with Rousseff, another negotiator (IPCC#1) said the consultation process was more inclusive with Rousseff than with Lula. A third interviewee (MRE#2) mentioned that Rousseff “never gave an order saying that ‘the president does not want this or that’. (...) It is unfair to evaluate her [like that] just because she is a former minister of Mines and Energy”. The same person affirmed that criticism normally comes from NGO related “financially and ideologically” to Marina Silva.

<sup>153</sup> Interview with MRE#1.

<sup>154</sup> Interview with MRE#1.

<sup>155</sup> Interview with MRE#2.

essential for this conversion to occur. Alongside the MMA, it largely controls the interplay between the national and the multilateral levels, acting to harmonize and control differing views.<sup>156</sup> Although Itamaraty organizes interministerial meetings and encounters with civil society organizations to substantiate the country's positions before COPs, the definition of Brazil's behavior "is not a collegiate decision".<sup>157</sup>

For this reason, domestic dichotomies are normally not patent to external observers. According to a UNFCCC official, "when they [Brazilian negotiators] come, they have one voice. Whatever differences they have, they solve at home and come with one voice".<sup>158</sup> Several interviewees – namely the ones more involved with the negotiations – also pointed out that the country's diplomatic positions are marked by more continuities than shifts, which shields the multilateral behavior from being captured by specific domestic agendas and assures stability. As a negotiator points out: "even if the government changes, we are the ones holding the 'memory' of the negotiation, we are the ones defending the positions throughout time".<sup>159</sup> The quote demonstrates that climate negotiators are socialized into the notion that they are the ones defining and "safeguarding" the general guidelines of Brazil's behavior.

As a government official explains, "Brazil has negotiators who are able to develop very good technical knowledge and negotiate several topics related to very pulverized and hard negotiations".<sup>160</sup> The combination of technical expertise and diplomatic ability is a prerogative of developed countries and large developing states like Brazil, India, and China. Smaller countries have to rely either on personnel of environment ministries, who do not fully grasp how the UNFCCC operates, or the diplomatic corps, which cannot keep pace with burdensome technical discussions. A former climate negotiator of a Latin American country has a similar impression:

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<sup>156</sup> The role of the MCTIC was greater in the past, namely due to the importance of the CDM. Today it still participates and influences the agenda, but with less relevance than the MMA and Itamaraty.

<sup>157</sup> Interview with MRE#2.

<sup>158</sup> Interview with UNFCCC#5.

<sup>159</sup> Interview with MRE#3. In the conclusion of the thesis I argue that this impression did not remain valid during the first year of Bolsonaro's presidency.

<sup>160</sup> Interview with MRE#1. MMA#2 had a similar view.

What has always surprised me about Brazil is the ability of its negotiators and how they were trained. (...) They have a capacity building vision and I can say that during all my time - now more than ten years - in this process, I have always seen very capable Brazilian negotiators. (...) In the end, it is one of the developing countries with the greatest emissions, but also with the greatest influence. So, they always get to the negotiations with this attitude.<sup>161</sup>

Continuity of negotiators assures predictability and stability to Brazilian positions, something officials at the UNFCCC pointed out as an asset. Nonetheless, it hinders the possibility of more encompassing changes. “Novel negotiators compose a ‘lower clergy’ in relation to the older generation”, who, for an interviewee, still control the agenda and restrain more “audacious” pledges.<sup>162</sup> The counterpoint to this argument is that Brazil – and other developing countries – would be willing to assume more responsibilities only if the developed powers also proceed with so. I further show that this discussion fits well the proposal of concentric circles.

Lastly, Brazil constantly figures among the top 15 largest delegations to COPs. While delegation size does not automatically mean influence, bringing a big delegation can aid negotiators to deal with more technical topics.

Designating negotiators to follow all themes in a coherent and focused manner is a challenge. Few countries have the means to do that. Then you designate someone from a developed country – especially from the EU –, who is working on a topic for ten years, and someone [from a developing state] who just arrived, who is junior... Who do you think will negotiate better?<sup>163</sup>

Also, a large delegation can function as an intangible asset, for example, making the country be seen as more transparent and inclusive. Several NGO, some of them critical of the government’s positions, are part of Brazil’s delegations. For COP-21, the country brought 319 delegates, composing the 9<sup>th</sup> largest delegation. In the next year,

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<sup>161</sup> Interview with AILAC#1.

<sup>162</sup> Interview with UFRJ#1.

<sup>163</sup> Interview with MRE#2.

125 delegates were registered with the delegation to COP-22. During COP-23 the number was similar.<sup>164</sup>

#### **III.4. The concentric circles proposal**

Brazil's normative contributions can be traced back to the institutionalization of the regime. Several examples can be mentioned: the CDM, the debates on forests and REDD+, and what came to be known as the “Brazilian proposal”, which was advanced during the negotiations of the Kyoto Protocol and advocated the calculation of countries' historical responsibility for climate change as a burden sharing standard.<sup>165</sup> In addition, Brazil has historically attempted to exert a bridge-building role, mediating conflicts between developed and developing states and trying to preserve a good relationship with all parties.

Itamaraty's strategy has always been the same: [to defend] common but differentiated responsibilities, a principle we helped crafting; support to sustainable development; financial [cooperation]... If you look carefully, this is highlighted in all environmental regimes Brazil participates. [In the debates on] chemical security, biodiversity, Agenda 2030, etc. The position is the same. And I think this is one of reasons why Brazil is respected.<sup>166</sup>

The concentric circles is related to this overall attempt to influence the climate agenda. It appeared when parties decided that a “protocol, another legal instrument, or an agreed outcome with legal force under the convention applicable to all” should be

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<sup>164</sup> For Brazil's delegation to the COP-21, see: <http://www.carbonbrief.org/analysis-which-countries-have-sent-the-most-delegates-to-cop21>, accessed on 28 November 2019. To the COP-22, see: <http://unfccc.int/resource/docs/2016/cop22/eng/misc02p01.pdf>, accessed on 28 November 2019. To the COP-23, see: <https://www.ecowatch.com/countries-delegates-cop23-2507136533.html>, accessed on 28 November 2019. Nevertheless, a careful study of the delegations to the COP-22 and COP-23 demonstrate that several African countries like Burkina Faso, Côte d'Ivoire, and Guinea brought inflated delegations, which does not match their diplomatic ability in climate talks. Parties like the United States, the EU, and Brazil normally rank high in delegation sizes.

<sup>165</sup> On the “Brazilian proposal”, see: <http://www.gci.org.uk/Documents/brazil.pdf>, accessed on 28 November 2019. Referring to Brazil's historical participation in the regime, a UNFCCC official (UNFCCC#5) mentioned: “I would say that Brazil is, from the developing world, one of the main players and certainly one of the most vocal. Many developing countries did not treat climate change with a lot of seriousness”.

<sup>166</sup> Interview with MRE#3.

completed no later than 2015 and come into effect from 2020.<sup>167</sup> Parties also concurred to move the regime into a non-binding, bottom-up setting tempered by international rules promoting ambition (Bodansky, 2016). In other words, the proposition emerged in the discussions leading to the Paris Agreement.

The idea to develop a concentric differentiation approach was presented in 2014 at the UNFCCC Secretariat, during preparatory meetings for COP-20 later that year in Lima. At that moment, discussions revolved around two main positions: (i) countries advocating that differentiation of responsibilities between developing and developed countries was not suitable, so it should be eliminated in a post-Kyoto agreement; and (ii) states, among them Brazil, underpinning a legalistic view and saying that the framework brought about by the convention in 1992 should be kept in place in the new accord. Maintaining the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) was central to Brazil's idea (Albuquerque, 2018a).

As a Brazilian negotiator describes,

In the beginning it [the proposal] was simply an image, a means to illustrate CBDR-RC, of using Kyoto annexes to break the argument that referring to CBDR-RC or to the convention would necessarily imply a binary vision of the world. The great leap, the great innovation, was to give a visual representation to the differentiation between developing and developed countries.<sup>168</sup>

The major goal was to update the regime's notion of differentiation and improve the division of responsibilities in a context of shifting power dynamics. According to the proposal, CBDR-RC would be operationalized in the Paris Agreement primarily through differentiation in the types of NDCs and level of effort expected, with a view to demonstrate that developed countries are effectively taking the lead (Brazil, 2014).<sup>169</sup> The proposal dialogues with distinctive perspectives on how the regime should evolve, forwarding a way to break a binary division of parties in "complying" and "not-complying".

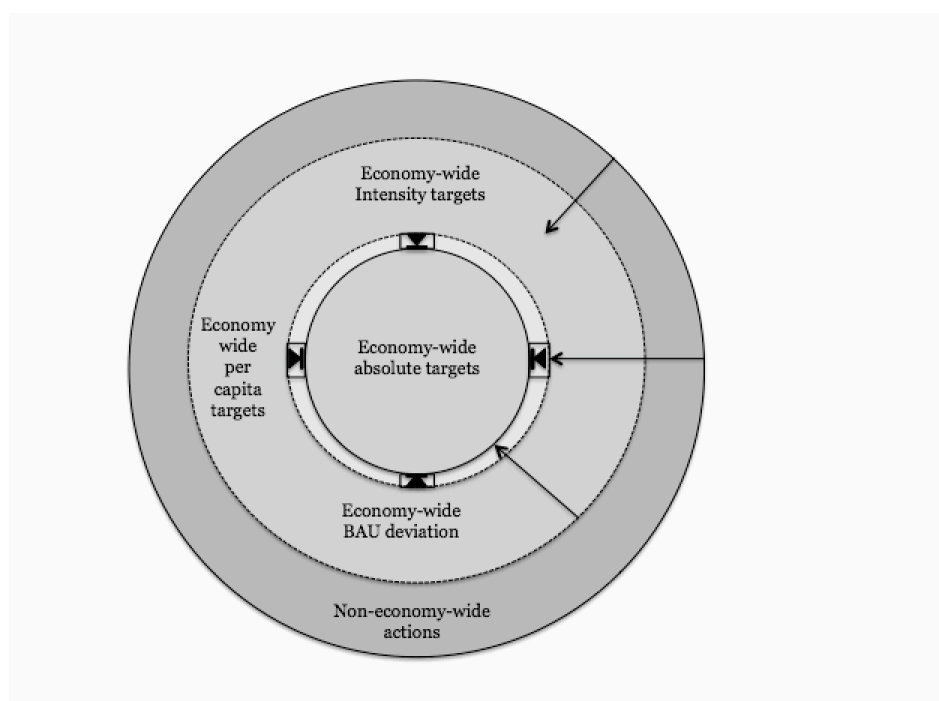
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<sup>167</sup> Decision 1/CP.17. See: <https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf#page=2>, accessed on 30 November 2019.

<sup>168</sup> Interview with MRE#2.

<sup>169</sup> The concentric circles talks about "NDC" and not "INDC" because it referred to the forthcoming agreement.

As figure 12 shows, the concentric circles is a three-layer proposal, in which the inner circle comprises parties having quantified absolute limitation or reduction targets in relation to a baseline year in their NDCs. Such targets would involve their economies as a whole. The central circle was thought for the Annex I parties, which should continue to take most of the burden. The second layer contains states with emission limitation or reduction targets related to all sectors of their economies, but not absolute ones. They would be able to adopt their own criteria to define targets, for example: per capita; energy intensity reductions; or halting emissions in comparison to a business as usual (BAU) scenario.<sup>170</sup> Developing powers such as the members of the BASIC would fit into this intermediate category, but they could also voluntarily adopt absolute targets. Parties in the last circle, referred to in the proposal as the “least developed countries”, have emission targets for some sectors of their economies, not being expected to make systemic cuts.



**Figure 12.** Representation of the concentric circles (Brazil, 2014)<sup>171</sup>

The proposal affirms that all parties are required to give details on their targets and actions, which may include sub-targets and/or specific national policies relevant to

<sup>170</sup> Energy intensity reductions are calculated as units of energy per unit of GDP. Business as usual (BAU) are emissions that would occur if no efforts were made to reduce them.

<sup>171</sup> Also see: Ott *et al.* (2014).

the implementation of their responsibilities. Developed countries should include in their NDCs quantified financial pledges and technology development and transfer to assist the implementation of the NDCs of developing and least developed states. Moreover, developing countries should insert in their NDCs South-South cooperation initiatives involving finance, technology development and transfer, and capacity building to assist other developing and least developed countries (Brazil, 2014).

The intermediate category, which does not exist in the convention or in the Kyoto Protocol, demonstrates that, for Brazil, large developing countries like the BASIC states are not on equal footing with their developed or least developed peers. At COP-20, Brazil's environment minister Izabella Teixeira expressed her country's view: "Self-differentiation' is not an option: it would neither be fair nor reasonable to expect developing countries to assume further obligations, while at the same time reducing the level of ambition expected from developed countries".<sup>172</sup> By assuming an "in-between" condition, the BASIC members would be able to continue pushing for financial and technical aid. This choice keeps their developing status in place and shields them from criticism for possible inactions (Albuquerque, 2019a).

Another important element is the idea of no backtracking. Countries have to move towards the center of the concentric circles, assuming more responsibilities with the progression of time and improvement of national capacities. As a country develops and receives more technical and financial support, it should provide additional commitments in their NDCs, "with a view to enhance ambition in a sustained and balanced manner, in all pillars of the convention" (Brazil, 2014).<sup>173</sup> The NDCs would be periodically adjusted and subject to a multilateral review process. Sooner or later, all parties would move into economy-wide absolute targets in a rationality resembling the graduation process of the WTO.

Finally, the concentric circles was not subject to previous approval of regional or extra-regional partners, being solely presented and sponsored by Brazil. In the case of the BASIC, it is not a formal negotiating group and the four countries – perhaps with the exception of South Africa for its allegiance to the African group – hold relatively autonomous behaviors in the regime. Since 2009, the BASIC members regularly reunite

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<sup>172</sup> See: <http://simat.mma.gov.br/acomweb/Media/Documentos/042c8320-5f65-4006-a.pdf>, accessed on 2 December 2019.

<sup>173</sup> "Neither political changes nor global or systemic phenomena such as an economic crisis should justify an adjustment towards lower ambition" (Brazil, 2014: 3).



in coordination meetings to exchange visions on general issues, but do not present a single voice regarding several items of the multilateral agenda.<sup>174</sup> Although some interviewees mentioned that the second circle of the concentric circles was thought for the BASIC, they affirmed that the idea was promoted without prior contacts with its members.<sup>175</sup>

As for Latin American and Caribbean states, they integrate several groupings, as is the case with the Independent Alliance of Latin America and the Caribbean (AILAC), the Bolivarian Alliance for the Peoples of our America (ALBA), the Cartagena Dialogue, the Like Minded Group, the Environmental Integrity Group (EIG), the Alliance of Small Island States (AOSIS), and the Small Island Developing States (SIDS).<sup>176</sup> Countries could also engage through the Latin American and Caribbean Group (GRULAC), which is one of the five regional groups of the UN, but its role in climate change negotiations is almost irrelevant in comparison to its presence in other arrangements like the food security regime.

Brazil is not part of any regional groups, as it commonly acts individually or through *ad hoc* partnerships. Among the many reasons for that is the fact that Brazil is the largest regional economy, with a distinct energy matrix and priorities. Whereas Caribbean and Andean countries focus on discussing loss and damage and adaptation, Brazil has a more prominent standing on mitigation, as illustrates the concentric circles. Moreover, Amazonian countries disagree with Brazil on subjects such as REDD+ and finance for forests. With the exception of Mexico, however, Latin American and Caribbean nations are members of the G-77+China and broadly agree on topics like the principle of CBDR-RC.

Consensuses are hardly possible in a region having so many arrangements, which suggests lack of leadership and common goals. That number of coalitions reflects disparate levels of development and climate-related challenges. A Brazilian negotiator mentioned that it is difficult to advance “anything substantive” when you have ALBA

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<sup>174</sup> Up to December 2019, the BASIC organized 29 ministerial meetings. See: <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1589318>, accessed on 2 December 2019.

<sup>175</sup> i.e. MRE#2.

<sup>176</sup> For a list of party-groupings, see: <https://unfccc.int/party-groupings>, accessed on 2 December 2019. Among the mentioned groups, only ALBA and AILAC are exclusively composed by Latin American countries.

and AILAC sitting at the same table.<sup>177</sup> A Latin American negotiator pointed out that linguistic and cultural differences also explain the lack of regional cohesion. “I know that the Brazilians who go to COPs speak Spanish, but it is not the same thing. We do not share a similar identity”.<sup>178</sup>

That same negotiator identified the contradictions of Brazil portraying itself as a regional leader and acting multilaterally without the region. “Brazilians only talk with whom they need. They speak with the BASIC, with the United States, with the EU, with the Arabs... But they do not speak with Latin American countries”.<sup>179</sup> The quote can be directly related to the work of Malamud (2011), who shows how Brazil upholds a discourse of regional cooperation that is not substantiated by real actions and is detached from the country’s external endeavors.

All things considered, some novel initiatives have attempted to bring these groups and countries closer, but without effective success.<sup>180</sup> For these reasons, Brazil did not “test the waters” or discussed the idea of concentric circles with regional peers before presenting it to the UNFCCC.

### **III.5. Concentric circles and explanatory factors**

The three explanatory factors previously discussed accurately account for the concentric circles. The structure of the climate change regime, Brazil’s domestic climate-related assets, and the decision-making process controlled by Itamaraty explain the proposal. These factors integrate the formulation of foreign policy, further producing a strategic course of action – or, if we use a “methodological” term, a mechanism - here embodied by the concentric circles.

#### *Regime structure*

The structure of the climate change regime played a decisive role for the concentric circles to come about. Five points should be made in this respect. (i) The

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<sup>177</sup> Interview with MRE#2.

<sup>178</sup> Interview with AILAC#1.

<sup>179</sup> An interviewee working for a development bank in Latin America (CAF#1) made a similar comment: “I feel that Brazil, although being part of Latin America, has the tendency to turn its back on the region.”

<sup>180</sup> For example, meetings of the CELAC. More recently, Argentina, Brazil, and Uruguay submitted common views to the UNFCCC.

regime is formally non-hierarchical and open, which makes room for developing countries like Brazil to advance initiatives. On top of that, Brazil has been able to influence negotiations, historically pushing forward its views on how the regime should evolve and how responsibilities should be shared. (ii) The concentric circles appears in a moment of institutional transformation, when the regime was moving towards a post-Kyoto architecture with parties having voluntary obligations. In these circumstances, states have more chances to promote new contributions. In the specific case of climate change, the presidents of COPs and the UNFCCC secretariat in Bonn are open to conceptual innovations aiming to overcome deadlocks. A UNFCCC official mentioned that the concentric circles proposal “received much attention. The submission was circulated and internally it had weight.”<sup>181</sup>

(iii) Were the regime not divided in annexes, Brazil would hardly come up with the proposal. The separation made the regime possible, but was exacerbated with Kyoto’s quantified reduction commitments for just the developed powers, later turning into a source of dissent and inaction. The concentric circles intended to redress that. (iv) It was precisely because Brazil and the BASIC were under pressure that Itamaraty conveyed an idea to keep differentiation of responsibilities at the table. “Now [after Paris] you have a jurisdictional structure that allows developing countries to have ambitious actions, with them being reckoned for that without losing the status of developing powers”.<sup>182</sup> (v) The proposal is directly related to discussions leading to the Paris Agreement, especially the ones held after the 2013 COP-19 in Warsaw, which defined that parties should assume INDCs. The concentric circles endorses this voluntary system, given that the multilateral arena guarantees incentives for countries to gradually enhance actions.

### *Domestic assets*

The existence of climate-related domestic assets also explains why negotiators formulated and proposed the concentric circles. (i) The proposal suitably came when Brazil was enjoying a relatively comfortable position in comparison to other parties and being commended by civil society organizations and foreign government officials. In mid-2014, deforestation levels were still under control and Brazil’s standing was much

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<sup>181</sup> Interview with UNFCCC#2.

<sup>182</sup> Interview with MRE#2.

linked to the successes of its public policies and national plans. Setbacks in domestic climate governance would only gain strength from late 2015 onwards, after the concentric circles was introduced. Critiques appeared mainly because of Brazil's INDC commitment to end illegal deforestation (and not *all* deforestation), and in consequence of an upsurge in deforestation.<sup>183</sup>

(ii) Conveying the graphic representation was not unintentional, as it is related, among other things, to the country's INDC, which demonstrates that negotiators took domestic assets into consideration. Even though the officials interviewed were not sure – or not willing - to identify in which circle of the concentric circles Brazil would be placed, the country can be located somewhere between the central and the second circles of figure 12. This incertitude is visible when comparing the country's INDC with the concentric circles. The INDC projected an economy-wide absolute-target, which would put the country alongside the Annex I parties. At the same time, Brazil is a non-Annex I state and its INDC welcomes support from the developed countries. The text says that “additional actions would demand large-scale increase of international support and investment flows, as well as technology development, deployment, diffusion and transfer” (Brazil, 2015: 4). Like the concentric circles, the INDC envisions South-South cooperation initiatives with other developing and least developed states and remembers the historical responsibilities for climate change. The notion that there should be no backtracking, with parties presenting successive cycles of contributions, is present in Brazil's INDC and in the concentric circles.

The dubiety regarding Brazil's pertinence to a specific circle can be seen as a strategic move because its negotiators could argue that the country is “doing more” than expected, as Brazil is still a developing country, but the only one among them presenting absolute targets. According to this view, Brazil would be inserted in the second circle, but willing to act according to states pertaining to the central circle. The domestic assets would give Brazil a “moral argument” that it is already contributing to the regime and, for that reason, it is the turn of the other powers – developing and developed – to make greater effort.<sup>184</sup>

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<sup>183</sup> For some examples of criticism, see: <http://www.observatoriodoclima.eco.br/en/brasil-registra-meta-para-paris/>, accessed on 3 December 2019. Also see Viola and Franchini (2018).

<sup>184</sup> Brazil's INDC maintains that it is “far more ambitious than would correspond to Brazil's marginal relative responsibility for the global average temperature increase” (Brazil, 2015: 6).

### *Domestic decision-making procedures*

As for the third explanatory factor, the concentric circles is a contribution devised by diplomats and conceived as a timely reaction to the uncertainties about the future of climate politics. The proposal was circulated at the climate secretariat and discussed with negotiators from the MMA, not being subject to consultations with other actors in the domestic realm. For that reason, the many internal dissonances involving government bureaucracies and civil society organizations did not affect the proposal's content or its existence. No other domestic actors, including president Rousseff, exerted a direct and relevant role in the design of the proposal. In this specific case, foreign policy formulation relied on a straightforward decision-making process that was handled by Itamaraty with the backing of the MMA.

To external observers, the concentric circles was presented as a cohesive byproduct of the country's interpretations on how the regime should evolve and function. That is visible even in the name of the document introducing the proposition, which is entitled "views of Brazil on the elements of the new agreement under the convention applicable to all parties" (Brazil, 2014: 1).<sup>185</sup> Instead of personalizing the idea, Itamaraty chose to collectivize the proposal, publicizing it as an outcome of an undivided country that expects to surpass multilateral stalemates. By doing so, negotiators could protect Brazil from possible domestic and multilateral criticism and portray it as a cooperative actor.

Furthermore, the concentric circles is a logical consequence of previous Brazilian positions. If, in discussions that led to the convention and to the Kyoto Protocol Brazil was one of the fierce defenders of a formal separation in annexes and supporter of CBDR-RC, in the 2006 COP-12 in Nairobi Brazil accepted discussing forest issues, but always preserving its independence on the matter (Carvalho, 2012). In the next COP-13, its negotiators agreed with developing powers assuming more responsibilities, which later was materialized in the country's voluntary pledge at COP-15. Besides, Brazil participated in the construction of a post-Kyoto framework. This progression that led to the Paris Agreement is directly related to the permanence of negotiators and to the continuation of underlying ideas concerning how Brazil should behave. The intention to build a regime based on a dynamic interpretation of CBDR-RC

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<sup>185</sup> Other Brazilian submissions to the UNFCCC are generally entitled similarly, starting with "views of Brazil on...".

is visible in the concentric circles, as exemplify the will to undertake more responsibilities and harmonize contrasting positions between developed and developing countries.

Creating a novel and intermediate layer of dynamic differentiation while keeping the basics of the convention serves this purpose. According to Brazilian officials, doing so “is strategic. [...] We often develop this ‘bridge-role’ during negotiations exactly because we do not have anything crucial to be lost, so we can sometimes risk something and act audaciously in talks”.<sup>186</sup> The excerpt “we do not have anything crucial to be lost” reinforces the argument that negotiators take domestic assets into account when engaging multilaterally.

It is important to mention that Brazil was not the only country to discuss differentiation. In several meetings before COP-21, parties engaged in heated debates over how to make the new agreement reflect differing interests while referring back to the established normative and operational elements part of the regime. Amongst the several initiatives aiming to address CBDR-RC, many states expressed that the principle should be refocused. They clashed, however, on the extent to which differentiation should be flexed, and whether countries should be inserted in particular categories while pursuing specific types of targets.

Many of these views appeared before COP-20. In the March 2014 Bonn Climate Change Conference, Turkey called for a dynamic differentiation among parties in accordance with CBDR-RC and in consideration of national circumstances. Norway defended a more flexible approach to parties’ mitigation commitments. Brazil’s perspective that there should be no backtracking was also raised on the occasion. Furthermore, its negotiators already exposed some elements of the concentric circles, mentioning that whereas Annex I parties should present ambitious economy-wide emission reduction pledges, non-Annex I parties should have more options to put forward their contributions.<sup>187</sup>

In a June meeting also in Bonn, Japan stressed that CBDR-RC should be operationalized in a “dynamic context” and Switzerland argued that the intensity and type of contributions should reflect the principle and be seen in light of today’s realities. China voiced against new categorizations of countries, dynamic interpretations, and

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<sup>186</sup> Interview with MCTI#1 and MCTI#2.

<sup>187</sup> See: <http://enb.iisd.org/download/pdf/enb12595e.pdf>, accessed on 6 December 2019.

self-differentiation, expressing concern over attempts to close the responsibility gap between developed and developing countries in climate finance.<sup>188</sup> Brazil's "concentric approach to differentiation" was presented as a concise package in an October meeting, attracting "much attention".<sup>189</sup> Later on, in the 2015 Geneva climate change conference, the EU shared the need for parties to increase their commitments periodically, while Indonesia reinforced the notion of no backsliding.<sup>190</sup>

In a nutshell, many elements of Brazil's proposal were visible in the discourses of other parties. The concentric circles was not entirely original in its content nor disconnected with the views and propositions of other states (Maljean-Dubois, 2016). None, however, gained momentum in comparison to the concentric circles (Voigt and Ferreira, 2016). The leverage of Brazil's negotiators, consequently, was decisive.

### **III.6. Concentric circles and the degree of change**

The concentric circles interacts with the regime's normative and operational elements. Amidst the discussions leading to the Paris Agreement, Brazil devoted efforts to make the regime more effective while keeping in place its jurisdictional foundations. Bringing a more nuanced view on CBDR-RC, the concentric circles does not intend to harm its meaning. Above all, the proposal demonstrates that Brazil acted as a legalist player, attempting to make the regime more operational and in tune with current power distribution.

When it comes to the regime's major norms and principles, the concentric circles not only refers back to original ideational components, but it reclaims CBDR-RC as the point of reference. The document outlining the proposal affirms "Brazil underlines that the 2015 agreement must be fully consistent with the principles and provisions of the UNFCCC, including differentiation between developed and developing countries". According to the proposition, "it is of utmost importance" that the agreement reflects CBDR-RC (Brazil, 2014: 1).

The proposal also makes explicit reference to the convention, referring to the Kyoto Protocol only once. Although that emphasis does not suggest that negotiators belittle the protocol, it reaffirms the notion that Kyoto exacerbated the divisions

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<sup>188</sup> See: <http://enb.iisd.org/download/pdf/enb12598e.pdf>, accessed on 6 December 2019.

<sup>189</sup> AILAC and other Latin American countries supported Brazil's proposal. See: <http://enb.iisd.org/download/pdf/enb12605e.pdf>, accessed on 6 December 2019.

<sup>190</sup> See: <http://enb.iisd.org/vol12/enb12626e.html>, accessed on 6 December 2019.

between developed and developing powers, prompting the regime into a binary configuration that later obstructed talks. Since Kyoto imposed quantified emission limitation and reduction commitments only to the Annex I parties, CBDR-RC is interpreted more rigidly there than in the convention. Going away from a punitive interpretation is a core preoccupation of the concentric circles.

Brazil's nuanced view on CBDR-RC is revealed in how the principle should function. Saying in other words, in the rule-based components of the regime. The greatest contribution of the proposal is precisely related to how the division of responsibilities should be operationalized in the Paris Agreement, leading to a more effective and fair regime. This is reflected "through differentiation in the types of NDC and the level of effort expected, with a view to demonstrate that developed country parties are effectively taking the lead" (Brazil, 2014: 1). For that reason, the proposal treats the regime's operational components – or the NDCs – as a means to assure the continuity of CBDR-RC. Its three layers, however, exclude the possibility of parties to autonomously define pledges through an approach of self-differentiation. Countries could define their own contributions, but not rewrite the commitments or obligations under the legal framework of the convention or bypass its legal character.

The realistic view on how CBDR-RC should work is combined with the notion of "no backtracking", assuring a continuous review process of each country's commitments and the progression towards more ambitious contributions. Pledges should be nationally determined and then compared and harmonized in accordance with the overall efforts to tackle climate change. As a Brazilian negotiator explains, "our argument has always been: differentiation does not prevent action. The challenge was then to use differentiation in a creative way assuring that it does not mean inaction".<sup>191</sup>

More than changing the division of power within the regime, the concentric circles comes as a consequence of the clashes between developed and developing countries. On the one hand, it reckons the enhanced status of the BASIC states and encourages the large developing powers to assume more ambitious targets, which would create confidence and unlock cooperation. On the other hand, the proposal combines the call for a more proactive behavior with the defense of a "developing condition" that is present in the convention and the Kyoto Protocol.

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<sup>191</sup> Interview with MRE#1.



That legalistic view was part of a Brazilian statement on behalf of the BASIC months before COP-21:

Achieving consensus requires the strengthening of the multilateral rules-based regime under the convention, in full accordance with its principles, and provisions. The Paris Agreement should enhance the full, effective and sustained implementation of the convention, not create a new regime or restructure, reinterpret or rewrite the convention.<sup>192</sup>

This pro-status quo behavior can be read as a defensive or conservative way to address differentiation, as it serves well Brazil's interests of not assuming top-down binding commitments (De Luna, 2016). According to Edwards *et al.* (2015: 14), "although the proposal has been regarded as constructive (...) it is also perceived as a way for Brazil to avoid taking on commitments (or at least delaying them), and insisting on developed countries taking responsibility". Brazilian officials refute the criticism, affirming that the country's INDC has absolute reduction targets and that the concentric circles contributed to unlock talks leading to the Paris Agreement.<sup>193</sup>

The concentric circles was not explicitly present in the final declaration of COP-20 for three main reasons. First, because of bad timing: depending on whom you speak with, the comment is that the proposal appeared too late or too early in negotiations. To a UNFCCC official, the concentric circles came "a little bit late".<sup>194</sup> Another UNFCCC official has an opposing view:

It was probably too early to present it, because at the time when it was tabled the discussion was about everything: it was about mechanisms, it was about adaptation, it was about financing. So, the idea behind the concentric circles tackles a very specific problem, which is precisely the implementation of common but differentiated responsibilities, and it is something that gets sorted out at the very end.<sup>195</sup>

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<sup>192</sup> See: [https://www4.unfccc.int/sites/SubmissionsStaging/Documents/73\\_128\\_130776419447835056-BASIC%20statement%20adp2.9%20final.pdf](https://www4.unfccc.int/sites/SubmissionsStaging/Documents/73_128_130776419447835056-BASIC%20statement%20adp2.9%20final.pdf), accessed on 9 December 2019.

<sup>193</sup> Interview with MMA#3.

<sup>194</sup> Interview with UNFCCC#6.

<sup>195</sup> Interview with UNFCCC#1.

Second, for the fact that the proposal “was not easy for other people to understand. People understood it when they saw it written, but not so much when it was first presented”.<sup>196</sup> And third, because Brazilian negotiators decided to re-label the idea after COP-20. They kept developing the concept, but not with the names “concentric circles” or “concentric differentiation”, which made it harder for the proposal to be publicized and others to reckon and follow it. After Lima, the focus was much more on the notion of graduation, or the belief that states should progress contributions towards a common effort.

Commenting on the non-continuity of the concentric circles as such, a Brazilian negotiator mentioned that:

Our idea was not to have a concept inserted in the new agreement or to say that it is now using concentric differentiation. That was in fact an interpretation of something that already existed and that was in the convention since the beginning. We have always said that we did not want to rewrite it. So, the idea was not to introduce a new concept, but to interpret what is present in the convention in order to make the new agreement [Paris] viable and ambitious.<sup>197</sup>

Although the proposal was not mentioned in final document of COP-20, its content is present in some parts of the Paris Agreement, for instance, articles 2.2; 3; 4.3; 4.4; 4.9; and 6.4 (Albuquerque, 2018a; De Luna, 2016; United Nations, 2015).<sup>198</sup> In consonance with the concentric circles, Paris defined the “global stocktake”, a process through which every state should present a climate action plan in five-yearly cycles.<sup>199</sup> Additionally, Paris established a mechanism to contribute to the mitigation of GHG emissions and support sustainable development, which can be related to Brazil’s intention to develop an Enhanced Clean Development Mechanism (CDM+).<sup>200</sup>

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<sup>196</sup> Interview with UNFCCC#6.

<sup>197</sup> Interview with MRE#1.

<sup>198</sup> See: [https://www4.unfccc.int/sites/SubmissionsStaging/Documents/525\\_318\\_131354420270499165-BRAZIL%20-%20Article%206.4.%20SBSTA46%20May%202017.%20FINAL.pdf](https://www4.unfccc.int/sites/SubmissionsStaging/Documents/525_318_131354420270499165-BRAZIL%20-%20Article%206.4.%20SBSTA46%20May%202017.%20FINAL.pdf), accessed on 9 December 2019.

<sup>199</sup> Starting in 2023, the global stocktake will function as a review mechanism guiding the behavior of states and providing transparency (Milkoreit and Haapala, 2017).

<sup>200</sup> The concentric circles suggested making an economic mechanism to generate incentives for further action in developing countries, which should be related to an enhanced clean development mechanism

A difference between the proposal and the Paris Agreement is that while the former recommends that developing powers undertake a modality of economy-wide limitation or reduction target, the latter does not request any precise commitments from these parties, only stating that they “are encouraged to move over time towards economy-wide emission reduction or limitation targets” (United Nations, 2015: 22). One could say that the concentric circles is therefore less “bottom-up” than the Paris Agreement.

Another distinction is that while the Brazilian proposal talks about CBDR-RC, both the final document of COP-20 and the Paris Agreement use the expression “common but differentiated responsibilities and respective capabilities, *in the light of* different national circumstances” (Voigt and Ferreira, 2016: 294; Zhang, 2016).<sup>201</sup> According to Bodansky (2016), the expression opens space for self-differentiation of NDCs. Table 03 below summarizes these discussions.

	<b>UNFCCC (1992) and Kyoto (1997)</b>	<b>Concentric circles proposal (2014)</b>	<b>Paris Agreement (2015)</b>
<b>Defining Principle</b>	CBDR-RC: static interpretation with Kyoto (binary approach of annexes)	CBDR-RC: dynamic interpretation	CBDR-RC: dynamic interpretation, but “in the light of different national circumstances”
<b>Burden sharing</b>	Cooperation and participation of all parties (UNFCCC), but binding obligations for the developed powers (Kyoto’s Annex I)	Against self-differentiation. Voluntary commitments by all parties (NDCs) divided in three layers. Developed countries having economy-wide absolute targets. Developing powers with three economy-wide target modalities. Least developed states with	Voluntary commitments by all parties (NDCs). Developed countries with economy-wide absolute targets and developing countries encouraged to “move over time towards economy-wide” targets

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(Brazil, 2014; Stua, 2017). This adds up to my previous point that the concentric circles was created in light of Brazil’s past initiatives and domestic circumstances.

<sup>201</sup> The expression “in light of” appears in the 2014 US-China Joint Announcement on Climate Change. See: <https://obamawhitehouse.archives.gov/the-press-office/2014/11/11/us-china-joint-announcement-climate-change>, accessed on 9 December 2019.

		targets for some sectors of their economies	
<b>Support</b>	Support (finance, technology, capacity-building) from developed powers	Support (finance, technology, capacity-building) from developed powers. Developing powers “encouraged” to promote South-South cooperation initiatives	Support (finance, technology, capacity-building) from developed powers. Other parties “encouraged” and “invited” to contribute
<b>Regime evolution and goals</b>	Stabilize GHG concentrations in the atmosphere (UNFCCC)	“No backtracking” and more ambitious commitments by all (progress towards the inner circle and cycles of revision)	“Progression” and more ambitious commitments by all (global stocktake and cycles of revision)

**Table 03.** Regime’s main treaties and concentric circles (Brazil, 2014; United Nations, 1992; 1998; 2015)

Finally, the Brazilian environment minister Izabella Teixeira was chosen by COP-21 president Laurent Fabius as a co-facilitator of the working group on “differentiation, in particular regard to mitigation, finance, and transparency”. That choice can be interpreted as a consequence of the country’s pro-active role in bridging contrasting positions, which is reflected in the concentric circles.<sup>202</sup>

### III.7. Final remarks

This chapter demonstrated that Brazilian negotiators expected, by means of crafting the concentric circles, to influence the climate agenda. By and large, the idea was to maintain the regime’s core and original principle – CBDR-RC - while adapting its operational provisions to current power shifts. In the view of Brazil’s decision-makers, the proposal contributes to discussions about how to balance a rigid and divisive interpretation of the principle, which is mostly identified with the Kyoto

<sup>202</sup> See: <https://unfccc.int/process/conferences/pastconferences/paris-climate-change-conference-november-2015/statements-and-resources/negotiating-updates#7>, accessed on 9 December 2019. Besides her, Luiz Alberto Figueiredo Machado, former ambassador to the United States and chancellor during Rousseff’s government (2013-2015), also contributed to make consensus possible during the conference.

Protocol, with the continuation of the climate convention in the novel Paris Agreement. That approach corroborates the central claim of this thesis.

As shown, official documents reveal that the concentric circles did not expect to transform the main normative elements composing the regime. That prerogative was confirmed in several interviews conducted with senior and junior negotiators representing the country in subsequent COPs, as well as in talks with UNFCCC officials based at the climate secretariat. Data validates the notion that Brazil did not expect to provoke encompassing changes that could eventually lead to shifts *of* the regime, affecting its overall content.

What is clear is that the proposal expected to shape how CBDR-RC is put in motion, providing a more dynamic and flexible interpretation of the principle without eroding its significance or revising its meaning. In other words, the concentric circles focused on keeping the initial norms and principles precisely by shifting the way they are operationalized. Aiming at the coming Paris Agreement, the proposal had the goal to conduct *ad hoc* and specific changes. That orientation was preserved at the 2016 COP-22 in Marrakesh. During the conference, José Antonio Marcondes, the country's chief-negotiator, explained Brazil's participation: "we had a legalist position".<sup>203</sup> As seen, that behavior was not exclusive to Brazil, as other parties shared similar views.

Another question is why the country conceived the concentric circles. Reasons for that involve, first, the intention to maintain a position of bridge-country or mediator, something that is commonly repeated in the official rhetoric and is also shared by UN officials and foreign delegations.<sup>204</sup> Second, because since the inception of the climate convention Brazilian negotiators attempted to influence the evolution of the regime in respect to its normative and operational components. The concentric circles is now part of these initiatives put forward at the multilateral level.

Third, because the concentric circles could function as a means to react to mounting pressures. Compelled to assume more ambitious commitments, Brazilian negotiators came up with a middle-ground position that kept differentiation between developed and developing countries in place while stimulating the progression of pledges towards absolute targets. By doing so, negotiators could ease calls for encompassing changes, which could end up generating binding commitments for Brazil

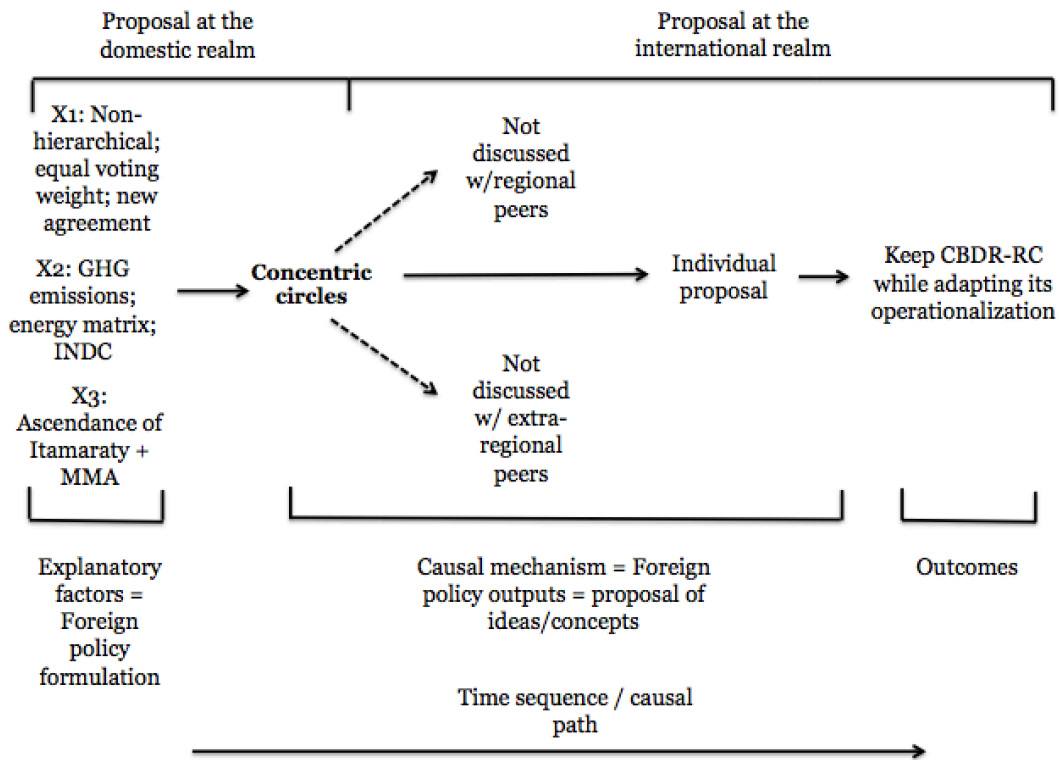
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<sup>203</sup> See: <http://www.observatoriodoclima.eco.br/reuniao-morna-termina-quente-em-marrakesh/>, accessed on 10 December 2019.

<sup>204</sup> That impression appeared, for instance, in the interview with UN#1.

and other large developing countries. Fourth and related to that, because Brazil's negotiators crafted a proposal that places the country in a privileged position. Of the three layers part of the graphic representation, Brazil would sit on the verge of the second and the central circles, which reinforces the idea that it can act cooperatively while defending a developing condition. For this reason, the proposition can be seen as conservative and defensive and, at the same time, as progressive and proactive.

Figure 13 recovers the thesis' analytical framework, bringing the three explanatory factors, the proposal (or causal mechanism), and its interactions with the main normative and operational elements (or the outcomes). As mentioned, although the concentric circles appeared in 2014, its underlying ideational components date back to previous moments.



**Figure 13.** Analytical framework and concentric circles

The structure of the climate change regime (X1) was permissive enough for negotiators to advance the concentric circles. As it is a non-hierarchical setting with countries having equal voting weight, no restraints are imposed on developing countries to promote their views. Also, the regime was transitioning towards a new agreement, with parties debating not only the Paris Agreement, but also reevaluating the climate convention and the Kyoto Protocol. Besides that, negotiators took advantage of the

country's domestic assets (X2) – namely Brazil's energy matrix, level of carbon emissions and INDC - to promote the idea. Lastly, the domestic decision-making procedures (X3) are conflictive, reflecting the diverse layers of climate governance and bureaucracies defending different agendas. Nevertheless, the lack of cohesion at the national level did not refrain Itamaraty from controlling the decision-making process and, with the backing of the MMA, advancing the proposal as a coherent contribution. The role of president Rousseff was not relevant.

With that said, the explanatory factors were individually necessary and jointly sufficient for the concentric circles to exist. Separately, these factors only provide partial explanations, not accounting for the proposal. Together and operating in a specific context, however, they could be maneuvered by negotiators – mainly Itamaraty –, composing the concentric circles. Without a permissive multilateral environment, (self-) identified domestic comparative advantages, and diplomatic expertise, the proposal would not come about. It was advanced at a time when talks were leading to the Paris Agreement and Brazil saw a drop in its GHG emissions.

Moreover, figure 13 shows that the concentric circles was not previously discussed with regional (i.e. Latin American) or extra-regional (for instance, the BASIC) peers, but put forward individually. The content of the proposal was therefore not changed in reason of possible exchanges with other countries.

Next chapter focuses on the proposal of responsibility while protecting (RwP) and shows that many of the discussions pertaining to Brazil's behavior in the climate change regime can also apply to the regime of peace and security.

## **CHAPTER IV**

### **BRAZIL AND THE PEACE AND SECURITY REGIME**

This chapter addresses the Brazilian-led proposal of responsibility while protecting (RwP), analyzing how it interacts with the normative and operational components of the peace and security regime. Brazilian diplomats first pushed forward the idea in 2011, in the aftermath of a troubled intervention conducted by NATO in Libya, which ended up in the deposition and assassination of strongman Muammar Gaddafi and engulfed the African nation in enduring turbulence. At that moment, Brazil was exerting its 2010-2011 mandate as a non-permanent member of the UNSC together with Russia, China, India, and South Africa. It was the first and only moment when the BRICS states were sharing seats.

In the view of Brazilian negotiators, the P3 – the United States, the United Kingdom, and France – maneuvered resolutions 1970 and 1973, which built on the norm of responsibility to protect (R2P), presenting the intervention as a means to end the suffering of civilians. However, their implementation led to the active support to rebel forces and regime change. Against this background, RwP appeared as a remedy, attempting to avoid breaches of international law and assure predictability and moderation. More than that, it expected to safeguard the role of the UNSC as the authoritative body dealing with peace and security and to preserve normative and operational components present in instruments like the UN Charter.

When it comes to the relationship of RwP with the three explanatory factors, it came to light due to the ability of Brazil's negotiators working at Itamaraty in Brasília and at the country's mission to the UN. Furthermore, Brazil's membership at the UNSC was crucial for the proposal to be advanced and for the country to vocalize preferences regarding the use of force. As for the influence of domestic peace and security-related assets, they did not play a relevant role for RwP to come about.

The chapter is divided in seven parts. The first (i) discusses the structure of the peace and security regime. I examine the evolution of R2P as well as specific articles and excerpts of the UN Charter composing the ongoing peace and security architecture. The second section (ii) surveys Brazil's domestic peace and security-related assets. I then (iii) discuss the country's decision-making procedures and illustrate which domestic actors have a say in peace and security matters. The progression from sections four to six explains what the proposal of RwP entails (iv); how it interrelates with the



explanatory factors (v); and with the regime's normative and operational foundations (vi). Section seven (vii) draws conclusions.

#### **IV.1. The structure of the peace and security regime**

The cornerstone of the peace and security regime is present in the UN Charter. Parties at the San Francisco conference decided that the institution would maintain international peace and security and take collective action for the prevention and removal of threats to peace (United Nations, 1945). Guiding principles infuse these broad directives, such as the sovereign equality of states (art. 2, paragraph 1); the prohibition of threat or use of force (art. 2, paragraph 4); the obligation to give assistance to the UN and refrain from assisting states targeted with preventive or enforcement action (art. 2, paragraph 5); and the principle of non-intervention in the domestic affairs of states (art. 2, paragraph 7).<sup>205</sup>

Alongside the UN Charter, other jurisdictional instruments intended to guarantee the prevalence of human rights and the centrality of the individual. This is the case of the 1966 Covenant on Civil and Political Rights, the 1966 Covenant on Economic, Social, and Cultural Rights, and their protocols. The 1948 Universal Declaration of Human Rights did not impose legal obligations nor had a “treaty-like” character, but displayed “moral authority”.<sup>206</sup> With time, its norms became accepted as customary international law, being reflected in domestic law (Hannum, 1996).

Ideally, states should uphold human rights while following principles governing interstate interaction. In practice, however, several countries avoid ratifying legal documents governing the matter. Both 1966 covenants, for example, took ten years to enter into force. The significance of the issue was only renewed in 1993 with the Vienna Conference on Human Rights, which declared that human rights are universal,

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<sup>205</sup> See: <http://www.un.org/en/sc/repertoire/principles.shtml>, accessed on 13 December 2019. The principle of sovereign equality of states, for example, refers back to the Hague Peace Conference of 1907. The principles of non-intervention and of the prohibition of threat or use of force have their origins at the Montevideo Convention on Rights and Duties of States of 1933 and its Additional Protocol and on the 1919 Covenant of the League of Nations.

<sup>206</sup> Together, these documents compose the international human rights law. International humanitarian law refers to assuring minimum protection to victims of conflicts. It emanates from documents like the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, and the 1949 Geneva Conventions and their two additional protocols. See: <https://www.ohchr.org/documents/publications/training9chapter1en.pdf>, accessed on 13 December 2019.

indivisible, interdependent, and interrelated, highlighting that states have the responsibility to develop and encourage the respect for human rights.

As for the regulation of interstate affairs, the principles of non-intervention and the prohibition of threat or use of force were largely ignored by the two superpowers. The right to self-determination was routinely violated, as well as the territorial integrity of newly independent countries or states part of the so-called Third World.

The end of the Cold War came together with two related dynamics. First, it was marked by the formation of new states, and the (re)-emergence of internal rivalries. Stirred by the consequences of colonial domination and bipolar dispute, domestic conflicts attained proper dynamics, leading to massive violations of human rights and recurrent instability. Second, a shift in the nature of war was visible and the principles expected to govern interstate interaction were not suitable to deal with an era of intrastate disorder. In several circumstances, as in the cases of Bosnia, Somalia, and Rwanda, the incompatible interests of the permanent members of the UNSC led to deadlock and inaction, intensifying human grief. In other situations, their vetoes did not prevent organizations like NATO from circumventing the UN and wage “humanitarian war” in places like Yugoslavia.

Against this backdrop, guaranteeing unbridled respect for human rights and avoiding novel bloodshed assumed a central role in the functioning of the liberal order. Institutions crystalized the importance of duties and rights of the individuals such as the International Criminal Court (ICC), *ad hoc* criminal tribunals, as well as the individual petition systems of regional courts. With that, state authorities are accountable for their actions and omissions, being subject to criminal prosecutions and sanctions for certain practices. Renewed interpretations of the just war doctrine and the “*droit d’ingérence*” became part of the vocabulary of academics and practitioners (i.e. Luban, 1980). The lexicon also comprised ill-defined terms like “human security”. Within the UN system, the approval of peacebuilding missions is partly tributary to these reinterpretations.

The discussion evolved with the publication by the International Commission on Intervention and State Sovereignty (ICISS) of the document “The Responsibility to Protect”, which advocated for a “new approach” and set the tone for an updated discussion on the “right of humanitarian intervention” (ICISS, 2001).<sup>207</sup> In a nutshell,

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<sup>207</sup> The discussion comes from previous considerations from UN secretary-general Kofi Annan, who addressed the UNGA in 1999 and delivered his Millennium Report a year later. See: [http://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf), accessed on 14 December 2019.

R2P as a concept brings the notion that states are primarily responsible to protect their own citizens.<sup>208</sup> When a population is under serious harm, and the state in question is incapable or unwilling to halt or avert it, the “international community” should assume the burden. The principle of non-intervention would “yield to the international responsibility to protect”, possibly opening space for the use of force (ICISS, 2001: xi).

The idea of R2P is based on three elements: the responsibility to prevent, which aims to address the conflict’s root causes; the responsibility to react, which “may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention”; and the responsibility to rebuild, which takes place after a military intervention (ICISS, 2001: xi). Conceptually, R2P adjusts the meaning of the major principles present in the UN Charter, flexing strict interpretations and contesting sovereignty as a shield behind human rights violations.

The ICISS defined sovereignty as a double-edged principle, incorporating an external dimension (state sovereignty) and an internal aspect (the basic rights of all the people within the state). Sovereignty would thus be seen not as control, but as a responsibility in both internal and external spheres (Welsh, 2016). The document affirms that the use of force would be possible in “extreme cases”, beyond the right to self-defense (art. 51 of the UN Charter). It also remarks the obligation to give assistance to the UN – or a “call to just action” - in cases enacting R2P.

The concept is based on a sequential process: less coercive measures should be considered and exhausted before the occurrence of an intervention. When it is the case, military action for human protection in situations of threat or existing severe loss of life or ethnic cleansing should be an exceptional and extraordinary measure. It should be a proportional last resort with the purpose to avert human suffering and not cause the defeat of a state. In practical terms, interventions are better carried out with regional support and their consequences should not cause additional harm.

ICISS’s view on the UNSC is ambivalent: the document reaffirms the council as “a source of authority” and does not hope to find alternatives to it, but expects to improve its work. In this early view of R2P, an intervention could be called for in three situations: (i) those calling for an intervention request authorization to the UNSC; (ii)

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<sup>208</sup> Although in some works (i.e. Bellamy, 2013; Crossley, 2018) R2P appears as a “principle” or “political principle” (Welsh, 2016), I treat it as a “norm”, “evolving norm” or “concept” for it addresses existing principles. I do so alongside many authors (i.e. Benner, 2013; Eaton, 2011; United Nations, 2004: 55). Calling it an “evolving norm” is related to the fact that it still raises controversy, especially after the Libyan case. On the matter, see: Bellamy (2015a).

the council raises the matter on its own; (iii) the secretary-general brings the matter to the UNSC. The ICISS asked the P5 to restrain resorting to the veto in “matters where their vital state interests are not involved” (ICISS, 2001: xi-xiii).

A pressing circumstance happens when the UNSC rejects a proposal or fails to deal with it in a timely manner. In this event, the UNGA should exert its subsidiary role in accordance with resolution 377 (V), commonly known as the “uniting for peace” resolution.<sup>209</sup> Besides that, regional or sub-regional organizations can take enforcement action in their areas of jurisdiction subsequently seeking authorization from the UNSC. This last possibility represented a departure point from the UN Charter, which affirms “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council” (United Nations, 1945: 11). More worryingly, the document asserted that “concerned states may not rule out other means” if the UNSC fails to discharge its responsibility (ICISS, 2001: xiii).

The debate unfolded in 2004 with the report of the secretary-general’s high-level panel on threats, challenges and change. By and large, it reiterated the ICISS’s publication, reckoning that states might not be able or willing to meet their responsibility to protect. In these situations, the international community may resort to sanctions and mediation to prevent threats from emerging and to remedy “catastrophic internal wrongs”. “When all else fails”, continues the report, “it may be necessary and legitimate to use force” (United Nations, 2004: viii; 66). The report of the secretary-general classified R2P as an “emerging norm”, affirming that the original focus of the UN on state security should shift to a human-centered approach.

A year later, the UNGA approved the 2005 World Summit Outcome, which established that countries have the responsibility to protect populations in the occurrence of four specific crimes: “genocide, war crimes, ethnic cleansing, and crimes against humanity”.<sup>210</sup> Its paragraphs 138 and 139 were instrumental for future developments on the concept of R2P. The former affirmed that state responsibility “entails the prevention of such crimes, including their incitement, through appropriate and necessary means”, also inviting the international community to “encourage and help” states to build early warning capabilities. The latter determined that the

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<sup>209</sup> Adopted in 1950, the resolution affirms that the UNGA can make non-binding recommendations to restore peace and security if the UNSC fails to exercise its primary responsibility.

<sup>210</sup> In that same year, R2P was embraced by the report of secretary-general Kofi Annan, “In Larger Freedom” (United Nations, 2005a).

international community should use diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the UN Charter. When peaceful means prove inadequate or national authorities are failing or unwilling to protect their populations, “collective action, in a timely and decisive manner” might be pursued through the UNSC, in accordance with the UN Charter, on a case-by-case basis, and in cooperation with “relevant regional organizations as appropriate” (United Nations, 2005b: 30).

These two paragraphs established three clear limitations to the exercise of R2P. A material limitation, or the idea that state responsibility should only be evoked in situations involving any of the four crimes; a formal or procedural limitation, since action has to be taken through the UNSC and respecting international law and the parameters of the UN; and a temporal limitation, as collective action only occurs on a case-by-case basis, with the support of regional institutions and after peaceful means prove inadequate or national authorities fail or deny exerting their responsibilities. In addition to the conceptual developments present in the document, critical points remained unanswered, as it happens with the expressions “case-by-case basis”, “timely and decisive manner” and “should peaceful means be inadequate”. No threshold was defined for the use of peaceful means or for attesting when they are insufficient. Also, states did not ascertain common parameters to characterize the four crimes.

With the concept still lacking precision, UN secretary-general Ban Ki-moon defined, in a 2008 speech in Berlin, the three pillars upon which rests R2P. The first pillar affirms the primary responsibility of states to protect their populations from the mentioned four crimes. The second pillar underscores the commitment of the international community to help states in meeting their obligations. Instead of reacting, the goal should be to promote preventive action for states to succeed in fulfilling their duties. The third pillar includes the protection of populations from the four crimes and opens room for action to be taken “in a timely and decisive manner”. That response involves peaceful and coercive measures and might involve collaboration with regional and sub-regional organizations. Properly implemented, R2P would therefore bolster UN prevention, protection, response, and rebuilding mechanisms.<sup>211</sup>

His subsequent intervention was the 2009 report “Implementing the responsibility to protect”, which expanded the Berlin speech into a UN document. It

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<sup>211</sup> See: <https://www.un.org/press/en/2008/sgsm11701.doc.htm>, accessed on 16 December 2019.

recapped previous discussions, reinforced the three-pillar approach and the importance of early warning systems, and informed the understanding of sovereignty as responsibility. Most importantly, it specified pacific and coercive measures related to pillar three, undeniably the most controversial but not that frequently enacted. These included, for instance, fact-finding missions to investigate mass human rights violations; possible referral of these acts to the ICC; targeted diplomatic sanctions; and arms embargoes (United Nations, 2009a).

In the life cycle of R2P from being an emerging norm to becoming an operational concept, two other documents are relevant. The first is the 2010 report “Early warning, assessment, and the responsibility to protect”. Among other things, Ban Ki-moon’s report requested states to share more information among themselves, the UN, regional and sub-regional organizations, civil society organizations and groups of experts; for the agencies and bodies part of the UN system to read that information through the lens of R2P; and for “careful, accurate and impartial assessments of conditions on the ground and of policy choices” (United Nations, 2010: 4).

The second and last document before Brazil’s proposal of RwP is the 2011 report “The role of regional and sub-regional arrangements in implementing the responsibility to protect”. At that moment, the Arab Spring was gaining ground. The report advocated for a closer relationship between the UNSC and regional and sub-regional organizations (United Nations, 2011a). Moreover, it evaluated how R2P’s three pillars could be followed and overseen. Amongst possible contributions it brings to pillar one, there are the creation of regional norms to promote human rights and protect vulnerable populations, as happens with the OAS and the African Union (AU); the development of early warning systems and quiet diplomacy; and the promotion of regional justice mechanisms. As for pillar two, the report mentioned the importance of initiatives such as mediation, security sector reforms and rule of law. As concerns pillar three, the document reckoned that although the use of force should only occur as last resort, the doctrine for the use of peacekeeping and military assets in the context of atrocity crimes is not well developed, needing to include regional and sub-regional partners.<sup>212</sup>

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<sup>212</sup> Up to November 2018, R2P was referenced in 77 UNSC resolutions and presidential statements. The overwhelming majority refers to Africa. See: <http://www.globalr2p.org/media/files/unsc-resolutions-and-statements-with-r2p-table-as-of-27-november-2018-1.pdf>, accessed on 17 December 2019.

Bearing in mind the evolution of R2P, four points are worth discussing. The first (i) concerns whether R2P is a “Western” norm imposed by the developed countries – among them the former colonial powers – upon the developing world (Crossley, 2018). On this matter, discussions on the use of force and humanitarian intervention appeared in the Constitutive Act of the AU years before the 2005 World Summit Outcome (Freire, Lopes and Nascimento, 2016). Furthermore, two former African secretaries-general, Boutros Boutros-Ghali and Kofi Annan, defended R2P.

With the 2009 report, the debate focused on making R2P a reality. That adjustment legitimized the participation of non-Western players like the Economic Community of West African States (ECOWAS), which was already implementing some aspects of R2P in Africa. Reasoning on the role of regional and sub-regional organizations, Chandler (2009: 36) argued that “at the heart, the discourse of ‘responsibility to protect’ appears to be the desire to divest Western responsibility rather than to take on it”, relocating the use of force to the non-Western world. This might be true in less dramatic cases like Kenya (2007-2008), which is more related to the non-coercive dimensions of R2P, but in Libya, Syria or Yemen the effective use of coercive force requires not only the authorization of the P5 (three of them “Western powers”), but also their military involvement (O’Shea, 2012). As far as countries like Russia and more recently China have touched upon R2P, the ones traditionally advocating for it are the P3 and states like Australia and Canada.

The second point (ii) concerns the tensions between R2P as a philosophical discussion and as an operational concept (Stefan, 2016). The path from debating the right to intervention, human security and responsibility to protect to actually putting the “boots on the ground” is not straightforward. Questions remain until this day on how the “international community” should assume the burden; what are the triggers to clearly ascertain when any of the four crimes are occurring; what “timely and decisive manner” means; how proportionality can be assured when all non-military means prove inefficient; and how much should the UNSC resort to the veto in situations of mass human rights violations (Welsh, 2013). Furthermore, the implementation of R2P is not always marked by pure humanitarian orientation, as enacting pillar three requires financial, political and military commitments, which might be hard to justify to domestic audiences.

The third point (iii) refers to R2P’s three pillars and to whether they should be interpreted sequentially, with pillar three coming only after pillars one and two are

deemed ineffective. In his 2009 intervention, Ban Ki-moon affirmed that the three pillars are non-sequential and of equal importance, but underscored that they should be tailored to each individual situation (United Nations, 2009a). Bellamy (2015b: 53) defended that the three pillars “are so intertwined as to make sequencing impossible in practice”. In his view, states are “supported in their efforts to fulfill the first pillar by both pillar two and those elements of the third pillar which relate to assisting ‘states under stress’ before they reach the point of ‘manifest failure’”. This imprecision creates an operational problem, since states can affirm that, in a specific case, pillar one was quickly not fulfilled, calling for the enactment of pillars two or three. In another case, the same set of actors might spend much more time trying to implement the state’s responsibility to protect its populations from the four crimes, with the other two pillars appearing much later.

The fourth and related point (iv) alludes to the role of the UNSC. Exactly because the inspirations for R2P and its implementation are controversial, the permanent members of the council can incur in inaction, as in the cases of Yemen and Syria, and in misjudgment, as happened with Libya. Moreover, the individual interests of the P5 and their different readings of the principles of non-intervention and sovereign equality of states can hamper the authorization for the use of force. Bellamy (2013: 335) reckons that although R2P is best seen as a “habit former”, it does not determine particular behaviors or guarantee consensuses because decision-making processes are “heavily influenced by contextual factors”.

On the functioning of the UNSC, its decisions are taken by the affirmative vote of nine of its 15 members on procedural and non-procedural matters. The veto is cast as an instrument of political pressure and display of power and appears in non-procedural matters (i.e. Chapter VII resolutions), as they need the concurring vote of all permanent members.<sup>213</sup> The prerogative became less frequent today in comparison to the Cold War, but is still used by the P5 in “sensitive” issues. Besides, they can utilize the “hidden veto”, or the threat to use the veto, which normally occurs in informal consultations behind closed doors. Permanent and non-permanent members also make use of abstentions, which can undermine the legitimacy of a decision.

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<sup>213</sup> See: <https://www.securitycouncilreport.org/un-security-council-working-methods/procedural-vote.php>, accessed on 17 December 2019. Decisions of the UNGA on “important questions” require a two-third majority of the members present and voting. They include, for instance, recommendations with respect to peace and security matters. Other decisions require a majority of the members present.



Adding to that, the decision-making procedures at the UNSC are commonly non-transparent and subject to restrictive talks between the P5, which prevent non-permanent members from having a say in matters. As the UNSC is a closed, non-democratic, and hierarchical setting, non-permanent members have a harder time to push forward proposals and influence the agenda.

Many of the discussed traits are further analyzed in relation to Brazil's RWP.

#### **IV.2. Brazil's domestic peace and security-related assets**

As happened with the climate change regime, Brazilian negotiators rely on material and immaterial assets to act on peace and security matters. I hereby point out four of them: (i) the country's "history of peace", which is commonly evoked in the official narrative and reverberated multilaterally; (ii) the participation in efforts of mediation and preventive diplomacy, which underscores that force should only be used as a last resort; (iii) Brazil's contributions to peacekeeping operations both in practical terms and in discussions advocating for enduring peace; and (iv) recent documents guiding Brazil's general orientation on peace and security issues, as well as the tangible assets of its Armed Forces. The first three elements contrast with the fact that the country faces endemic levels of domestic violence and is the second-largest producer of small arms in the Western hemisphere.

On the first point (i), authorities reiterate Brazil is a "peace loving" nation, as it was not part of any major conflicts since the War of the Triple Alliance (1864-1870) and settled most of its border disputes in amicable terms.<sup>214</sup> That foundational narrative portrays a country "satisfied" with its territory. Brazil would therefore possess a "natural" standing to advance constructive proposals regarding peace and security issues, a "vocation" that is enshrined in the country's most recent constitution (Santos, 2016).<sup>215</sup>

Contrary to the official narrative, violence is endemic. The daily death toll tops war-torn Syria, with nearly 64 thousand murders and 60 thousand cases of rape recorded in 2017. In the same period, Brazil's police killed around 14 people every day, and 385 policemen died. Whereas Brazil promotes itself as a "cordial" country in

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<sup>214</sup> That narrative continued even with Brazil's participation in both world wars.

<sup>215</sup> Its article 4 brings the principles guiding Brazil's international relations, which mirrors parts of the UN Charter and includes, for instance, "sovereign equality of states", "non-intervention" and "peaceful solution of controversies".

mediation efforts and in multilateral forums, it is afflicted by rampant violence, especially against poor, young, black men, not to mention gender-motivated violence (Albuquerque, 2018b). Besides, it is plagued by gang wars spurred by an underfunded, overcrowded, and deadly prison system.<sup>216</sup> On top of that, Brazil is the second-largest producer of small arms in the Western hemisphere, after the United States (Dreyfus *et al.*, 2010). Its arms industry now ventures in countries with known human rights violations and civil wars like Yemen (Muggah and Thompson, 2016).<sup>217</sup>

When it comes to Brazil's credentials as a mediator (ii), that orientation started in the early XX century and involved, for example, the participation at the 1907 Hague Peace conference, in which the principle of sovereign equality of states was upheld; the contributions to the creation of the Permanent Court of International Justice; and the mediation of the conflict between Colombia and Peru concerning the Leticia region in the 1930s (Conduru, 2016).

With its creation, the UN became the main forum in which negotiators have engaged in peace and security debates. Both during dictatorship and democracy, they made use of arenas like the UNCTAD and the ECOSOC, reinforcing existing normative and operational parameters and, in most occasions, subordinating security to development as a means to achieve peaceful solution of controversies. More recently, that conciliatory approach was tempered with the intention to assume more responsibilities on the global stage, a step further in Brazil's "graduation process" (Milani, Pinheiro and Lima, 2017). Although the country has been a relevant player in defusing several regional crises in the 1990s and the 2000s, the intention is to be reckoned as a reliable player beyond its immediate neighborhood (Spektor, 2010).

That will was clearly seen during the administration of Lula da Silva, when Brazil attempted to mediate intricate affairs such as the Palestinian-Israeli imbroglio and, together with Turkey, the Iranian nuclear program. Furthermore, alongside India and South Africa at the India-Brazil-South Africa Dialogue Forum (IBSA), Brazilian negotiators consulted in 2011 with the Syrian government, hoping to achieve a

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<sup>216</sup> In 2015, the UN special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment harshly criticized Brazil's incarceration system. Two years later, the UN's High Commissioner for Human Rights condemned a prison massacre that ended with more than 50 dead. See: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16325&LangID=E>, accessed on 19 December 2019.

<sup>217</sup> In 2018, Brazil finally ratified the Arms Trade Treaty (ATT), a binding accord regulating conventional arms transfers, five years after signing it.

compromise that could lead to a halt in violence. In the three situations, Brazil's efforts did not receive backing from the developed countries nor contributed to a lasting solution. That activism was discontinued during Rousseff's administration, which led some to argue that Brazil had been acting "adventurously" and punching above its weight. Nonetheless, it is fair to say that all cases are unresolved until this day, so it might be unreasonable to expect Brazil to solve these long-standing issues.<sup>218</sup>

Brazil's involvement in peacekeeping operations (iii) dates back to the first multinational UN commission on the Balkans in 1947 and the first UN force to the Suez in 1956. Up to now, more than 50 thousand nationals – exerting civilian, military and police functions – took part in 47 missions, including 43 peacekeeping operations (Hamann and Teixeira, 2017). When engaging in these operations, Brazil upholds a similar set of principles directing the role of the UN in peace and security matters: consent of the main parties; impartiality; and non-use of force except in self-defense and defense of the mandate. Additionally, Brazilian authorities defend that the path to enduring peace should take into consideration the interdependence between security and development.<sup>219</sup>

Beyond that, Brazil ties military participation with technical cooperation projects in areas such as health, food security, basic education, and public security. On the one hand, that approach serves the intention to be seen as "non-indifferent" (Herz, 2014). On the other hand, it fulfills the bureaucratic agendas of several ministries interested in enlarging their international responsibilities.

Two cases best illustrate Brazil's views on security, peacekeeping operations, and use of force: its participation at the UN Peacebuilding Commission (PBC) and its leadership at the United Nations Stabilization Mission in Haiti (MINUSTAH) from 2004 to 2017. First, beyond directing the Guinea-Bissau Country-Specific Configuration, Brazil chaired the PBC in the period 2014-2015, defending a comprehensive approach to security and stressing the importance of overcoming the

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<sup>218</sup> An exception is the Colombian case, as Brazil did not follow through with its participation in the agreement between the government and the Revolutionary Armed Forces of Colombia (FARC) in 2016. See: <https://www1.folha.uol.com.br/colunas/matiasspektor/2016/03/1745739-para-rir-ou-chorar.shtml>, accessed on 19 December 2019.

<sup>219</sup> When presiding the UNSC in 2011, Brazil circulated a statement on the interdependence between security and development (United Nations, 2011b). Such a vision is partly seen in peacekeeping operations combining tasks like protection of civilians, disarmament, electoral assistance, human rights promotion, and restoration of the rule of law.

root causes of conflicts.<sup>220</sup> Second, Brazil assumed the military command of the MINUSTAH, contributed with 37 thousand troops and disbursed more than US\$ 630 million, most of that after the 2010 earthquake.<sup>221</sup> During the mission, Brazil was twice at the UNSC (2004-2005 and 2010-2011) and its diplomats influenced the contours of the security agenda, attempting to fulfill the aspiration to be seen as a responsible country (Hamann and Teixeira, 2017).

Moreover, the participation in MINUSTAH impacted Brazil's interpretation on the use of force. As Haiti was a Chapter VII operation and Brazil traditionally balked at missions under that chapter, which is focused on robust action and peace enforcement, its involvement required a well-defined strategy. Brazilian diplomats resisted a mandate mainly centering on security matters, also defending support to reconstruction and development. Facing the opposition of Washington and Moscow, Brazil "diluted" its agenda in specific parts of UNSC resolution 1542 (2004), later opening spaces for development-related issues in MINUSTAH's mandate (Fontoura and Uziel, 2017: 11). Kenkel (2016) observes that Chapter VII is only mentioned in a specific paragraph, which allowed Brazil to participate without fully qualifying the mission as such. That diplomatic contortion led some to categorize MINUSTAH as a "Chapter VI and a half" mission.

Brazil's domestic assets related to peace and security (iv) are accompanied by three main documents: the National Defense Policy, the National Defense Strategy, and the Defense White Paper. Among its objectives, the National Defense Policy – established in 1996 and later revised in 2005, 2012, and 2016 - aims to contribute to international peace and security; reinforce multilateralism and the reform of multilateral institutions; increase Brazil's role in international decisions; and assure sovereignty and territorial integrity (Brasil, 2012).

The National Defense Strategy, published in 2008 and revised in 2012 and 2016, endeavors to fulfill the mentioned objectives through the development of defense and security capabilities.<sup>222</sup> Brazilian domestic assets would contribute to a global order

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<sup>220</sup> On the notion of sustainable peace or sustaining peace, see: <https://www.un.org/press/en/2016/sc12340.doc.htm>, accessed on 19 December 2019.

<sup>221</sup> See: <http://agenciabrasil.abc.com.br/internacional/noticia/2017-05/apos-13-anos-missao-no-haiti-comandada-pelo-brasil-se-aproxima-do-fim>, accessed on 19 December 2019.

<sup>222</sup> The concepts of security and defense are interwoven. In the official view, "security" refers to assuring sovereignty and territorial integrity and promoting national interests. "Defense" regards concrete initiatives to maintain sovereignty. See: Albuquerque (2016b) and Brasil (2012).

marked by multipolarity, or, as the National Defense Strategy defines, “power pluralism” (Brasil, 2012: 62).

The 2012 White Paper, which was also revised in 2016, complements the other two documents, serving as a mechanism of accountability and a way to promote transparency and trust-building measures. It informs that “Brazilian foreign policy has projected values and interests within the framework of global governance” (Brazil, 2012a: 15). This scenario, marked by a “reorganization of political relations between states”, brings opportunities and challenges, which requires “strict coordination between foreign and defense policies” (Brazil, 2012a: 31).

Besides, three sectors are described as essential in the process of upgrading Brazil’s military forces: aerospace, nuclear and cybernetic, which are respectively under the responsibility of the Air Force, the Navy and the Army. The aerospace sector gathers a range of projects such as the Brazilian Satellite Launching Vehicle (VLS-1) and the FX-2 project, which involved the purchase of 36 Gripen NG fighters. Concerning the nuclear sector, Brazil has mastered the nuclear fuel cycle for peaceful purposes and the Navy coordinates the Submarine Development Program (PROSUB), which includes a nuclear-propelled submarine. Lastly, the cybernetic sector aims to enhance Brazil’s intelligence and strategic capabilities.

According to the Military Balance, Brazil had the world’s 11<sup>th</sup> largest defense budget in 2015. With US\$ 24,3 billion disbursed, it was the only Latin American country in the top 15, representing 40,5% of the defense spending of Latin America and the Caribbean and being followed by Colombia (16,5%), Argentina (10,8%) and Mexico (10,1%).<sup>223</sup> Brazil’s harsh economic crisis led to cuts in defense expenditure, affecting initiatives like the KC-390 transport aircraft and the PROSUB project (International Institute for Strategic Studies, 2016: 369-371).<sup>224</sup> The SIPRI Military Expenditure Database pointed out that military disbursements recovered in 2017,

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<sup>223</sup> Nevertheless, Brazil’s defense budget in comparison to its GDP was lower than countries like Colombia or Uruguay. Considering the BRICS, Brazil only ranks higher than South Africa (Brustolin, 2014).

<sup>224</sup> The Composite Index of National Capability (CINC) of the Correlates of War Project shows Brazil’s CINC around (.025) in 2012, which was similar to 2002, 1996 and 1989. Data demonstrates that, up to 2012, national capabilities have not significantly risen. I should mention, however, that the index does not fully capture the new realities of armed conflicts, which do not rely on traditional raw materials like iron and steel. Besides that, Brazil’s investments in its Armed Forces were under way in 2011, the last year captured by the CINC. Rodriguez (2013) brings valuable insights. See: <http://www.correlatesofwar.org/data-sets/national-material-capabilities>, accessed 21 December 2019.

reaching circa US\$ 25,7 billion or 3,7% of government's spending.<sup>225</sup> In that year, the budget of the Ministry of Defense was around 1,4% of Brazil's GDP.<sup>226</sup>

As I further demonstrate, the connection of these domestic assets with the proposal of RWP is feeble, with it being more related to the other explanatory factors.

### **IV.3. Domestic decision-making processes related to peace and security**

Brazil's multilateral engagement mainly responds to the participation of the ministries of External Relations (MRE) and Defense (MD) in domestic decision-making processes. The irregular interchanges between these two government departments date back to the independence of Brazil and continued through the beginning of the XX century, when Itamaraty and the Ministry of War – renamed Ministry of Defense in 1999 - worked to secure the country's borders. Between 1950s and the early 1980s, dialogue remained with the promotion of arms exports to several countries, including both sides of the Iran-Iraq war; the support for the creation of the Zone of Peace and Cooperation of the South Atlantic (ZOPACAS); and the definition of a common position regarding the Malvinas War. In democratic times, both ministries agree on enhancing Brazil's standing in global affairs.

The Ministry of Defense regained relative prestige and bureaucratic space. This process was not free from crises and setbacks. During the administration of Lula da Silva, four ministers struggled to handle matters related to the incomplete transition from authoritarianism to democracy. Under the guidance of ambassador José Viegas Filho (2003-2004), for instance, disputes occurred about the legacy of the dictatorship. Vice-president and minister José Alencar (2004-2006) had a less troubled administration, being able to organize the National Defense Policy and invest in several projects. Beyond lacking support from the PT, Waldir Pires (2006-2007) faced continuous crises in the country's commercial aviation sector.

Lula da Silva's fourth minister, Nelson Jobim (2007-2011), remained in charge until the first year of Rousseff's government, leaving the position for criticizing the PT. This longevity allowed him to combine defense and security with foreign policy, reorganize the three forces, and prepare the National Defense Strategy. Under Celso

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<sup>225</sup> See: <https://www.sipri.org/databases/milex>, accessed on 21 December 2019. Also see: [https://www.sipri.org/sites/default/files/2018-04/sipri\\_fs\\_1805\\_milex\\_2017.pdf](https://www.sipri.org/sites/default/files/2018-04/sipri_fs_1805_milex_2017.pdf), accessed on 21 December 2019.

<sup>226</sup> See: <https://www1.folha.uol.com.br/poder/2017/03/1865893-em-meio-a-crise-governo-temer-aumenta-em-36-investimentos-militares.shtml>, accessed on 21 December 2019.

Amorim (2011-2014), a former chancellor, the MD's participation in foreign policy was visible in peacekeeping missions. Amorim continued investing in the improvement of domestic capabilities and updating key documents, but had to accommodate tensions related to the National Truth Commission. The two other ministers during Rousseff's administration, Jacques Wagner (2015) and Aldo Rebelo (2015-2016), were more focused on bureaucratic issues.

The MD exerts a secondary function in Brazil's role in the peace and security regime. Its participation revolves around topics like peacekeeping; defense partnerships; and treaties dealing with defense matters, for example the NPT. More recently, the MD has broadened its engagement. That expansion is tributary to Brazil's lasting presence at the MINUSTAH and other peacekeeping missions and in reason of the work of ministers like Jobim, Amorim, Wagner, and Raul Jungmann (2016-2018), who headed the ministry after Rousseff's impeachment.<sup>227</sup>

As for the MD's inner dynamics, the three forces dispute financial resources, bureaucratic clout and prestige. As mentioned, they gained special projects related to their expertise during the presidencies of the PT, which helped to appease dissatisfaction. Apart from eventual clashes, the Armed Forces normally exhibit an image of cohesion. The MD, the Armed Forces Joint Staff, and the Sergio Vieira de Mello Peace Operations Training Center (CCOPAB) – both created in 2010 - act to reinforce the perception of unity.

The MRE is responsible for upholding the country's views in forums such as the UNGA, the UNSC, and the PBC. Until the end of Rousseff's government, Itamaraty centered its peace and security initiatives on the Undersecretariat General for Political Affairs I (SGAP-I), which included the Department for International Organizations (DOI). With Temer, defense issues gained more space with the creation of the Department of Defense and Security Affairs (DDEFS).<sup>228</sup>

Some diplomats who now rank ambassadors have made their careers based at multilateral institutions and Brazil's mission to the UN. Furthermore, some officials developed their thesis for Itamaraty's Advanced Studies Course (CAE) on peace and

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<sup>227</sup> After Jungmann, a politician, president Temer appointed former Army general Joaquim Silva e Luna as minister. He was the first non-civilian to lead the ministry.

<sup>228</sup> For Itamaraty's organizational charts, see: <http://www.itamaraty.gov.br/images/organograma/20150323-Organograma-eng.pdf> (for Rousseff) and <http://www.itamaraty.gov.br/images/organograma/20160810-Organograma-port.pdf> (for Temer). Accessed on 21 December 2019.

security themes. That professional path is imperative for better knowledge of the working methods of the UNSC. That is the case of one of Rouseff's chancellors, Antonio Patriota (2011-2013), who wrote a CAE thesis on the role of the UNSC after the Gulf War. He worked at the Brazilian mission to the UN when the country was a non-permanent member (1998-1999); as the cabinet chief of the chancellor in 2004-2005, also when Brazil was at the UNSC and the UN discussed the aftermath of the Iraq War; was the undersecretary-general for political affairs in Brasília; and chancellor in the last year of Brazil's most recent presence at the UNSC (2010-2011). In total, Brazil was at the council 10 times, having a non-permanent seat for the longest amount of time after Japan (11 times).<sup>229</sup>

The MD and the MRE are the most isolated ministries of Brazil's government. Both developed inward-oriented values and hierarchical cultures, which led to autonomous policies and limited coordination (Kenkel, 2016).<sup>230</sup> More recently, some initiatives to approximate the two ministries were established, for instance, the strategic assessment mechanisms with bilateral partners, and the meetings to promote inter-institutional cooperation and discuss topics like humanitarian assistance and defense exports.<sup>231</sup> These activities gained more relevance after Rouseff's presidency.

Aside from this, no clear guidelines exist about the role of the MD in relation to the promotion of peace and security concepts, ideas or proposals. Fittingly, the decision-making processes related to multilateral initiatives had, up to the end of Rouseff's administration, Itamaraty exerting a prominent role.<sup>232</sup> As it occurs with climate change, possible clashes in the domestic dynamics are not perceptible to non-experts. The majority of Brazil's ideas are formulated at the MRE in Brasília or at its delegation to the UN in New York. One difference, though, is that disputes are less frequent (or made

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<sup>229</sup> On the list of non-permanent members, see: <https://www.un.org/securitycouncil/content/countries-elected-members>, accessed on 21 December 2019.

<sup>230</sup> In 2013, Brazil had 63 military attachés in 34 countries. See: [https://politica.estadao.com.br/noticias/eleicoes\\_brasil-espalha-adidos-militares-para-ampliar-influencia-e-fazer-negocios-imp-,1106111](https://politica.estadao.com.br/noticias/eleicoes_brasil-espalha-adidos-militares-para-ampliar-influencia-e-fazer-negocios-imp-,1106111), accessed on 21 December 2019.

<sup>231</sup> See: <http://www.itamaraty.gov.br/pt-BR/notas-a-imprensa/17933-reuniao-do-mecanismo-de-coordenacao-entre-o-ministerio-das-relacoes-exteriores-e-o-ministerio-da-defesa>, accessed on 21 December 2019. These meetings can also include other government bodies like the Institutional Security Cabinet. See: <https://www.defesa.gov.br/noticias/26193-defesa-mre-e-gsi-aproximam-agendas-internacionais-e-criam-mecanismo-de-coordenacao>, accessed on 21 December 2019.

<sup>232</sup> Amorim Neto (2012) mentions that Congress abdicated its authority in defense matters from 1988 to 2007.



public) in comparison to climate change. Additionally, the MD does not exert the same level of multilateral participation as the Ministry of the Environment, which leaves more room for Itamaraty to optimize its actions.

Lastly, the president nominates the commanders of the three forces and the minister of defense and is assisted by them in what concerns the employment of military means (Brazil, 2012a). The presidential role in the decision-making process varies in accordance with his/her interest in peace and security matters; convergence with the minister and the ministry's bureaucracy; and relations with the three forces. Amorim Neto (2012) points out that while during Lula da Silva's government he and minister Jobim formed a cohesive decision-making unit leading to shifts in the defense policy, that situation was not repeated with Rousseff.

#### **IV.4. The responsibility while protecting**

Brazilian negotiators proposed RWP as a consequence of NATO's intervention in Libya. The Libyan crisis occurred amid the 2011 "Arab Spring", or a series of protests in Middle Eastern and African countries in which dissatisfied populations demonstrated against authoritarian regimes.

##### **IV.4.1. The escalating Libyan crisis**

Protests against Gaddafi initiated in late January-early February 2011 and increased after security forces launched a crackdown on demonstrators. Unrest mounted against his 42-year rule, quickly escalating into civil strife. From that moment on, foreign voices started manifesting over the situation, leading the way to the approval of Chapter VII resolutions. On February 21<sup>st</sup>, the International Federation for Human Rights (FIDH) denounced severe human rights violations (FIDH, 2011a). The following day, the Arab League convened an extraordinary meeting reproving the repression.<sup>233</sup> On February 24<sup>th</sup>, the FIDH published another report asserting that Gaddafi's regime was acting to massively eliminate citizens, which "could be qualified as crimes against humanity". It recalled the UNSC's "responsibility to protect", demanding the UNSC to refer the facts to the ICC (FIDH, 2011b: 1).

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<sup>233</sup> See: <https://af.reuters.com/article/libyaNews/idAFLDE71L0DU20110222>, accessed on 21 December 2019.

A day later, a special session of the Human Rights Council passed a resolution on Libya, condemning the “gross and systematic human rights violations”. Brazil co-sponsored the resolution, which was adopted by consensus. The notion of R2P is at the core of the document, as it “strongly calls upon the government of Libya to meet its responsibility to protect its population” (Human Rights Council, 2011: 3). The resolution requested the council to dispatch an independent commission of inquiry to investigate human rights violations, which can be understood as a first step towards the criminal accountability of the ones involved with the mentioned abuses.

The role of regional and international organizations was crucial, as they helped turn criticism into a concerted push towards enforcement action. At that moment, the Organization of Islamic Cooperation (OIC) vigorously backed a collective call for a fact-finding mission. The Arab League affirmed the Libyan government “was bound by legal obligations to its people” and the AU demanded the “respect of the aspirations and demands” of the population.<sup>234</sup>

Pressure mounted when, on February 26<sup>th</sup>, the UNSC unanimously approved resolution 1970. Although voting in favor, only Brazil, India, Russia, and China decided not to co-sponsor the resolution. Recalling the severe tone of the Human Rights Council and “welcoming” the role of the Arab League, the AU and the OIC, the UNSC condemned the use of force against civilians, adding it “may” amount to crimes against humanity (United Nations, 2011c: 1). The UNSC recalled the Libyan authorities’ responsibility to protect, referred the situation to the ICC; established an embargo of arms; imposed travel bans; assets freeze; and created a committee to monitor the implementation of the resolution.<sup>235</sup> Although resolution 1970 reaffirmed its commitment to the “sovereignty, independence and territorial integrity” of Libya (United Nations, 2011c: 2-3), its operational paragraphs expected to force the Libyan government to undertake its responsibility to protect. Furthermore, the resolution clearly relies on R2P’s pillar three.

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<sup>234</sup> See: <https://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10768&LangID=E>, accessed on 21 December 2019.

<sup>235</sup> Indian UN ambassador Hardeep Singh Puri wrote that Brazil, India, China, Portugal, and Lebanon “felt that an ICC referral would have two unintended effects. One, it could queer the pitch and result in reprisals by Gaddafi. Two, while the ‘threat’ of an ICC referral could serve as a deterrent, an outright and immediate referral would leave him with no incentive for good behavior” (Puri, 2016: 68-69 and 72).

A day after resolution 1970, opposition groups formed the National Transitional Council (NTC) in Benghazi. In response, Gaddafi accused rebel forces to include terrorists from organizations like al-Qaeda.<sup>236</sup> As days went by, multiple sources affirmed opposition supporters were subject to torture and death – including by airstrikes - by Gaddafi’s forces.<sup>237</sup>

With the continuation of skirmishes, the EU approved a package of sanctions against Libya, the United States secretary of state Hillary Clinton warned that “nothing was off the table”, and British foreign secretary William Hague defended suspending Libya from the Human Rights Council. Most notably, EU foreign policy chief Catherine Ashton affirmed a “more complex set of negotiations was being held over the possibility of imposing a no-fly zone over Libya”.<sup>238</sup> British prime minister David Cameron discussed the matter with French president Nicolas Sarkozy, while the United States deployed warships and air force units around the African country. Cameron suggested that the United Kingdom might consider arming the Libyan opposition.<sup>239</sup> As rhetoric escalated, resistance still existed within both the UNSC and NATO. Russia’s foreign minister Sergey Lavrov called the plans superfluous and NATO secretary-general Anders Fogh Rasmussen said there was no mandate for a no-fly zone.<sup>240</sup>

On March 1<sup>st</sup>, the UNGA suspended Libya from the Human Rights Council and, from that moment on, perspectives of a no-fly zone enhanced (United Nations, 2011d). Meanwhile, the ICC launched a full investigation on Libya, where opposition forces were advancing and bloody clashes endured. The NTC declared itself Libya’s single representative.

Talks to establish a no-fly zone continued, mostly in response to the rhetoric of the British. Foreign secretary Hague mentioned contingency planning was taking place,

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<sup>236</sup> See: <https://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8414583/Libya-al-Qaeda-among-Libya-rebels-Nato-chief-fears.html>, accessed on 22 December 2019.

<sup>237</sup> See: <https://www.ft.com/content/f3ea54fc-50ca-11e0-9227-00144feab49a>, accessed on 22 December 2019.

<sup>238</sup> See: <https://www.theguardian.com/world/2011/feb/28/libya-crisis-eu-sanctions-day-reckoning-gaddafi>, accessed on 22 December 2019.

<sup>239</sup> See: <https://www.theguardian.com/world/2011/feb/28/us-military-gaddafi-libya>, accessed on 22 December 2019.

<sup>240</sup> See: <https://www.theguardian.com/world/2011/feb/28/no-fly-zone-libya?INTCMP=SRCH> and <https://www.theguardian.com/world/blog/2011/mar/01/libya-uprising-gaddafi-live>, accessed on 22 December 2019.

adding that the United Kingdom was negotiating with the Arab League and NATO. Rebel groups supported the action. The endorsement from the Gulf Cooperation Council came on March 7<sup>th</sup>, the same day the American administration started moving away from the opinions of defense secretary Robert Gates.<sup>241</sup>

On March 9<sup>th</sup>, although the decision-making process was still divided in the United States, leaders of Paris, Washington and London were accommodating their discourses in and out of the UNSC. Whereas American president Barack Obama and Cameron agreed on a “full spectrum” of military responses, NATO started a 24-hour air and sea surveillance of Libya, and British and French diplomats composed a draft resolution authorizing the no-fly zone. The idea of the P3 was to garner support from the Islamic world, the Libyan opposition, and the majority of the members of the UNSC to force Moscow and Beijing not to veto. In the next days, NATO secretary-general Rasmussen affirmed the no-fly zone depended on three conditions: legal mandate from the UNSC, support of regional actors, and a demonstrable need, posing a halt on calls for harsher actions.<sup>242</sup>

As rebel forces became surrounded in Zawiyah, Cameron and Sarkozy failed to persuade EU leaders meeting in Brussels. German prime minister Angela Merkel remembered there was “no legal basis” for the measure and reinforced the need to discuss with the Arab League, while Catherine Ashton affirmed the efficiency of a no-fly zone was questionable.<sup>243</sup> Later on, the Council of the Arab League asked the UNSC to impose the no-fly zone, fulfilling one of the three conditions set by NATO secretary-general: support of regional actors.<sup>244</sup> That happened when pro-Gaddafi forces were resorting to brute force while approaching Benghazi. These military victories were obtained mostly with tanks and artillery and not warplanes. The London-Paris axis then redoubled pressures on a hesitant United States and demanded clear positions from Germany, Brazil, Russia, and China.

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<sup>241</sup> See: <https://www.reuters.com/article/us-libya-emirates-nofly-idUSTRE7265P220110307>, accessed on 22 December 2019.

<sup>242</sup> See: <https://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8358841/Libya-as-it-happened-March-10.html>, accessed on 22 December 2019.

<sup>243</sup> See: <https://www.theguardian.com/world/2011/mar/11/libya-no-fly-zone-plan-rejected>, accessed on 22 December 2019.

<sup>244</sup> See: <https://www.nytimes.com/2011/03/13/world/middleeast/13libya.html>, accessed on 23 December 2019.

More was still needed, as France failed to get an endorsement from the G-8 foreign affairs ministers. Meeting in Paris on March 14<sup>th</sup> and 15<sup>th</sup>, Germany and Russia continued blocking the measure. Outside the G-8 but also sitting at the UNSC, Brazil and South Africa were said to be against imposing the no-fly zone.<sup>245</sup> In this adverse scenario, France and Britain drafted another UNSC resolution, hoping to “force the pace”. This time receiving the support of Lebanon, the two European countries asked for a ban on all flights in Libya and a stronger enforcement of the arms embargo.<sup>246</sup>

On March 17<sup>th</sup>, as Gaddafi’s forces were shelling Benghazi, the UNSC approved resolution 1973, authorizing the no-fly zone. With that, the two other conditions set by Fogh Rasmussen were supposedly met: a legal mandate and the demonstrable need to stop the consequences of Gaddafi’s incursion. The text affirmed the Libyan government failed to comply with resolution 1970 and reiterated its “responsibility to protect”. The UNSC deplored the systematic human rights violations and again considered that the attacks “may amount to crimes against humanity” (United Nations, 2011e: 1). As before, the word “may” suggested a lack of consensus within the UNSC.

Resolution 1973 recalled resolution 1970, referring that the council could “consider taking *additional appropriate measures*, as necessary, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance” (idem, remarked). The resolution enforced the arms embargo, broadened the assets freeze and travel restrictions, and created a panel of experts to assist the committee created by resolution 1970.

The central excerpts are operative paragraphs 4 and 8. The first

Authorizes member states (...) to take *all necessary measures* (...) to protect civilians and civilian populated areas under threat of attack (...) including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory (United Nations, 2011e: 3, remarked).

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<sup>245</sup> See: <https://www.theguardian.com/world/2011/mar/15/no-fly-zone-over-libya>, accessed on 23 December 2019.

<sup>246</sup> See: <https://www.bbc.com/news/uk-politics-12754519>, accessed on 23 December 2019. A Brazilian diplomat (MRE#6) mentioned the Lebanese did not have any influence on the text of the resolution: “they had to call the French ambassador and [American ambassador] Susan Rice to be able to alter anything in a draft resolution that was supposed to be representing the Arab League”.

The second also authorized “all necessary measures” to enforce the ban on flights (*idem*). Although the resolution was clear on the prohibition of an occupation force, it left wide room for action. The United States, the United Kingdom, France, Portugal, Bosnia and Herzegovina, Colombia, Gabon, Lebanon, Nigeria, and South Africa voted in favor. Russia, China, Germany, Brazil, and India abstained. The votes demonstrate that resolution 1973 was far from enjoying far-reaching legitimacy as precedent resolution 1970. As Lizza (2011: 24) points out, “it was the first time in 66 years that the UN authorized military action to preempt an ‘imminent massacre’”. Also, it was “the first manifestation of the UNSC’s operationalization of R2P” (Puri, 2016: 48).

In the discussions prior to the approval of resolution 1973, British ambassador Mark Lyall Grant mentioned it came to light in reason of the appeal of the Arab League. His words are revealing because he transfers the responsibility of approving the resolution:

The League of Arab States has been particularly clear in its demands, including for the imposition of a no-fly zone. *That is why*, the United Kingdom, in close cooperation with Lebanon and France, has pressed for the early adoption of today’s resolution (United Nations, 2011f: 4, remarked).

Clinton similarly mentioned that: “now we are going to see whether the Security Council will support the Arab League. Not support the United States – support the Arab League. That is a significant difference” (Lizza, 2011: 23).<sup>247</sup>

When it comes to the abstentions, Indian ambassador Puri remembered that the UN secretary-general appointed a special envoy and the AU was sending a high-level panel to Libya, both yet to present conclusions to the UNSC. Without that, the council did not have credible information to act. He was reminding the importance of fact-finding missions and similar measures for the enactment of R2P’s pillar three. China and Russia argued that many questions asked during UNSC’s consultations were not clarified. However, as the situation in Libya was very volatile, Moscow and Beijing decided not to be seen as co-responsible for possible crimes against humanity or war crimes.

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<sup>247</sup> UN ambassador Susan Rice, Hillary Clinton and special assistant to the president Samantha Power won the domestic bargain against Robert Gates, influencing Obama to endorse the no-fly zone.

German ambassador Peter Wittig affirmed his country abstained because of paragraphs 4 and 8. He explained that “if the steps proposed turn out to be ineffective, we see the danger of being drawn into a protracted military conflict” (United Nations, 2011f: 4). Finally, Brazilian ambassador Maria Luisa Viotti argued resolution 1973 contained measures far beyond the call made by the Arab League:

We are not convinced that the use of force as provided for in paragraph 4 of the resolution will lead to the realization of our common objective – the immediate end to violence and the protection of civilians. We are also concerned that such measures may have the unintended effect of exacerbating tensions on the ground and causing more harm than good to the very same civilians we are committed to protecting (United Nations, 2011f: 6).<sup>248</sup>

The next days saw Gaddafi’s promise that his regime would comply with a ceasefire, which was not verified, and the beginning of Operation Odyssey Dawn, expected to enforce the no-fly zone. The P3 and allied states launched military action from air and sea. NATO then started operation Unified Protector, taking over the military command from the P3. Its large-scale attacks were “widely seen as disproportionate, careless of civilian lives, and extending beyond the agreed plan to impose a defensive no-fly zone”.<sup>249</sup>

NATO offensive exposed how fragile was the diplomatic consensus and how little information parties had (Kuperman, 2013). Questions on the legality of the attacks, the possibility of arming the rebels, and if Gaddafi was a target often appeared (Zambakari, 2016). Regretting its abstention, Russia saw an indiscriminate use of force. China remarked it “was not in favor of any arbitrary interpretation of the council’s resolutions or of any actions going beyond those mandated” (United Nations, 2011g: 10). India called for a cessation of air strikes.<sup>250</sup> The Arab League, which was seen as the resolution’s guarantor, had reservations. South Africa and Nigeria called for

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<sup>248</sup> As I further demonstrate, many elements present in the vote became part of Brazil’s RWP.

<sup>249</sup> See: <https://www.theguardian.com/world/2011/mar/22/libya-nato-us-france-uk>. Also see: <https://www.theguardian.com/commentisfree/2011/mar/23/libya-ceasefire-consensus-russia-china-india>, accessed on 26 December 2019.

<sup>250</sup> See: <https://www.thehindu.com/news/national/Cessation-of-conflict-need-of-the-hour-India/article14956402.ece>, accessed on 26 December 2019.

immediate ceasefire. The United States retreated, leaving the leadership of the operation to the United Kingdom and France.

Days later, the ICC prosecutor Luis Moreno-Ocampo requested arrest warrants for senior figures of the Libyan regime. In this specific UNSC debate, the ambassadors of the United States, the United Kingdom, and France – this time accompanied by Germany – chose to describe the crimes committed by Gaddafi’s forces, while Russia, China, and South Africa emphasized legal arguments.<sup>251</sup>

In the next months, the situation in Libya continued to deteriorate, which led the AU to demand an end to the bombing campaign and remind its “disappointment” at the attempts to “marginalize” its role (United Nations 2011i).<sup>252</sup> Amidst this uncertain route, NATO’s operation shifted from enforcing a no-fly zone to attacking Gaddafi’s forces and putting its weight on the side of the rebels. With the conflict coming to an end, the UNSC unanimously approved resolution 2009 on September 16<sup>th</sup>. It reckoned the NTC as the representative of Libya, encouraging it to ensure a political process to hold free and fair elections; descaled previous measures related to assets freeze and arms embargo; and established the UN Support Mission in Libya (UNSMIL) (United Nations, 2011j).

Gaddafi was assassinated in October together with the fall of Sirte, which led to the approval of resolution 2016 and to the termination of the no-fly zone (United Nations, 2011k). In retrospect, the way resolutions 1970 and 1973 were operationalized escaped the original idea of protecting civilians. They ended contributing to the splitting of the country in two, opening space for terrorist groups and engulfing Libya into long-term instability.

#### **IV.4.2. Brazil’s RwP proposal**

Brazil was not a central actor in the unfolding Libyan crisis. Its negotiators did not actively pursue mediation efforts nor ventilated the country’s positions in the media, preferring to defend its views in debates at the UNSC. Brazil voted in favor of resolution 1970 and abstained from resolution 1973. Regarding this last document,

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<sup>251</sup> Criticism also came from the UN. In the words of the undersecretary-general for humanitarian affairs and emergency relief coordinator Valerie Amos: “the adoption of resolution 1973 (2011) (...) has also raised concerns in terms of the potential undermining of the protection of civilians agenda and its important role in providing a framework for action in future cases” (United Nations, 2011h: 4)

<sup>252</sup> On the role of the AU, see Zambakari (2016).



Brazilian diplomats were not as vocal as their Russian and Indian counterparts, choosing a more moderate tone and asking for dialogue, immediate ceasefire, the establishment of a political process, and post-conflict measures (United Nations, 2011g).

Tracing the origins of what would later be named “responsibility while protecting” requires reassessing the discourse of ambassador Viotti on May 10<sup>th</sup>. She exposed the many links between protection of civilians, respect to international law and international humanitarian law, and use of force. Additionally, Viotti remarked that safeguarding populations from mass human rights violations is not a synonym for R2P or a justification for its immediate and unchecked operationalization.

The protection of civilians is a humanitarian imperative. It is a distinct concept that must not be confused (...) with the responsibility to protect. We must avoid excessively broad interpretations of the protection of civilians, which could link it to the exacerbation of conflict, compromise the impartiality of the UN or create the perception that it is being used as a smokescreen for intervention or regime change (United Nations, 2011h: 11).

Reckoning that coercive measures may be needed in some cases, Brazil’s ambassador observed that the “use of force must always be a last resort” and not cause more harm than good. Moreover, the international community should dialogue with the involved parties and regard the importance of monitoring and reporting activities to achieve civilian protection. Considering the authority of the UNSC and the implementation of its decisions, she presented a very legalistic idea:

When the Council does authorize the use of force, such as in the case of Libya, we must hold ourselves to a high standard. The Council has a responsibility to ensure the appropriate implementation of its resolutions. Force must be used carefully, with due regard for the principle of proportionality and in strict accordance with the terms of the authorization. The use of force to protect civilians does not abrogate international law, but underlines the need for strict adherence to it (idem).

After that, RWP first appeared in an op-ed written by chancellor Patriota in Brazil’s newspaper *Folha de S. Paulo*. For him, the fundamental is that “the international community, when exercising R2P through military means, rely on the

corresponding multilateral mandate and observe the precept of responsibility while protecting. The use of force can only be contemplated as a last resort” (Patriota, 2011: 1). His words reflect the notion that the use of violence is traditionally framed as a problem rather than a solution (Herz, 2014).

RwP was presented to the world on September 21<sup>st</sup>. Before the UNGA, president Rousseff made reference to the Arab Spring and to Brazil’s repudiation of the brutal repression of civilians. Without mentioning Libya, she said that the path to peace and security “cannot be limited to interventions in extreme situations”, as the world “suffers from the painful consequences of interventions that aggravated existing conflicts”, giving rise to terrorism and new cycles of violence. That is precisely what would happen in Libya in the coming months and years. Recalling the importance of conflict prevention, diplomacy, and promotion of development, she exposed the idea of the “responsibility in protecting”, another name for RwP: “much is said about the responsibility to protect; yet we hear little about responsibility in protecting. These are concepts that we must develop together” (Brazil, 2011: 5).

The discourse not only linked RwP to R2P, but also stressed their complementarity. In the occasion, Brazil presented itself not as a denier, but as a contributor to the normative developments of R2P, exposing the limits of its implementation (Harig and Kenkel, 2017). In the Brazilian view, R2P needed a conceptual update; a corollary embodied in RwP. Reinforcing what was mentioned by ambassador Viotti, Rousseff stated that a more representative UNSC would enhance its legitimacy, effectiveness and credibility. Brazil’s bid to permanent membership would stem from its “readiness to shoulder its responsibility”; history of peace, “we lived in peace with our neighbors for over 140 years”; and resignation to develop nuclear energy for non-peaceful purposes (Brazil, 2011: 5-6).

It took some time after Rousseff’s speech for Brazil’s negotiators to present RwP in more detail. That happened during a debate on the protection of civilians in armed conflicts at the UNSC on November 9<sup>th</sup>, when a concept note was provided to other UN members. By doing so, Brazilian diplomats were actively engaging in an exercise of “branding”, building on Rousseff’s imprecise speech and expecting to make other states adhere to the idea (United Nations, 2011: 15).<sup>253</sup>

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<sup>253</sup> One interviewee working for a NGO (NGO#12) mentioned that Brazil’s mission to the UN invited permanent representatives “from the Global South” to discuss R2P and RwP and “test the waters” prior to the circulation of the concept note.

Briefly, RwP can be labeled as a “concept” that builds on the norm of R2P, or “an additional conceptual step in dealing with the protection of civilians” (United Nations, 2011: 16). It applies to occasions when the use of force is to be conceded and cases when it is already under way. RwP comprises four main points. First, it adds up to R2P with a view to accentuate the importance of preventive diplomacy. In this sense, it directly touches upon R2P’s pillars one and two. Second and when the use of force is already in motion, RwP ascertains that “the international community, as it exercises its responsibility to protect, must demonstrate a high level of responsibility while protecting”. In other words, RwP functions as a means to regulate the use of force, while not denying it (Tourinho, Stuenkel and Brockmeier, 2015). The notion of “do no harm” is illustrative, as the protection of civilians should not cause greater harm because “one casualty is one too many, no matter how noble the intentions” (United Nations, 2011: 16). When authorized, the use of force should be judicious, proportionate and limited to the objectives defined by the UNSC, preventing unintended consequences.

Third, RwP underpins the role of the UNSC, asking for “enhanced” procedures to monitor and assess “the manner in which resolutions are interpreted and implemented” (idem: 17). The goal is to certify the respect for the council’s authority and the resolutions it approves, preventing misuses and misinterpretations, and correcting possible mistakes committed in the name of R2P.

A diplomat compared R2P’s nature to dual-use technologies:

The original idea is noble. I guess we cannot deny that. But as in all noble ideas, they risk being manipulated and that is the greatest sin of R2P. Not because of its nature. Its nature is sort of... Dual. Like you find in nuclear energy. It can be used as a source of clean energy, but also to make the atomic bomb. Obviously, that comparison is exacerbated, but R2P is something like that. No one wants to sit and watch a new massacre like Rwanda or Srebrenica. But if you try to flex criteria stabilizing the international system like the principle of state sovereignty and not subject that to controlling conditions, then you can think that the ones flexing [the fundamental principles] have second, third and fourth ulterior motives. R2P is a fragile product needing to be taken care of.<sup>254</sup>

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<sup>254</sup> Interview with MRE#4.

Fourth, R2P's three pillars "must follow a strict line of political subordination and chronological sequencing", exhausting diplomatic solutions and avoiding the "precipitous use of force" (United Nations, 2011m: 2). That orientation was not satisfactory to many defenders of R2P. They understood it as an impediment to the implementation of R2P, raising issues on when preventive diplomacy ends and the use of force starts. Moreover, it was against Ban Ki-moon's 2009 views, as he affirmed that the three pillars are non-sequential and of equal importance (United Nations, 2009a).

After Brazil left the council, RwP appeared again on some occasions, for instance, during a debate on January 19<sup>th</sup> 2012 on the rule of law in the maintenance of international peace and security. Brazil was invited by the South African delegation, which presided the UNSC. Viotti's speech linked the commitment to the rule of law to RwP:

The multidimensional challenges of the current peace and security agenda require that the UNSC set the example. Accountability is crucial to the rule of law at the national level. It should also be a major concern with regard to the implementation of UNSC decisions. Those elements form part of a discussion that Brazil is promoting on responsibility while protecting. By reinforcing accountability with regard to the implementation of its own decisions, the UNSC reaffirms its commitment to the rule of law as a prerequisite to long-lasting peace and security (United Nations, 2012a: 23).

More importantly, on February 21<sup>st</sup> 2012 Brazil organized an "informal discussion" on RwP co-chaired by Patriota and the UN Special Adviser for the Responsibility to Protect Edward Luck. At that moment, Syria was the most pressing issue. Thirty-seven states, observers and NGO asked to speak at the three and a half hour meeting held at the UN, which demonstrates that RwP still raised attention. Patriota recalled the need for the international community to "exhaust all peaceful means available in the protection of civilians under threat of violence", adding that the use of force "must produce as little violence and instability as possible". Special Adviser Luck welcomed Brazil's initiative and appreciated its importance in helping R2P to reach its full potential. However, he emphasized that "when thousands of lives are at stake, what is needed is 'timely and decisive' action (...) not philosophical debate" (Luck, 2012: 2).

Speakers – among them Brazil - were not interested in renegotiating R2P’s conceptual foundations, but in enhancing its standards of implementation. Gareth Evans, one of the “founding fathers” of R2P and co-chair of the ICISS, affirmed RWP is an “important and very constructive contribution to the debate, at a time where dialogue is urgently needed in the wake of criticism about” the way the UN dealt with Libya. He added that a merit of RWP was to discuss the UNSC working methods, which should prevent crises from occurring, escalating and recurring. RWP was crucial for its attention to “key prudential criteria before the council agrees to any use of coercive force” and, when the use of force is authorized, for urging the UNSC to “establish a monitoring and review mechanism” (Evans, 2012: 1-2).

The informal discussion demonstrated that space for future dialogue on RWP and R2P existed, as speakers expected more debate on the three-pillar framework and on how the monitoring and review mechanism should operate. They criticized Brazil’s chronological view on the three pillars and suggested military experts should be engaged in prospective talks.<sup>255</sup>

Some Western countries like Germany dropped their initial opposition to RWP and started seeing its potential to “bridge the ever growing divide in the global debate on the responsibility to protect” (Benner, 2013: 7). As R2P was under severe criticism because of Libya, RWP started being seen as a means to recover the original meaning of the norm while controlling its implementation (Herz, 2014; Leme, 2015). As time went by, it received more support from NGO, the UN and governments.

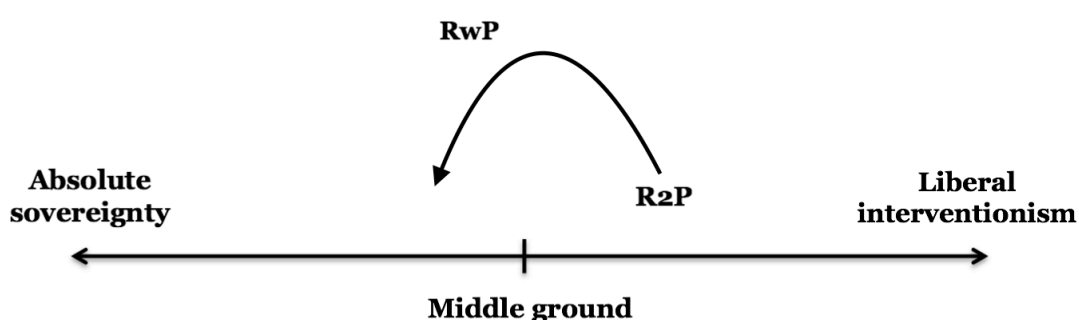
Secretary-general Ban Ki-moon was one of the greatest enthusiasts of RWP, inserting the idea in the UN agenda more than once. In May 2012, when presenting his report on the protection of civilians in armed conflicts, Ban Ki-moon discussed Brazil’s RWP, mentioning its contributions (United Nations, 2012b). Two months later, he dedicated two and a half pages of his 16-page report “responsibility to protect: timely and decisive response” to RWP. That is almost the size of Brazil’s original concept note explaining the proposal. The report welcomes RWP, acknowledging Brazil “has since facilitated broad and constructive discussion of the initiative (...) which has served to underscore the commitment of member states to the prevention and protection of

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<sup>255</sup> For an accurate account of the discussion, see: <http://www.responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/4002-informal-discussion-on-brazils-concept-of-responsibility-while-protecting>, accessed on 28 December 2019.

principles embodied in” R2P (United Nations, 2012c: 13). Relating RWP to earlier reports and the 2005 World Summit, the secretary-general observed that “the essence of ‘responsibility while protecting’ is doing the right thing, in the right place, at the right time and for the right reasons”, as it could serve as a remedy to political interference and double standards, as well as a “useful pathway for continuing dialogue” (idem: 14-15). Tourinho, Stuenkel and Brockmeier (2015: 2) argue that RWP “enabled a debate on the use of force and R2P at a time when the discussions were extremely polarized”.

In a response on September 5<sup>th</sup> 2012, ambassador Viotti addressed criticisms of RWP’s chronological progression, asserting that the sequence “between the three pillars of R2P should be logical, based on political prudence. It does not mean the establishment of arbitrary check-lists” (Brazil, 2012b: 4). Her speech, however, demonstrated that Brazil’s decision-makers started nurturing discomfort with the perception of RWP as a *via media* between pro-interventionists and defenders of unlimited sovereignty. Figure 14 shows that the Brazilian proposal was not that balanced, as, at the time, R2P was closer to the first group than RWP. RWP’s emphasis is much more centered on R2P’s pillars one and two. Viotti’s speech therefore reminded the importance of mediation, prevention, dialogue and negotiation, having a different tone than Ban Ki-moon’s report.



**Figure 14.** RWP and R2P

That discomfort was exacerbated in Rousseff’s speech to the 2012 UNGA. Presenting a vague discourse and changing the conciliatory and moderate tone of RWP to a more pro-sovereignty approach, she “came across as burying the concept”. For Benner (2013: 8), Brazil lost a great opportunity to clarify new ideas on RWP and continue branding the initiative. As Tourinho, Stuenkel and Brockmeier (2016: 134)

point out, RWP was extensively debated, “but it never sufficiently materialized into specific proposals that could address the problems of collective security and human protection”. Ban Ki-moon recognized that in August 2013, when mentioning that the “normative framework to protect civilians, including (...) discussions about ‘responsibility while protecting’, has continued to be the subject of debate, not always matched by action” (United Nations, 2013: 8).

Lastly and as happened with climate change, RWP was solely presented by Brazil, although it received the support of some countries and individuals. An interviewee mentioned that the issue was discussed at the 2011 BRICS meeting of foreign affairs ministers in New York. That gathering occurred two days after Rouseff’s speech at the UNGA. The bloc was divided on RWP, which prevented a common position (Reis, 2015). “The Russians in particular were like: why are you [Brazil] doing this? The Indians and South Africans were, in contrary, very supportive”.<sup>256</sup> Indeed, South Africa’s delegation raised the matter during a following UNSC meeting: “regime change and the arming of civilians cannot be justified in the name of protecting civilians, and those entrusted with such responsibilities must uphold them while protecting civilians” (United Nations, 2011: 22).<sup>257</sup>

Furthermore, Brazil did not aspire to foment a regional consensus around RWP, as it did not sufficiently discuss the matter with neighbors in Latin America or regional organizations like the MERCOSUR and CELAC (Serbin and Serbin Pont, 2015: 24).<sup>258</sup>

#### **IV.5. Responsibility while protecting and explanatory factors**

The three explanatory factors did not have the same influence nor played a similar role for RWP to come about. As I further clarify, Brazil’s proposal mainly depended on the country’s presence at the UNSC and on Itamaraty’s activism.

##### *Regime structure*

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<sup>256</sup> Interview with NGO#12. Likewise, and according to MRE#5, “Brazil did not emphasize national sovereignty as Russia and China nor shared P3’s views. Our interpretation was more careful: we supported R2P, but understood that its implementation needed to be supervised. Beyond the division within the council, the BRICS were not together. In general, our position was closer to India’s and South Africa’s”.

<sup>257</sup> The episode demonstrates that the BRICS do not have a similar approach to R2P. See: Job (2016).

<sup>258</sup> An exception would be the summit of South American-Arab Countries (ASPA), which endorsed RWP in its 2012 meeting in Lima.

The peace and security regime is fundamentally based on a hierarchic and restrictive setting. Because of that, non-P5 states have a harder time to promote ideas, needing to have the support of the P5 and of the international community. As Puri (2016: 2) points out, “very little is known about the Security Council to people outside the charmed circle at the apex of multilateral diplomacy. (...) The five permanent members have a natural advantage”. In the specific case of this chapter, Brazilian negotiators made active use of the country’s mandate to influence the debate on the use of force in Libya and beyond.

While not being part of the UNSC’s inner circle, Brazil partook in meetings, interacted with existing norms, rules, and principles, and presented its views. Concerning the Libyan situation, Brazilian negotiators first adopted a careful tone, asking for the de-escalation of the conflict. After the approval of resolution 1973 and its consequences, they adapted the language, expecting to address a critical tension of today’s international relations: how to combine the enactment of “all necessary means” with the preservation of sovereignty and the protection of populations. RWP epitomized that engagement.

It was precisely because Brazil was a non-permanent member of the council that its negotiators could promote RWP and discuss the matter with other delegations. A negotiator explained why taking part in the UNSC was required for the proposal to exist:

Sometimes we discuss language, the content of resolutions, but they will be put in practice in a different way. Consequently, the ones with the capacity to do things define the criteria. They do what they want in accordance with their interpretations. As Brazil was at the council, we could observe that. And you clearly see that once you give that pseudo authorization [resolution 1973] – because the authorization was up to a point and not unbridled – they just go beyond and nothing happens. Simple as that. There is no monitoring, no accountability, no ‘sunset clause’... How far this mandate goes? Is it indefinite? It goes until the enemy is destroyed? Does it lose validity? So... You are exposed to states with capacity to act and they will control the situation. No one is innocent at the UNSC, so we know that interest and manipulation exist.<sup>259</sup>

Along the same lines, another diplomat added that,

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<sup>259</sup> Interview with MRE#8.



There is a culture within the UNSC that only the P5 propose things. They are the ones organizing meetings, proposing projects. If you look into who is the ‘lead country’ of the council’s agenda, you see that most important topics are controlled by the P5. It is not very common that non-permanent members expose and propose their ideas. Even more in a context like that and regarding such sensitive topics.<sup>260</sup>

The tide was in favor of Brazil’s proposal even after it left the council. As I demonstrated, RwP continued appearing in debates at the UNGA and the UNSC, as well as in reports by the secretary-general. This means that while being present at the council was a necessary condition for the proposal to exist, the same condition was not as crucial when the debate was already under way.

#### *Domestic assets*

As for the domestic assets – the country’s “history of peace”; participation in efforts of mediation and preventive diplomacy; contributions to peacekeeping; and military capabilities –, they did not play a direct role for RwP to exist. A survey of all UNSC meetings during Brazil’s mandate could not provide substantial evidence on the importance of these domestic assets. It is true that during her 2011 speech at the UNGA Rousseff mentioned that Brazil lived in peace with its neighbors for over 140 years, that Brazil is a non-nuclear weapon country, and that it is ready to assume more responsibilities (Brazil, 2011). These self-identified credentials were related, however, to the country’s bid to permanent membership in the UNSC rather than to the proposal of RwP.

One could argue that the many peace and security topics present in Brazilian discourses at the UN are interconnected, which would make the contribution of domestic assets decisive. The reasoning goes: by having features that distinguish the country from others (namely the P5 and other large developing countries like India), Brazilian proposals aiming to promote peaceful solution of controversies, reconciliation, mediation, and cooperation would be a consequence of domestic traits. Data did not corroborate this claim, nor officials involved with the proposition of RwP I talked with. Their answers drifted to general comments about the importance of these qualities – that

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<sup>260</sup> Interview with MRE#6.

are normally reinstated in Brazil's official rhetoric and historical narratives -, but no direct links were made to RWP.

Instead, Brazil's RWP stems from technical and legal arguments that combine the evolution of the country's views on R2P and the use of force. These orientations were tailored to update R2P and are associated with the many consequences of the Libyan crisis and related issues like the operationalization of military actions, the protection of civilians, the role of preventive diplomacy, and the authority of the UNSC.

#### *Domestic decision-making procedures*

RWP was produced at Itamaraty in Brasília and then gained ground at the country's mission to the UN. The concept note circulated on November 9<sup>th</sup> 2011 that describes RWP in detail was, according to a Brazilian diplomat, a "collective exercise".

Four or five colleagues working on UN-related issues met with chancellor Patriota more than once. It [RWP] was originally his idea, and we attempted to put it on paper. Afterwards, we instructed New York to circulate it as a numbered document not only to the UNSC, but also to the General Assembly.<sup>261</sup>

Another senior diplomat participating in this process commented:

We insisted that resolution 1973 was being implemented in a very broad and controversial manner. What exactly is a 'military action to protect civilians'? When you bombard Libyan infrastructure or a group of tanks that is moving outside the region where conflict is occurring... Are you protecting civilians? And which civilians deserve to be protected? Why some civilians in Libya and others not? When Gaddafi's forces surrounded Sirte, why did the UNSC not discuss protecting these civilians? We also understood that the implementation of resolution 1973 would create 'antibodies' to R2P. A strong backlash to R2P would come. We discussed these things, and all of that was in Patriota's mind when he started developing the idea.<sup>262</sup>

Patriota's participation was crucial. His previous experience with issues related to the use of force, protection of civilians, and the functioning of the UNSC helped him

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<sup>261</sup> Interview with MRE#4.

<sup>262</sup> Interview with MRE#6.

read the situation and come up with RWP.<sup>263</sup> For having written about the Gulf War and contributed to Brazil's mandate in the UNSC during the Iraq War, the chancellor was versed in debates related to peace and security. It is possible to say that the combination of his personal experience and institutional position was a necessary condition for RWP to exist.

A precipitate assessment would tie RWP not only to Itamaraty, but also to the MD, especially because the idea came into existence in 2011, when ambassador and former chancellor Celso Amorim was minister of defense. Nonetheless, the MD did not have a role in the production or advancement of the proposal, which appeared as a coherent byproduct of Brazil's foreign policy.

On the role of president, none of the interviewees pointed out any active participation of Rousseff in the creation or promotion of RWP. In spite of that, the idea is present in her first speech at the UNGA. She mentioned RWP again in 2012: "we want legitimate actions, founded on international legality. In this spirit, I have defended the need for a 'responsibility while protecting' as a necessary complement to the 'responsibility to protect'" (Brazil, 2012c: 5). The pivotal role played by Patriota is corroborated by the fact that after he was removed from the position, RWP would not appear again in Brazil's speeches at the UNGA nor occupy a strategic locus in the country's foreign policy.

#### **IV.6. Responsibility while protecting and the degree of change**

RWP directly addressed the existing normative and operational elements part of the peace and security regime. In ambassador Viotti's words, Brazil's input built "upon the existing conceptual framework" regarding the maintenance of peace and security and the protection of civilians (United Nations, 2011: 15). In other words, it relied on the norm of R2P. More importantly, it touched upon how it should be put in motion and which limits should govern its implementation.

Without denying R2P, RWP expected to correct the mistakes made in the case of Libya, establishing basic criteria to prevent ambiguous interpretations on the use of force and avoid Chapter VII resolutions being enacted for ulterior motives. In a sense, RWP is a step back in the implementation of R2P, calling the international community to consider its underlying elements and ponder whether it works as a "carte blanche" for

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<sup>263</sup> Interview with MRE#7.

military action. RWP's idea of "do no harm", for instance, embodies that orientation. While not moving away from the imperative of protecting civilians from mass human rights violations, RWP invites member states to carefully consider preventive and peaceful means while assessing the specific situation on the ground. With all these elements in place, force could be authorized as a last resort, in proportional manner, and following an unequivocal mandate by the UNSC.

The way Brazilian negotiators tabulated RWP refers back to the basic rules and principles composing the regime. According to Viotti, the international community should ensure "compliance with the rules of international humanitarian law and human rights law". Therefore, R2P should be primarily exercised through diplomatic, humanitarian, and other peaceful means, with coercive force coming only after these prove inadequate. "Both concepts should evolve together, based on an agreed set of fundamental principles, parameters and procedures" (United Nations, 2011: 16).

Discussing the legalist nature of RWP, Acharya (2013: 477) mentions that,

The Brazilian initiative attests to the working of 'norm subsidiarity', a form of normative agency which occurs when the weaker elements in the international system seek to protect the integrity of an existing international norm 'from dominance, neglect, violation, or abuse by more powerful central actors.' Weaker states, especially developing countries, resort to this form of normative action 'when confronted with great power hypocrisy'.

One of the most controversial issues regarding RWP is why it stopped appearing with the same intensity in UNSC debates and in Brazil's statements.<sup>264</sup> To be sure, RWP received much attention from academics and policymakers and still appears in works like this thesis. Its contents also relate to more recent developments regarding R2P. Brazil's activism, however, was mostly limited to the time span until September 2012. I present four possible motives for that, referring these back to the explanatory factors.

First (i), RWP did not receive enough backing from the P5, namely from the P3. As a diplomat argued, this might have occurred because their initial interpretation was

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<sup>264</sup> RWP was part of a 2013 letter from the permanent representative of Uruguay to the secretary-general about the ZOPACAS; of a 2015 keynote address of Gareth Evans organized by the permanent representative of Finland to the president of the UNSC; in that same year, of a debate at the Human Rights Council on Libya; and of a formal debate at the UNGA on the responsibility to protect in June 2018.

that Brazil pushed forward a defensive idea with the goal to cease possibilities regarding the use of force while obliging countries to comply with reporting and accountability.

There is this idea that Brazil is very defensive, being fiercely attached to the notion of sovereignty and nothing more. This perception has to do with the evolution of the country's multilateral diplomacy, which has always been very attentive to possible manipulations regarding the use of force. But we weren't... Opposing anything. Our idea was not to pass any image of being defensive. Not to pass the impression that: 'we did not like it and we don't have anything else to add'.<sup>265</sup>

Another interviewee not part of the Brazilian government but following the negotiations closely remembered Washington's initial reaction: "their tone was: 'this is what Brazilians do. They just kind of wreck stuff and create obstacles. They are not really serious. This is just a way of kind of beating up on the West. And it is going to become an excuse to do less'".<sup>266</sup> The French reaction was also adverse.

Adding to that, Brazil did not receive backing from Russia or China. Since the Syrian civil war was worsening together with the continuing unrest in Libya, Moscow undertook a non-cooperative attitude towards R2P. As for Beijing, it maintained a traditional vision on the norm, which meant going back to basics and not allowing new interpretations.

These initial reactions have to do with the fact that Brazil took some time to circulate the idea and establish ties with NGO and think tanks. Furthermore, RWP could have been more frequently exposed in the media. While the British and the French "were very active in harnessing the framing power of the media" and were able to influence other countries, Brazilians could not do the same (Adler-Nissen and Pouliot, 2014: 899). In reason of that, RWP could not be properly promoted and understood, which impaired its continuity.

A senior Brazilian negotiator diplomatically mentioned that

Brazil is not keen on guiding for much time or insistently in a debate focusing on military intervention. This is not part of our diplomatic tradition. It is a very sensitive debate, a 'boots on the ground' debate. (...) If our proposal was interesting, and it was,

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<sup>265</sup> Interview with MRE#8.

<sup>266</sup> Interview with NGO#12.

other countries should have continued the debate. (...) But of course I remember people asking us the next steps. These things have a dynamic and in the UN you have to keep these ideas revolving.<sup>267</sup>

As I argued before, the negative reaction shifted with the progression of time and not necessarily in reason of Brazil's engagement. While some voices in the West started seeing RwP as a means to update R2P, countries like China recalled RwP when presenting its view of R2P (Chen, 2016). Designated "responsible protection" and forwarded at the UNGA in September 2013, the Chinese contribution has several similarities to RwP, namely with respect to the parameters to implement R2P's pillar three (Garwood-Gowers, 2016).

Second (ii), Brazil left the UNSC at the end of 2011, which made it harder for the country to keep advancing RwP. Although the idea continued being discussed, the UNSC is the central arena to debate peace and security. Were Brazil in the council, it could continue promoting RwP in the unfolding crises of Syria and Yemen, as well as in debates on R2P and protection of civilians.

Third (iii), as the situation in Libya escalated, the discussion on the use of force progressed too rapidly, leaving no time for Brazilians to organize strategies (Ravenhill, 2018). From Viotti's presentation showing the roots of what would become RwP on May 10<sup>th</sup> 2011 to her detailed speech at the council on November 9<sup>th</sup>, only six months had passed. In comparison, R2P had almost ten years – from ICISS 2001 report to the Libyan crisis - to develop and engage academics, civil society organizations, and practitioners. In the view of an expert on R2P working for a NGO, "I think they were kind of caught in... They couldn't quite decide to lead or let things happen. Because they did all of this, they presented RwP, and then they had people like me saying 'this is great, you are a leader. Now lead'".<sup>268</sup> India's permanent representative to the UNSC at the time agreed: "while RwP has gained some, but limited, traction, even its proponents would agree that the 'doctrine' needs to be developed" (Puri, 2016: 18). Paris (2014: 589) added to the criticism, affirming that RwP "sheds no light on the kinds of operational problems and dilemmas" prospective interveners might encounter in practice.

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<sup>267</sup> Interview with MRE#4.

<sup>268</sup> Interview with NGO#12.

Fourth (iv), domestic reasons affected the continuity of RWP. Patriota lost his position in August 2013 after a crisis involving Bolivia, which harmed his ability to influence the formulation of Brazil's foreign policy (Kenkel and Stefan, 2016). Although he ended up being the permanent representative to the UN until mid-2016, he did not have the same level of contact with president Rousseff nor was equally able to frame multilateral debates. On that issue, a diplomat remembered that Patriota's relationship with president Rousseff was not as good as the one between Amorim and Lula da Silva.<sup>269</sup> Coupled with that, Brazil's domestic crisis gained traction, which diminished the country's engagement with intricate issues (Kotyashko, Ferreira-Pereira and Vieira, 2018).

#### **IV.7. Final remarks**

The proposition of RWP demonstrated Brazil's attempt to shape not the norm of R2P, but its operationalization (Stefan, 2016). By not denying R2P and not necessarily seeing it as a Western tool to promote interventions, Brazilian negotiators expected to portray the country as a reliable actor interested in advancing the practical implementation of an evolving norm. The idea was to bring together states with different interpretations, while advancing Brazil's views on civilian protection and use of force.

Nine years after resolution 1973, the first real test of R2P's effectiveness, Libya is still plagued by instabilities, grave human rights violations, lack of democratic governance, and fears of return to full-scale civil war.<sup>270</sup> The legacy of NATO's intervention remains controversial, as the African country turned into a safe-haven for extremists with potential access to weapons of mass destruction. Obama called the intervention a "shit show" and the foreign affairs committee of the British parliament admitted it was based on "erroneous assumptions".<sup>271</sup> More than that, the Libyan case created suspicion of R2P, which had impacts on the following crisis in Syria. Up to

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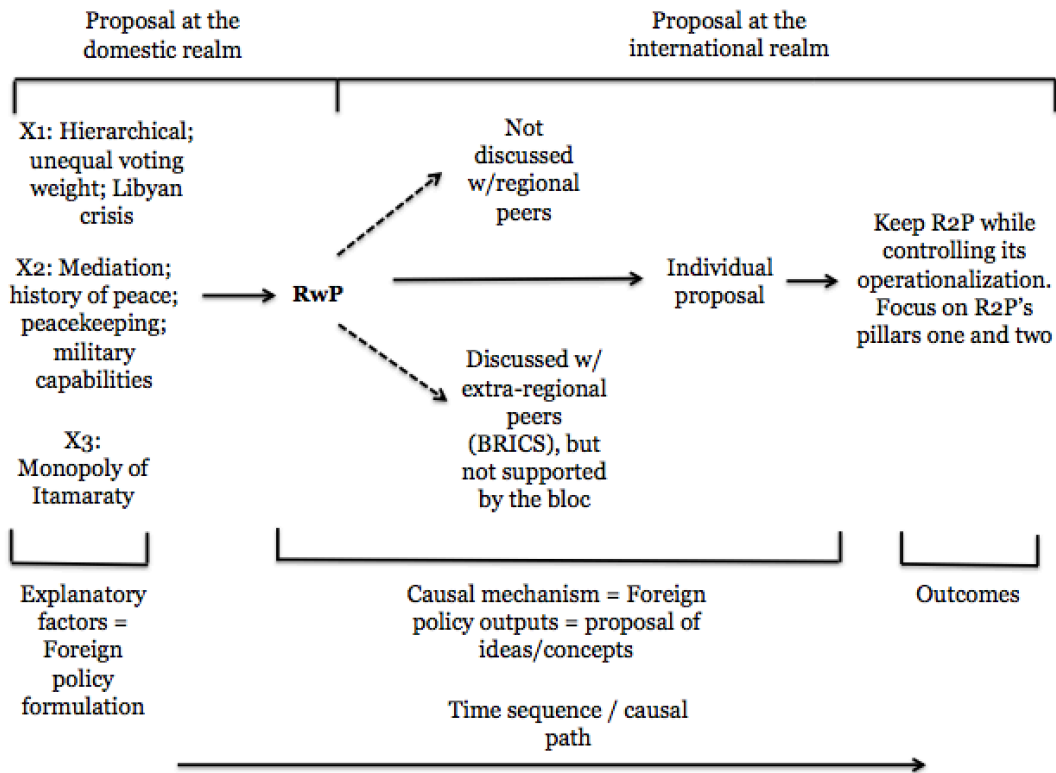
<sup>269</sup> Interview with MRE#8.

<sup>270</sup> See: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25048&LangID=E>, accessed on 2 January 2020.

<sup>271</sup> For Obama's comment, see: Goldberg (2016). For the British parliament, see: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/foreign-affairs-committee/news-parliament-2015/libya-report-published-16-17/>, accessed on 2 January 2020. For all UNSC resolutions on Libya, see: <https://www.securitycouncilreport.org/un-documents/libya/>, accessed on 2 January 2020.

December 2019, for instance, Russia resorted to the veto 14 times, blocking actions against Assad's regime.<sup>272</sup>

RwP came into the equation to enhance the role of the UNSC, assuring prudential criteria, accountability, monitoring and transparency. Brazil's proposal hoped to redirect the debate into the importance of prevention rather than military action, correcting future misinterpretations of R2P and averting atrocity crimes.



**Figure 15. Analytical framework and RwP**

Figure 15 illustrates the interrelations of RwP with the explanatory factors and the outcomes part of this thesis' analytical framework. When it comes to the structure of the peace and security regime (X1), Brazilian negotiators made use of the regime's configuration to advance RwP. Relying on its non-permanent membership in the UNSC in a moment of a mounting crisis in Libya, Brazil could engage in discussions on the protection of civilians in armed conflicts and the implementation of R2P. Amidst these debates, its negotiators could present RwP as a way forward. UNSC debates in May and November 2011 were instrumental for that. Notwithstanding, RwP continued receiving

<sup>272</sup> See: <https://www.reuters.com/article/us-syria-security-un/russia-backed-by-china-casts-14th-u-n-veto-on-syria-to-block-cross-border-aid-idUSKBN1YO23V>, accessed on 2 January 2020.



attention after Brazil left the UNSC, irregularly appearing in debates at the UNGA, the UNSC and the Human Rights Council.

As for the role of the domestic assets, (X2) a perceptible difference from the climate change regime is that immaterial assets like the importance of mediation and prevention in Brazil's multilateral endeavors had more weight - although limited and indirect - than material assets such as the state of its armed forces, which could not account for RWP. As mentioned, Brazil's peace and security-related domestic assets are much more related to the country's bid to permanent membership in the UNSC than to the specific proposal of RWP.

Regarding the domestic decision-making procedures (X3), Itamaraty acted independently in the process of producing and promoting RWP. It was able to advance RWP without the support of other ministries like the MD, controlling the decision-making process and the content of the proposal. The contribution of individuals such as former chancellor Patriota was essential for RWP to come about and for the idea to appear in Brazil's participations at the UNGA and the UNSC.

Figure 15 illustrates that RWP was not previously discussed with regional peers, but appeared at the 2011 BRICS meeting of foreign affairs ministers in New York. The bloc could not achieve a common position and RWP continued being pushed forward individually by Brazil. Two years later, the Chinese concept of "responsible protection" recalled RWP, which could serve as an opportunity for Brazil to dialogue with China and influence the broader agenda of protection of civilians. At that moment, however, RWP was not as important to Brazilian decision-makers.

Finally, the proposal lost relevance, but parts of its contents can be found in more recent discussions on R2P, some involving Brazil's participation (Tourinho, Stuenkel and Brockmeier, 2015).<sup>273</sup> These days, R2P is evolving much more in the direction of its first two pillars, centering on issues like accountability for prevention;

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<sup>273</sup> Brazil's speech at a 2018 UNGA debate on R2P recovers some elements of RWP: "preventive and responsive tools should follow a sequential logic, meaning, above all, that coercive measures and the use of military force should always be our last option" (United Nations, 2018a: 15). According to a UN official (UN#2), Brazil's position had the value and merit of stressing the importance of monitoring and implementation activities, especially when it comes to the work of the UNSC: "it [RWP] is still 'there' and relates to discussions about securing voluntary restraint on the use of the veto. RWP also directly touches upon the debate on the accountability of the Security Council not only for not taking action, but also for how and when it takes action".

risk assessments; sharing of good practices and capacity building; early warning systems; and preventing capacities (United Nations, 2017; 2018b).<sup>274</sup>

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<sup>274</sup> For a comprehensive list of UN documents on R2P, see: [http://www.globalr2p.org/about\\_r2p](http://www.globalr2p.org/about_r2p), accessed on 2 January 2020.

## CHAPTER V

### BRAZIL AND THE FOOD SECURITY REGIME

This chapter investigates Brazil's support for the concept of right to food (R2F) and analyzes how it interrelates with the normative and operational elements part of the food security regime, namely the idea of food security.<sup>275</sup> Similar to previous chapters, R2F can be understood as a corollary to the notion of food security, incorporating a human rights approach without denying its core meaning. Differently from previous chapters, the idea of R2F was not a sole byproduct of Brazil's interests, but a pre-existing discussion later having Brazil as one of its main promoters. This push became more explicit with the election of José Graziano da Silva, former extraordinary minister of food security and fight against hunger during the presidency of Lula da Silva, for the post of director-general of FAO in 2011.

I expose how the advancement of R2F as a foreign policy strategy is a direct consequence of the convergence of the explanatory factors part of this thesis. Brazilian negotiators made active use of FAO's fairly open and non-hierarchical institutional setting to further the country's views, which gained more strength and legitimacy during Graziano da Silva's two mandates. In the same way, Brazil's food security-related domestic assets played a crucial part for its multilateral activism. Several national public policies to fight hunger, alleviate poverty and promote family farming were relevant for the country's engagement with FAO and the WFP. Many of these programs were presented as good practices by the Brazilian government, receiving FAO's institutional support, as is the case with Brazil's Zero Hunger strategy. It inspired FAO's "Zero Hunger Challenge" and the UN Sustainable Development Goal (SDG) number 2, which is also named Zero Hunger. That international recognition had impacts not only on the continuity of these domestic plans, but also on the political dynamics in Brazil.

Besides that, domestic actors such as federal ministries, civil society organizations, and the presidency were instrumental for the concept of R2F to be ingrained in the Brazilian constitution and part of its positions at FAO. Domestic decision-making was not always peaceful, being subject to disputes involving ministries and government bodies branding differing conceptions of socioeconomic development. These clashes affected normative discussions – namely related to the notion of food

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<sup>275</sup> The right to food also appears in the literature as human right to adequate food and right to adequate food. In this chapter I use right to food or the acronym R2F.

sovereignty – and the practical implementation of public policies. I demonstrate that these internal contradictions were more common in bilateral development cooperation projects than in the multilateral domain. There, clashes appeared more frequently at the WTO in comparison to FAO, which is partially tributary to Itamaraty's pacifying role.

On top of that, I contend that the Brazilian government attempted to develop a coherent strategy to internationalize and legitimize its views on topics such as hunger fighting and poverty alleviation. That plan involved the domestic level, the regional level - in South America with MERCOSUR's Specialized Meeting on Family Farming (REAF) and in Latin America and the Caribbean with CELAC - and the multilateral level, particularly FAO. That three-level approach demonstrated a disposition to build a broader type of international participation, which did not appear in the other case studies part of this thesis. Finally, whereas Brazil expected to continue socializing its domestic experiences, that effort was subject to discontinuities after 2016.

The chapter is divided in seven sections. The first outlines the main normative and operational components making the food security regime – its principles, norms, rules, and decision-making procedures -, having a focus on the concepts of food security, R2F, and food sovereignty. The second section delves into Brazil's domestic assets and public policies related to food security. The third section portrays the bureaucratic actors mostly involved with the decision-making procedures leading to the country's multilateral behavior. The fourth section looks into Brazil's understanding of R2F. I maintain that, in FAO's debates, Brazilian diplomats favored a conventional view of the concept, avoiding directly relating it to the more disputed idea of food sovereignty and attempting to mediate the positions of specific ministries. The fifth section exposes the relationship of R2F with the explanatory factors developed in this thesis. The sixth section argues that Brazil's views upheld the regime's existing components, reinforcing its pillars and bringing another interpretation to the notion of food security. The last section concludes.

### **V.1. The structure of the food security regime**

The food security regime largely relies on the group of principles and norms present in the work of the three United Nations Rome-based Agencies: FAO, the WFP and the International Fund for Agricultural Development (IFAD). Being the backbone of the regime and the main responsible for promoting debates on food security, FAO has its origins in the 1943 United Nations Conference on Food and Agriculture (also

known as the Hot Springs Conference), which established an interim commission. Two years later, states gathering in Quebec formally created FAO. It came to life with goals such as securing improvements in the efficiency of the production and distribution of food and agricultural products, enhancing the condition of rural populations, and ensuring humanity's freedom from hunger.<sup>276</sup> FAO's profile and importance grew in a war-ravaged Europe severely needed to rebuild its food systems.

In contrast to the climate change regime and the peace and security regime, FAO's foundational treaty was not explicit about its normative underpinnings, which are present in the preamble of its constitution but not stated as norms or principles. One of FAO's purposes, for instance, is to contribute towards an expanding world economy and ensuring humanity's freedom from hunger (FAO, 2017). Initially, FAO was developed as an instrument to assist governments in the areas of food and agriculture. That orientation was visible in initiatives like the World Food Survey, the World Census of Agriculture, and FAO's fertilizer, soil management, technical assistance and weed control programs. The WFP was created in 1963 as a result of parallel resolutions adopted by FAO and the UNGA to deliver food aid to affected areas.

The normative foundations of the regime became clearer with the organization of the World Food Congresses and the 1974 World Food Conference, this last one appearing in a context of soaring global food crisis. In the occasion, parties founded the IFAD and claimed that the international community should cooperate to reduce poverty, malnutrition and hunger while achieving food security, notably in developing countries. FAO's mandate enlarged with the work of the Committee on World Food Security (CFS), which was also created in 1974 and operates as a multi-stakeholder platform meeting annually and including civil society actors. Topics such as fisheries, early warning systems to monitor developments in food demand and supply, environmental matters, agrarian reform, gender and trade came together to create an evolving regime.<sup>277</sup>

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<sup>276</sup> See: <https://www.jus.uio.no/english/services/library/treaties/14/14-01/food-organization.xml>, accessed on 3 January 2020. FAO affirms that “a strategy for attacking poverty in conjunction with policies to ensure food security offers the best hope of swiftly reducing mass poverty and hunger”. FAO affirms around 793 million people experience hunger on a daily basis. For its conceptualizations of hunger, malnutrition and poverty, see: <http://www.fao.org/3/al936e/al936e00.pdf>, accessed on 3 January 2020.

<sup>277</sup> See: <http://www.fao.org/about/en/>, accessed on 3 January 2020.

The concept of food security is one of the regime's paradigmatic components.<sup>278</sup> Although interpretations on the idea vary, ranging from the individual level to the global level, most recall the responsibility of states and the international community to act. Throughout time, that “flexible concept” gained more than 200 definitions in the literature, each combining a policy usage with a political orientation.<sup>279</sup> According to FAO, the first official incarnation of the concept appeared in the 1970s, focusing on the volume and stability of food supply. In 1983, FAO reworked the notion, reminding the need of states to secure the access of vulnerable people to basic food (FAO, 1983). Three years later, the World Bank included a temporal dynamics to food security, differentiating between chronic food insecurity and transitory food insecurity (World Bank, 1986).<sup>280</sup>

The definition was stretched during the 1990s, incorporating the notions of food safety, context-based food preferences and nutritional balance. The 1994 UNDP Human Development Report defined food security as an aspect of human security, which is an ambiguous and questioned concept as of today (United Nations Development Program, 1994). That debate centered on the sovereignty of the individual, which gained ground after the Cold War. In the same direction of the norm of R2P, discussed in the last chapter, the concept of human security – and its subsets like food security – became a catchword used by UN agencies (Waisová, 2003). It questions Hobbesian views of unbridled state authority, bringing into the equation the need for states to match rights and obligations.<sup>281</sup>

FAO's 1996 World Food Summit and the 2001 State of Food Insecurity brought renewed understandings, with the latter defining food security as a situation “that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life” (FAO, 2002). FAO considers this the useful working definition of food

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<sup>278</sup> Food security also appears in the literature as food security and nutrition and as food and nutrition security.

<sup>279</sup> See: <http://www.fao.org/3/y4671e/y4671e06.htm>, accessed on 3 January 2020.

<sup>280</sup> Also see: <http://www.fao.org/3/al936e/al936e00.pdf>, accessed on 3 January 2020. This definition is in line with the first Millennium Development Goal (MDG), which aimed to eradicate extreme poverty and hunger and halve the number of hungry and undernourished by 2015.

<sup>281</sup> That research agenda was well explored by the Copenhagen School of Security Studies (i.e. Buzan, 1991). Also see: Kaldor (2007).

security, functioning as a basis for following documents and normative discussions. More than being related to the orientation to reduce poverty, malnutrition and hunger, the concept of food security emphasized a practical goal: ensure the combination of physical availability of food, economic and physical access to safe and nutritious food, and food usage.

Among the many factors influencing food insecurity, FAO mentions the lack of physical and financial access to food, variations in food prices and market fluctuations, armed conflicts, climate change and environmental disasters, and discontinuities in domestic food production. For its multi-dimensional quality, food insecurity is not only related to the lack of adequate food, but also with obesity.

Food sovereignty is another concept composing the regime. Although clearly interrelated with food security, food sovereignty is a more politically charged and disputed notion. Part of multilateral debates since the 1996 World Food Summit, food sovereignty echoes the views of the peasant movement La Via Campesina and of civil society organizations affirming neoliberal policies do not benefit the “people” nor lead to the eradication of hunger. Food sovereignty favors localized food systems and the contributions of traditional knowledge as ways to take into account the economic, environmental and social impacts associated with food production and consumption. As an example, food sovereignty defenders advocate that the WTO is not suited to discuss agricultural matters, as its Agreement on Agriculture perpetuates market imbalances like export subsidies and trade barriers instead of assuring the rights of family farmers.<sup>282</sup>

According to many of the views on food sovereignty, trade needs to be “fair”, opening room for countries to protect smallholders.<sup>283</sup> That orientation infused some proposals forwarded by the G-33 in the WTO negotiations, as is the case with the defense of subsidies to family farmers, public stockholding programs for food security and special safeguard mechanisms for developing countries facing surges in imports of

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<sup>282</sup> For the “six-pillar approach to food sovereignty”, see Food Security Canada (2012). Throughout time, food sovereignty was enshrined, in different manners, in the constitutions of Venezuela, Ecuador and Bolivia, also being part of Nicaragua’s Law of Food and Nutritional Sovereignty and Security, Senegal’s National Assembly, Mali’s Law of Agricultural Orientation and Nepal’s interim constitution. See: Godek (2015) and Mann (2014). Latin American countries differ in their interpretations of food sovereignty. The views of Bolivia, Venezuela, Nicaragua, and Ecuador are not shared by Chile, Colombia, Argentina and Mexico. Brazil and Uruguay would stay in-between these two poles. See: Gordillo and Jerónimo (2013).

<sup>283</sup> For a civil society perspective on food sovereignty, see: [https://nyeleni.org/IMG/pdf/Foodsov\\_triptico\\_english-2-2.pdf](https://nyeleni.org/IMG/pdf/Foodsov_triptico_english-2-2.pdf), accessed on 3 January 2020.

agricultural commodities (FAO, 2015). Food sovereignty places an emphasis on reshaping how food is produced, commercialized and distributed, defending the power of states to define their own approaches towards national food policies. Food sovereignty consequently builds upon food security, questioning its supposed lack of normative guidance.

Beyond food security and food sovereignty, the right to food (R2F) is the third major concept underpinning the regime. It has its roots in the 1948 Universal Declaration of Human Rights (art. 25), the 1969 American Convention on Human Rights (art. 34) and the 1974 Universal Declaration on the Eradication of Hunger and Malnutrition. R2F first appeared in a legal document as part of the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), which entered into force ten years later. Its article 11 reads that states recognize “the right of everyone to an adequate standard of living for himself and his family, including adequate food” (United Nations, 1967: 6). The document reinforced calls for a rights-based approach to food security, which should combine a holistic view of food and nutrition with the assurance of individual health and wellbeing (Gordillo and Gómez, 2005).

In 1999, the committee established to oversee the ICESCR stated that the concept of R2F implies sufficient quantity and quality of food to satisfy the dietary needs of individuals, being free from adverse substances and acceptable to distinct cultures.<sup>284</sup> The word “right” suggests that countries would be violating international law if not freeing their citizens from hunger (Gordillo and Jerónimo, 2013). Additionally, R2F was present in other international legal documents such as the 1979 Convention on the Elimination of All Forms of Discrimination against Women and the 1989 Convention on the Rights of the Child.

Throughout time, several countries and regional blocs - with Latin America occupying a prominent position - made explicit the need to protect and promote R2F.<sup>285</sup> Its institutionalization advanced in 2000 with the establishment of the UN special rapporteur on the right to food, who presents annual reports to the UNGA and the Human Rights Council and monitors the situation of the right to food in the world,

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<sup>284</sup> Especially general commitment 12. See: <https://www.ohchr.org/EN/issues/food/Pages/FoodIndex.aspx>, accessed on 3 January 2020.

<sup>285</sup> See, for example, the proposal to establish a Code of Conduct on the Right to Adequate Food: <https://www.worldhunger.org/code-conduct-right-adequate-food/>, accessed on 3 January 2020.



dialoguing with states in cases of alleged violations.<sup>286</sup> R2F is defined as “the right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to cultural traditions” (Office of the High Commissioner for Human Rights, 2010: 2). According to Burity, Cruz and Franceschini (2011), R2F starts with the fight against hunger, having two inner dimensions: the right to be free from hunger and the right to adequate food. States should thus realize R2F progressively, making use of legal, administrative, social and financial means.

In 2004, FAO member states adopted by consensus the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. They provide guidance for countries to implement R2F and offer additional means to fight hunger and poverty, to reach MDG targets and to integrate human rights into the works of agencies dealing with food and agriculture (FAO, 2005).<sup>287</sup>

The dramatic rise of global food prices in the period 2006-2008 and its lasting consequences contributed to make R2F more recognized and accepted, prompting the UN to coordinate multilateral responses. Secretary-general Ban Ki-moon mandated the creation of a High-Level Task Force (HLTF) on the Global Food Security Crisis, which remarked that all people should realize their right to good food and nutrition security.<sup>288</sup> In the same direction, the 2009 Declaration of the World Summit on Food Security and the 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security mention the right to food four times, demanding countries to act towards its progressive realization (FAO, 2009; FAO, 2012a).

Finnemore and Sikkink’s (1998) work on the role of norms in political change provides a good framework to analyze how R2F has evolved. Its life cycle started with

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<sup>286</sup> The creation of the position guards close relationship with the adoption of the MDG. See: <https://www.ohchr.org/EN/issues/food/Pages/FoodIndex.aspx>, accessed on 3 January 2020. For an overview of the special rapporteur’s mandate and the UN resolutions on the right to food, see: <https://www.ohchr.org/EN/Issues/Food/Pages/Overview.aspx>, idem.

<sup>287</sup> Valente (2014) nevertheless argues that the document failed to guarantee women’s rights, the role of nutrition in food production chains and the regulation of food markets.

<sup>288</sup> See <https://www.un.org/en/issues/food/taskforce/pdf/ZHC%20ANS-%20All%20Merged%20Rev%20May%202016.pdf>, accessed on 3 January 2020. Ban Ki-moon also highlighted that R2F should form a basis for analysis, action and accountability. See: <http://www.fao.org/right-to-food-timeline/filter-the-timeline/en/>, accessed on 3 January 2020.

the creation of the UN, with the concept already appearing in legal documents in the 1960s. That emergence phase was not accompanied by an “*opinio juris*”,<sup>289</sup> which curtailed its development. While the regime was not sufficiently institutionalized, FAO member states were preoccupied with practical issues that, at that time, were associated with concepts like food security and not clearly related to R2F.

Subsequently, FAO, civil society organizations, the UN itself, secretary-general Ban Ki-moon and some member states exerted an active role in creating a political momentum for R2F, spreading the concept in multilateral instruments, other regimes and national legislations. The 2008 Right to Food Forum organized by FAO in Rome, for example, was branded as the first “global opportunity” for countries to share lessons on the implementation of R2F, which illustrates how national, regional and multilateral levels are interconnected.<sup>290</sup> Amid that context of “norm cascades”, the notion of R2F gained legitimacy in regional<sup>291</sup> and national<sup>292</sup> political systems.

As the authors point out, “at the far end of the norm cascade, norm internalization occurs; norms acquire a taken-for-granted quality and are no longer a matter of broad public debate” (Finnemore and Sikkink, 1998: 895). Although it is

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<sup>289</sup> In customary international law *opinio juris* means a “subjective obligation, a sense of behalf of a state that it is bound to the law in question”. See: [https://www.law.cornell.edu/wex/opinio\\_juris\\_%28international\\_law%29](https://www.law.cornell.edu/wex/opinio_juris_%28international_law%29), accessed on 5 January 2020.

<sup>290</sup> See: <http://www.fao.org/right-to-food-timeline#16>, accessed on 5 January 2020. Also note the establishment of FAO’s Comprehensive Framework for Action (CFA). Ban Ki-moon identified R2F as a third track of the CFA at the Madrid High Level Conference on Food Security in 2009. See: <http://www.fao.org/tempref/docrep/fao/meeting/017/k6196e.pdf>, accessed on 5 January 2020.

<sup>291</sup> Examples of regional institutions incorporating R2F involve the OAS, the Organization of African Unity (OAU), the South Asian Association for Regional Cooperation (SAARC), MERCOSUR, ALBA, the Association of Southeast Asian Nations (ASEAN), the Community of Portuguese Speaking Countries (CPLP), the Caribbean Community (CARICOM), CELAC and the AU. See: <http://www.fao.org/right-to-food-timeline/filter-the-timeline/en/>, accessed on 5 January 2020. The role of Latin America and the Caribbean is especially important, as it promoted key actions such as the Hunger-Free Latin America and the Caribbean Initiative in 2005; the 2009 Interparliamentary Conference about the “Right to Food Security”, convened by the Latin American Parliament (Parlatino) in Panamá; the 2011 Resolution of the Central American Council of Human Rights Ombudsmen; the 2012 Declaration of Cochabamba on “Food Security with Sovereignty in the Americas”; the 2013 Framework Law on School Feeding, adopted by Parlatino; and the 2014 CELAC Plan for Food and Nutrition Security and the Eradication of Hunger 2025.

<sup>292</sup> For instance, Costa Rica (1949), Panama (1972), Cuba (1976), Guyana (1980), Honduras (1982), Guatemala (1986), Nicaragua (1987), the Philippines (1987), Haiti (1987), Suriname (1987), Colombia (1991), Paraguay (1992), Belarus (1994), Moldova (1994), Malawi (1995), Ukraine (1996), South Africa (1996), Democratic Republic of the Congo (2006), Maldives (2008), Ecuador (2008), Bolivia (2009), Dominican Republic (2010), Brazil (2010), Kenya (2010), Niger (2010), Mexico (2011), Zimbabwe (2013), Fiji (2013), Egypt (2014) and Nepal (2015). See: <http://www.fao.org/right-to-food-timeline/filter-the-timeline/en/>, accessed on 9 June 2019.

debatable whether the concept of R2F classifies as a “norm” and how much acceptance it has received outside the developing world, the phase of “cascade” is under way and might lead to a wider acceptance of the concept throughout time.

A limitation to further advancement rests on the ongoing debate on R2F as a justiciable right and subject of litigation (Courtis, 2007). The adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2013, for instance, provided additional capacities for individuals or groups to communicate possible violations of the rights guaranteed by the covenant (United Nations, 2009b).<sup>293</sup> Currently, bodies like the UNGA, the ECOSOC and the Human Rights Council advocate for R2F, with the latter affirming in 2019 that “hunger constitutes an outrage and a violation of human dignity” and stressing the “primary responsibility of states” to promote and protect R2F (United Nations, 2019: 4). Language around the concept is moving into law-like expressions such as “violation”, “adoption of urgent measures”, and others related to states’ obligations in respect to their populations.<sup>294</sup>

What is clear is that the regime’s conceptual boundaries are less defined in comparison to the two other case studies part of this thesis. Different from the ideas of concentric circles and common but differentiated responsibilities and respective capabilities (chapter III) and responsibility to protect and responsibility while protecting (chapter IV), the normative bases of the food security regime are more pervasive to interlinked concepts.<sup>295</sup> Knowing exactly when food security ends and food sovereignty or right to food begins can be a forceful exercise.<sup>296</sup> In a sense, they derive from a

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<sup>293</sup> The Vienna +20 CSO Declaration, issued on the occasion of the 20<sup>th</sup> anniversary of the 1993 World Conference on Human Rights, mentions “violations of the right to adequate food”. See: <https://viennaplus20.files.wordpress.com/2013/04/vienna20-cso-declaration-final.pdf>, accessed on 5 January 2020, p. 10.

<sup>294</sup> For an overview of recent documents, see: [http://ap.ohchr.org/documents/dpage\\_e.aspx?m=101](http://ap.ohchr.org/documents/dpage_e.aspx?m=101), accessed on 5 January 2020.

<sup>295</sup> The Maputo Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa, for instance, brings the idea of “right to food security”, adding up to the conceptual confusion. See: [https://www.un.org/en/africa/osaa/pdf/au/protocol\\_rights\\_women\\_africa\\_2003.pdf](https://www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf), accessed on 5 January 2020.

<sup>296</sup> Some recent works (i.e. Bellows *et al.*, 2015) are advocating for a reconceptualization of R2F in the direction of food sovereignty, incorporating debates on gender and women’s rights and nutrition.

renewed UN agenda focusing on the individual and bringing together security, development and human rights.<sup>297</sup>

Beyond the normative debates, the regime relies on the three Rome-based agencies and, specifically concerning FAO, governing bodies like FAO Conference and the Committee on World Food Security (CFS). Members convene at biennial FAO conferences to evaluate institutional frameworks, revise objectives, approve budget, elect FAO Council Members to serve three-year terms and choose the director-general to a four-year renewable term.<sup>298</sup> The CFS is a multi-stakeholder intergovernmental platform that includes countries and civil society actors and attempts to promote shared lessons and accountability, policy convergence, support and advice.

Reporting to the ECOSOC and to FAO Conference, the CFS was reformed in 2009. Composed by a Bureau and Advisory Group, Plenary, Secretariat and a High Level Panel of Experts on Food Security and Nutrition, the CFS is possibly the most inclusive decision-making space part of the UN system. It encompasses family farmers, indigenous peoples, youth, private sector associations and international institutions like the World Bank and the WTO.<sup>299</sup> Brazilian domestic experiences and bodies like the National Council on Food and Nutrition Security (CONSEA) contributed to make the CFS more open to non-state actors.

The director-general guides FAO's work, delineating strategic actions and promoting bureaucratic transformation. Up to now, FAO has elected eight director-generals. Half of them came from developed countries (two from the United States, one from the United Kingdom and one from the Netherlands), and the other half from developing nations (India, Lebanon, Senegal, and Brazil for the period 2012-2019). Since 1976, only candidates from the developing world have directed the organization. This trend continues in 2019 with the election of a Chinese. While the director-general does not represent his/her country, candidates can highlight national and regional

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<sup>297</sup> That perspective fittingly appears in the final document of the 2012 Rio+20 Conference and in more recent UN documents (i.e. United Nations, 2019b; FAO publications and reports of the special rapporteur on the right to food, just to mention some).

<sup>298</sup> See: <http://www.fao.org/unfao/govbodies/gsbhome/gsb-home/en/>, accessed on 5 January 2020.

<sup>299</sup> On the reform of the CFS, see: <http://www.fao.org/tempref/docrep/fao/meeting/018/k7197e.pdf>, accessed on 5 January 2020. For its rules of procedure, see: <http://www.fao.org/3/a-mp046e.pdf#page=125>, accessed on 6 January 2020.

experiences in the fields of agriculture, hunger fighting and poverty alleviation as well as the partnerships they developed during their careers when bidding for the position.<sup>300</sup>

As in most multilateral arenas, negotiations at FAO not only polarize developed and developing countries, but also provoke disputes within these groupings. Yet, FAO's institutional configuration makes it one of the most open and non-hierarchical institutions part of the UN. In comparison to the peace and security regime, for instance, FAO does not have distinctions in membership nor countries with special prerogatives like the veto. The fact that it has had director-generals coming from developing countries for more than 40 years and the existence of innovative governance bodies like the CFS contribute to make FAO a more democratic setting in relation to the UNSC, the Bretton Woods institutions, or even its sister organization, the WFP, which receives most of its funding from developed countries and is controlled by the United States.<sup>301</sup>

Developed and developing countries make use of FAO to advance themes that range from tenure of land, fisheries and biotechnology to gender and climate change. FAO is not only seen as a forum in which mainstream topics are discussed, but also as a space for advancing concepts like R2F and food sovereignty and even alternative views of world order. Additionally, coalitions like the G-77+China and GRULAC and regional organizations like ALBA can be very active when engaging with this multilateral arena, which is still scarcely studied by international relations scholars.

## **V.2. Brazil's domestic food security-related assets**

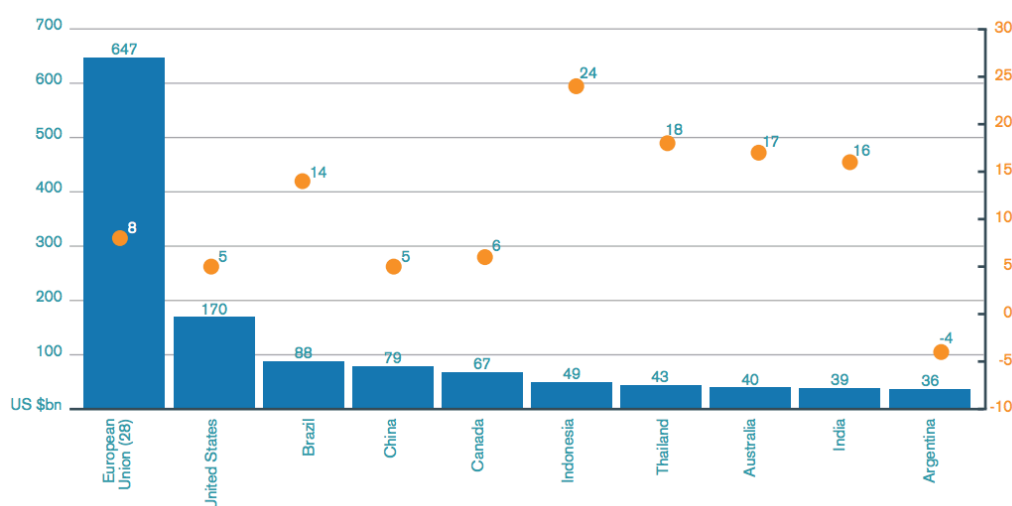
When engaging multilaterally, Brazilian negotiators commonly make reference to domestic food security-related assets, as is the case with the country's prominent standing in global agricultural markets, its endogenous technologies adapted to tropical climates, and a series of domestic public policies to fight hunger and alleviate poverty. While policymakers expect to find synergies between export-oriented agribusiness and inward-oriented family farming, contradictions are frequent. As I argue in the next section, dualities are a consequence of the different bureaucratic agendas of ministries and government bodies.

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<sup>300</sup> The Chinese candidate, for example, stressed that his mandate would promote "win-win cooperation" and remarked that China's contributions to global food security could "provide helpful experience to other countries". See: <http://www.fao.org/3/mz073en/mz073en.pdf>, accessed on 6 January 2020.

<sup>301</sup> FAO has 194 members. For the WFP, see: <https://www.wfp.org/funding>, accessed on 6 January 2020.

First of all (i), Brazil overcame historical food production deficits to rank among the top suppliers of goods like beef, poultry, sugar, coffee, orange juice, sugarcane bioethanol, cotton, soybean and cellulose. Being a major hub for arable land behind only the United States, Russia, China, and India,<sup>302</sup> Brazil is considered an “agribusiness superpower”, a “farm powerhouse”<sup>303</sup> and an “agricultural frontier” (The Economist, 2010: 2).<sup>304</sup> According to WTO estimates and as shows figure 16, Brazil was the third major exporter of agricultural products in 2017 (US\$ 88 billion) after the EU (US\$ 647 billion) and the United States (US\$ 170 billion), having a positive annual percentage change of 14%. Argentina was the only other Latin American country to rank in the top 10.



**Figure 16.** Top ten exporters of agricultural products (World Trade Organization, 2018)

A key factor for that is China. Its growing demand for commodities matched the aspirations of the agribusiness sector, providing Brazil’s largest trade surpluses and partially compensating deficits in services and primary income in the balance of

<sup>302</sup> See: <https://data.worldbank.org/indicator/AG.LND.ARBL.HA>, accessed on 6 January 2020.

<sup>303</sup> See: <https://uk.reuters.com/article/us-brazil-forum-fao/u-n-food-agency-sees-brazil-as-major-hub-for-arable-land-growth-idUKKBN1KD2CL>, accessed on 6 January 2020.

<sup>304</sup> See: <https://www.theguardian.com/environment/2019/jul/02/revealed-amazon-deforestation-driven-global-greed-meat-brazil>, accessed on 6 January 2020.

payments (Banco Central do Brasil, 2017).<sup>305</sup> Around 84% of Brazil's exports to China are concentrated on three products: soybeans, petroleum oils and iron ores. According to the World Bank (2014: 88), "the evolving characteristics of trade with China have also been driving a decline in Brazil's overall export sophistication to the world since 2006", which led some to argue that China has accelerated a process of de-industrialization and "reprimarization" of Brazilian exports. As Malamud (2017: 159) points out, the opportunity posed by a "China effect" inadvertently turned into a restriction.<sup>306</sup>

Beyond trade (ii), the importance of domestic assets is visible in Brazil's multilateral initiatives. Not so much at FAO but notably at the WTO, Brazilian negotiators engaged in trade disputes against the United States and the EU; formed the commercial G-20, a coalition of developing countries pressing for agricultural reforms in developed states and advocating for more flexible rules for the developing world; and relied on the country's comparative advantages with the hope to expand and liberalize agricultural global markets (Hopewell, 2013). At FAO, reference to these domestic assets is not as explicit, with the official narrative portraying Brazil as a know-how provider, capable of contributing to tackle food insecurity and minimize hunger through bilateral and triangular cooperation initiatives.

That rosier narrative is visible in cases not focused on family farming such as the ProSavana, a Japan-Brazil-Mozambique joint initiative. When addressing criticism, Brazilian bureaucrats commonly argue that the project - mostly based on the monoculture of commodities directed to foreign markets and largely replicating the large-scale agribusiness model of Brazil's Cerrado - not only supports Mozambique's economic development, but also generates positive results to its overall rural sector (Chichava *et al.*, 2013).

That strategy is tributary to the expertise developed by the Brazilian Agricultural Research Corporation (EMBRAPA). Created in 1973 and institutionally part of the

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<sup>305</sup> For 2018 data, see: <https://tradingeconomics.com/brazil/balance-of-trade>, accessed on 6 January 2020. From 2009 to 2018, primary products increased participation from 77,7% (US\$ 16,3 billion) to 88,9% (US\$ 56,8 billion) of total Brazilian exports to China. On the other side, Brazil has consistently imported manufactured goods from its Asian partner, varying from 98,1% (US\$ 15,6 billion) to 97,8% (US\$ 33,9 billion) of total imports. For trade data and lists of products, see: <http://www.mdic.gov.br/comercio-exterior/estatisticas-de-comercio-exterior/comex-vis/frame-pais>, accessed on 7 January 2020.

<sup>306</sup> Beyond the relevance of the agribusiness sector, I should mention that family farming is responsible for supplying 80% of the domestic demand for agricultural products, with smallholders occupying 24,3% of total agricultural area and employing more than 12 million workers (IBGE, 2009).

Ministry of Agriculture, Livestock and Supply (MAPA), EMBRAPA has pursued since the 1990s a policy of fomenting collaborative networks with foreign partners, mostly in developed countries. Through its Virtual Laboratory Abroad Program (Labex), EMBRAPA promoted partnerships with the United States, France, the Netherlands, South Korea, United Kingdom, Germany, China, and Japan (Nascimento, 2016).<sup>307</sup> The pool of technologies devised in Brazil and acquired with the mentioned partnerships allowed EMBRAPA to become internationally renowned for its research on tropical agriculture.

As explain Cabral and Shankland (2013), policymakers made use of the country's technical expertise to promote cooperation initiatives with partners in Latin America and Africa, to foster inter-regional exchanges and to underpin Brazil's interests at FAO. In a nutshell, Brazilian negotiators attempted to merge solidarity with pragmatism even when moved by commercial imperatives (Albuquerque, 2015).<sup>308</sup>

Finally (iii), subsequent governments established public policies to fight hunger and alleviate poverty, contributing to tackle chronic and historical food insecurity. Most of these advancements were seen during the presidencies of Lula da Silva. Between 2004 and 2014, the percentage of population in situation of poverty and extreme poverty decreased dramatically, making FAO to no longer list Brazil in the World Hunger Map for the first time in its history.<sup>309</sup> The country also achieved the first MDG – halve extreme poverty – ten years before the deadline.

These successes result from diverse factors, such as the creation of the National Council on Food and Nutrition Security (CONSEA) in 1993, during the presidency of Itamar Franco (1992-1994); the organization of the first National Conference on Food and Nutrition Security in 1994;<sup>310</sup> the macroeconomic stability achieved during the mandates of Fernando Henrique Cardoso (1995-2002); social policies and programs

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<sup>307</sup> See: <https://www.embrapa.br/en/busca-de-noticias/-/noticia/34297870/labex-embrapas-international-program-completes-20-years>, accessed on 7 January 2020.

<sup>308</sup> Looking into how domestic assets interrelate with the nuances of Brazil's discourses in the fields of agriculture and food security, Cabral (2016) identifies three main types of narratives within EMBRAPA: "technicians", who would be bringing knowledge on modern tropical agriculture to South-South development cooperation initiatives; "priests", who claimed to be in Africa for an altruistic mission; and "traders", who sent the technicians to explore business opportunities.

<sup>309</sup> See: <http://www.fao.org/3/a-i4033e.pdf>, accessed on 7 January 2020.

<sup>310</sup> Other editions occurred in 2004, 2007, 2011 and 2015.



introduced in the federal administration during his presidency and,<sup>311</sup> at the same time, by the PT in municipalities like Porto Alegre (Niedzwiecki, 2018); increases in minimum wage, greater access to social welfare benefits and universal social policies developed during the government of Lula da Silva and the first mandate of Rousseff; and the active role of civil society organizations.

The Zero Hunger Program “became the main governmental strategy guiding economic and social policies in Brazil (...), integrating structural and emergency policies into actions to fight hunger and poverty” (Graziano da Silva, Grossi and França, 2011: 11). According to Aranha (2010), Zero Hunger was based on four axes: (a) access to food, which included Bolsa Família,<sup>312</sup> the National School Feeding Program (PNAE), the Worker’s Food Program (PAT), the Food and Nutrition Surveillance System (SISVAN) and the Cisterns Program; (b) supporting family farming through the Territórios da Cidadania Program (“Territories of Citizenship”), the National Program for Strengthening Family Farming (PRONAF) and the Food Acquisition Program (PAA), which purchased products from smallholders; (c) income generation,<sup>313</sup> and (d) institutional linkages, mobilization and social control.<sup>314</sup>

The definition of hunger fighting and poverty alleviation as political priorities paved the way for legal instruments that ensured the continuity of food security-related policies and programs in Brazil (Leão and Maluf, 2012). In 2006, for instance, the Organic Law on Food Security (LOSAN) established the National System of Food and Nutrition Security (SISAN), which was regulated in 2010 with the goal to verify the impact of state-led initiatives, articulate national and subnational policies and plans, and guarantee R2F. Article 2 of LOSAN affirms that the state has the duty to “respect, protect, promote, provide, inform, monitor, supervise and evaluate the realization of the

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<sup>311</sup> Comunidade Solidária, Bolsa Escola, Cartão Alimentação, Vale Gás, Programa de Erradicação do Trabalho Infantil and Bolsa Alimentação.

<sup>312</sup> Bolsa Família unified several initiatives, becoming the largest Latin American conditional cash transfer program targeting families with per capita income below the poverty line. See: <https://dds.cepal.org/bpsnc/programme?id=6>, accessed on 9 January 2020. Among the most frequent criticisms of the program, Albuquerque (2019b) points out the unbalanced focus on emergency policies, budget instabilities, emphasis on specific sectoral policies and disputes involving bureaucratic actors. Also see Takagi (2006).

<sup>313</sup> Neri, Vaz and Souza (2013) demonstrate how each R\$ 1 disbursed with Bolsa Família generated R\$ 1,78 to the overall Brazilian economy.

<sup>314</sup> Takagi (2011) identifies three related axes: (a) implementation of public policies; (b) participatory building of the food and nutrition security policy; and (c) self-help action against hunger.

human right to adequate food, as well as to assure the mechanisms for its enforceability”. More importantly, article 6 determined that the “Brazilian state must work for the promotion of technical cooperation with foreign countries, therefore contributing for the achievement of the human right to adequate food in the international realm” (Cunha, 2010).<sup>315</sup> The text makes clear that, at least since 2006, the domestic and the international dimensions were linked concerning R2F.

In 2010, constitutional amendment 64 altered article 6 of Brazil’s constitution, making it to unequivocally recognize and secure R2F as a social right.<sup>316</sup> These measures “helped to create a legal framework at the federal level that facilitated policymaking to explicitly guarantee every Brazilian the right to healthy and culturally appropriate food” (IPC-IG, 2013). FAO endorsed the move, pointing out that the amendment was a very significant step towards a comprehensive realization of this human right in Brazil. The UN organization affirmed it “has supported this process through capacity development, awareness building and advocacy”, being “proud of this important achievement”.<sup>317</sup> In the view of Burity, Cruz and Franceschini (2011: 15), Brazil has “gradually advanced in the promotion of right to food claim mechanisms and, to a certain extent, stands out as a role model for the practical realization of this right”.

Moreover, R2F is embedded in the law that established CONSEA, which created in 2004 a Standing Commission on the Human Right to Adequate Food. A Special Commission to Monitor Violations of the Human Right to Adequate Food was established in 2005 as part of the National Council for the Defense of the Rights of the Human Person. All in all, the group of public policies and domestic plans led to considerable reductions in poverty and inequality (Albuquerque, 2019b).<sup>318</sup>

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<sup>315</sup> See: [http://www.planalto.gov.br/ccivil\\_03/\\_Ato2004-2006/2006/Lei/L11346.htm](http://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2006/Lei/L11346.htm), accessed on 9 January 2020.

<sup>316</sup> See: [http://www.planalto.gov.br/ccivil\\_03/constituicao/emendas/emc/emc64.htm](http://www.planalto.gov.br/ccivil_03/constituicao/emendas/emc/emc64.htm), accessed on 9 January 2020.

<sup>317</sup> See: <http://www.fao.org/right-to-food/news/detail-events/en/c/157360/>, accessed on 9 January 2020. Likewise, the World Bank, which technically and financially supported Bolsa Família, mentioned that Brazil was showing how social policies could go beyond assistance and become active tools of social and economic transformation. It cited Bolsa Família as “one of the key factors behind the positive social outcomes achieved in Brazil in recent years”. See: <https://www.worldbank.org/en/news/feature/2010/05/27/br-bolsa-familia>, accessed on 9 January 2020.

<sup>318</sup> Between 1990 and 2013, the number of undernourished in Brazil declined from 22,5 million to 3,4 million, a percentage reduction of 84,7%. See: <http://www.mds.gov.br/webarquivos/acao/informacao/institucional/gabinete-da->

Such a trend continued into the first mandate of Rousseff. Initiated in 2011, *Brasil sem Miséria* (“Brazil without Misery”), narrowed the role of Bolsa Família, expecting to overcome specific problems of income deprivation, promote access to labor markets, goods and services, and lift 16,2 million from extreme poverty. With different programs for rural and urban beneficiaries, the plan aimed to promote sustainable emancipation from poverty.<sup>319</sup> A year later, *Brasil Carinhoso* started providing monthly transfers to poor families for each child below the age of six.<sup>320</sup> In 2014, circa 14 million families – or 46 million people – received funds from Bolsa Família (Campello, Falcão and Costa, 2014). In addition, the Ministry of Social Development and Fight against Hunger (MDS) established national plans for food and nutrition security (PLANSAN) and for agroecology and organic production (PLANAPO).

Between 2004 and 2014, 26,5 million Brazilians left the poverty line. Undernourishment fell from 11,9% in 1999-2001 to less than 2,5% in 2008-2010. The economy grew at an annual rate of 3,2% between 1999 and 2014, whereas the Gini coefficient dropped from 59 in 1999 to 51 in 2014. Brazil also reduced the rate of stunting for children by 6% between 1996 and 2007 (FAO *et al.*, 2019). Obesity rates nevertheless continued to climb.

As explains Albuquerque (2019b), that overall positive scenario had its first signs of reversal in mid-2014 in reason of Brazil’s economic downturn, which was marked by a rise in inflation and interest rates, restrictive fiscal and monetary policies and a plunge in commodity prices. Mounting unemployment was accompanied by decreases in GDP per capita, average income and labor formalization. These factors affected the efficacy of public policies, making extreme poverty rise 11,2% between 2016 and 2017.<sup>321</sup> Setbacks were not offset by increases in the value of conditional cash

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[ministra/apresentacoes/201409\\_Brasil%20fora%20do%20mapa%20da%20fome%20-%20port.pdf](#), accessed on 9 January 2020.

<sup>319</sup> See: <https://www.oas.org/en/sare/courses/webinar-ripso-plan-brasil.pdf>, accessed on 9 January 2020.

<sup>320</sup> FAO’s country fact sheet brings a compilation of the main strategies, policies and plans related to food security adopted by the Brazilian government in the period 2003-2015. See: <http://www.fao.org/3/a-i3759e.pdf>, accessed on 9 January 2020.

<sup>321</sup> See: <https://www.valor.com.br/brasil/5446455/pobreza-extrema-aumenta-11-e-atinge-148-milhoes-de-pressoas>, accessed on 11 January 2020.

transfers paid to families in 2011 and 2014, during Rousseff's government, and in 2016 and 2018, already into Temer's administration.<sup>322</sup>

### **V.3. Domestic decision-making processes related to the right to food**

In comparison to the two other case studies part of this thesis, the domestic decision making procedures related to food security and to R2F are the most complex. This happens for three main reasons: first, the topic of food security is more transversal than climate change and peace and security, encompassing issues that range from socioeconomic development and human security to inequality and modes of production, involving the overall Brazilian society and requesting the participation of more bureaucratic actors; second and associated with that, hunger fighting and poverty alleviation gained much weight during the 2002 presidential election then turning into PT's main political agenda, which affected the composition of the federal administration and budget allocation; third, domestic progresses prompted external partners to demand technical cooperation, which was not backed by organized responses by the Brazilian government.

The mentioned public policies can be directly associated with novel spaces in the federal bureaucracy and in Brazilian subnational governments. For that to occur, the role of the presidency, especially under Lula da Silva, was crucial. His inaugural speech in 2003, for example, situated food security and R2F in the center of national debates, setting the tone for policy planning and institutional change: "I defined, among the priorities of my government, the food security program called Zero Hunger. (...) We shall end hunger in my country. We shall transform hunger fighting in a great national cause"<sup>323</sup>. On his first day in office, he created the Extraordinary Ministry of Food Security and Fight Against Hunger (MESA), which had the mission to promote Zero

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<sup>322</sup> The reversal of progresses accelerated during Temer's presidency. His government kept Bolsa Família and programs like the PAA, but approved controversial measures such as constitutional amendment 55(241)/2016. It established public spending caps for 20 years, limiting annual spending growth to the previous year's inflation rate and affecting social expenditures. The UN special rapporteur on extreme poverty and human rights, Philip Alston, affirmed the measure was entirely incompatible with Brazil's human rights obligations, as it breaches rights like R2F (Alston, 2017). The Inter-American Commission on Human Rights argued it would "create a major crisis in the public education, health, and social security system, disproportionately affecting the most vulnerable sector". See: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21006&LangID=E>, accessed on 11 January 2020. Also see: [https://www.oas.org/en/iachr/media\\_center/PReleases/2016/183A.asp](https://www.oas.org/en/iachr/media_center/PReleases/2016/183A.asp), accessed on 11 January 2020.

<sup>323</sup> See: <https://www1.folha.uol.com.br/folha/brasil/ult96u44237.shtml>, accessed on 11 January 2020. Lula da Silva received the 2011 World Food Prize together with Ghanaian president John Kufuor.

Hunger. In the following year, MESA became the Ministry of Social Development and Fight against Hunger (MDS).

Besides that, the General Coordination for Humanitarian Cooperation and Fight Against Hunger (CGFOME) was established as a part of Itamaraty, government bodies were recreated (CONSEA), and others were reorganized, as happened with the Brazilian Cooperation Agency (ABC), also affiliated to Itamaraty, the Ministry of Agriculture, Livestock and Supply (MAPA), and the Ministry of Agrarian Development (MDA).<sup>324</sup> Although efforts to coordinate so many entities existed, they frequently disputed prestige, budget and access to the presidency.<sup>325</sup> Dissent appeared not only inside these ministries, but also among them and in their relationship with Itamaraty, as they sometimes acted autonomously. That “independence” was mainly seen in development cooperation initiatives headed by Brazil (Albuquerque, 2013; Faria, 2012). Clashes increased during Rousseff’s administration, as budget was scarcer, access to the presidency more restrictive and lack of presidential guidance on foreign policy matters greater.

The MDS broadened MESA’s initial functions in the course of Lula da Silva’s mandates, which led Chmielewska and Souza (2011) to argue that this process shifted its initial focus on food security towards poverty reduction. In their view, the scale of Bolsa Família and other policies under the guidance of MDS enhanced its political importance vis-à-vis other ministries, but led to a less focused approach with regard to food security-related matters. The MDS also expanded its participation and importance in the decision-making processes related to Brazil’s international affairs. On the one hand, foreign governments and multilateral institutions requested to learn from Brazilian domestic experiences. On the other hand, the MDS – together with other entities part of the bureaucracy and external partners - formulated development cooperation projects and internationalized Brazil’s know-how.<sup>326</sup>

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<sup>324</sup> As I opted to cite government bodies mostly related to the content of this chapter, this is not an exhaustive list. Other institutions like the National Food Supply Company (CONAB); ministries participating in interministerial groups such as the Ministry of Fisheries and Aquaculture, the Ministry of Health, the Ministry of Education and its fund for education development (FNDE); and special secretariats directly responding to the presidency can also be mentioned.

<sup>325</sup> One of the attempts to generate coherence and coordination was the Interministerial Chamber of Food and Nutrition Security (CAISAN), created in 2007 (Chmielewska and Souza, 2011).

<sup>326</sup> The MDS had a career diplomat directing its office of international affairs, which reinforces the interconnections of domestic and international matters and demonstrates the existence of attempts to promote dialogue with other ministries (Albuquerque, 2013). The MDS received, between 2011 and

Created during the presidency of Cardoso, the MDA gained more importance and budget during Lula da Silva's administration. It assimilated themes related to family farming that were previously under the responsibility of the MAPA and defined other areas of work such as the implementation of South-South technical cooperation projects. These changes intensified a bureaucratic division that echoed the interests of different domestic groups. Generally, whereas the MDA promoted family farming, the MAPA upheld the country's positions on agribusiness. In some circumstances, the two ministries were in obvious dissonance, disputing the "official narrative" and undermining the cohesiveness of Brazil's views. That bureaucratic and functional separation was more easily perceived in development cooperation projects headed by the MDA and MAPA's EMBRAPA.

Already in the beginning of Lula da Silva's presidency, minister Miguel Rossetto (2003-2007) created an international working group within the MDA. It suggests that efforts were under way to make visible Brazil's domestic policies and externally legitimize the PT.<sup>327</sup> Together with its role at FAO, the WFP and IFAD, MDA's multilateral activism was focused on promoting family farming in trade negotiations at the WTO and enhancing the presence of civil society organizations in multiparty talks. The MDA integrated Brazil's Chamber of Foreign Trade (CAMEX) and influenced Brazilian positions during the WTO's Doha Round. Regionally, the MDA was instrumental for the formation of the Specialized Meeting on Family Farming of MERCOSUR (REAF) in 2004. It represented a progress in relation to the Confederation of Family Farmers Organizations of the Extended MERCOSUR (COPROFAM), created ten years earlier.<sup>328</sup>

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2014, 347 missions from 92 countries interested in learning from Brazil's experiences. Of that total, 94,8% came from developing countries of Latin American and the Caribbean (172 missions from 26 countries) and Africa (113 from 37 states). During the same period, MDS officials participated in 284 missions in 53 countries. They took part in meetings in multilateral institutions, regional integration forums and bilateral talks, not to mention technical visits and development cooperation projects. See: <http://mds.gov.br/aceso-a-informacao/institucional/internacional/iniciativas-de-cooperacao/intercambio-missoes>, accessed on 11 January 2020. Also see WFP (2016).

<sup>327</sup> It is worth mentioning that the MDA was associated with the Socialist Democracy ("Democracia Socialista"), a far-left Trotskyist group part of the PT. It had much influence in the municipal government of Porto Alegre, organizing the World Social Forums and elaborating the Participatory Budget. As argues MDA#3, "these two examples show the intention to develop an international orientation years before the PT entered the presidency".

<sup>328</sup> The REAF was established as an advisory organ to MERCOSUR's Common Market Group. Its origins come back to, among other things, IFAD's regional coordination unit for MERCOSUR, which was set up in 2000; a seminar on family farming and international negotiations held in Brasília in 2003; and COPROFAM (Márquez and Ramos, 2012). As explains Albuquerque (2017), REAF's inception is

As for CONSEA, it was recreated after a hiatus during the government of Cardoso. CONSEA functioned as a direct advisory body of the presidency, formulating strategies and guidelines for food security and nutrition policies, being an essential actor for the promotion of R2F in domestic and multilateral debates.<sup>329</sup> Amongst its six permanent commissions, one dealt specifically with R2F.<sup>330</sup> According to decree 4.582/2003, CONSEA should propose forms to articulate and mobilize civil society and foster the creation of subnational food security and nutrition councils. Its inclusive nature later influenced Brazil's positions at FAO, namely on debates regarding the reform of the CFS (Rondó and Lopes, 2016).<sup>331</sup> The decree affirmed CONSEA should invite, as observers, representatives from FAO, the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labor Organization (ILO), the World Bank and the IDB, which suggests that a strategy to associate national policies with international activism was being planned since the early years of Lula da Silva's administration.<sup>332</sup> As mentioned by a CONSEA official, "already in 2005 we released a document discussing the construction of an international agenda (...). We had the intention, let's put it like that, to assimilate the international agenda and shape it".<sup>333</sup>

The institutionalization of food security-related matters advanced with the creation of CGFOME in 2004, which expected to ensure an external façade to Zero Hunger (Lopes Filho, Sabourin and Sayago, 2018; Rondó and Lopes, 2016). Its activities encompassed themes such as land reform, family farming, food and nutrition security, R2F and international humanitarian assistance. By and large, this new

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closely intertwined with the ascension of left/center-left wing governments in many South American states. In 2008, MERCOSUR established a family farming fund (Fondo de la Agricultura Familiar - FAF), to which Brazil contributes 70%, Argentina 27%, Uruguay 2%, and Paraguay 1%. In 2013, FAO and MERCOSUR engaged in a joint initiative to beef up REAF.

<sup>329</sup> See: <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC045364/>, accessed on 11 January 2020.

<sup>330</sup> See: [http://www.epsjv.fiocruz.br/sites/default/files/files/CONSEA\\_%20Rel%20anual%202018\\_final.pdf](http://www.epsjv.fiocruz.br/sites/default/files/files/CONSEA_%20Rel%20anual%202018_final.pdf), accessed on 11 January 2020.

<sup>331</sup> CONSEA also served as a model for CPLP's Food and Nutritional Security Council.

<sup>332</sup> See: [http://www.planalto.gov.br/ccivil\\_03/decreto/2003/D4582.htm#art3](http://www.planalto.gov.br/ccivil_03/decreto/2003/D4582.htm#art3), accessed on 11 January 2020. FAO named CONSEA "the voice of the people", calling it a good example of Brazil's attempts to promote enhanced stakeholder dialogue and more effective coordination mechanisms. See: <http://www.fao.org/3/a-au833e.pdf>, accessed on 11 January 2020.

<sup>333</sup> Interview with BRA#1.

ministerial division attempted to infuse an “active and assertive” foreign policy with components of solidarity and “non-indifference” towards other developing countries (Amorim, 2017). In the opinion of an interviewee, CGFOME operated with “excessive autonomy”, attempting to present itself as the “central point” of the discussions on food security and trying to organize partnerships and activities with social movements in Latin America and Africa without prior discussions with the MDA or the MDS.<sup>334</sup> That opinion, shared by another interviewee, demonstrates that federal ministries lacked coordination and faced bureaucratic competition.<sup>335</sup>

Similar criticism appears in relation to the work of ABC, also part of Itamaraty and having the mandate to negotiate, coordinate, implement and supervise technical cooperation projects (Cunha, 2010). While external demand for Brazil’s national experiences increased in the period starting in 2003, ABC and Itamaraty did not manage the different actors part of the bureaucracy nor imprinted a general strategic view to development cooperation projects involving the country. Because of that, ministries like the MDA and the MDS developed individual agendas that had connections with Brazil’s foreign policy but were not totally subordinated to Itamaraty. In some cases, two or more government bodies were implementing projects in the same country and not dialoguing or attempting to find synergies.

Clashes involving MDA’s pro-family farming orientation and MAPA’s pro-agribusiness approach were most frequent in forums like the WTO, in which the MDA tended to uphold positions closer to the G-33, while the MAPA shared the views of the commercial G-20.<sup>336</sup> At FAO, as I further explain, Brazil’s positions were more congruent.

That scenario of bureaucratic disjunction was less obvious in Brazil’s international behavior during Rouseff’s years. On the one hand, her administration devoted less attention to foreign policy coordination, not solving a problem inherited from Lula da Silva. Relative disregard for Itamaraty and lack of budget affected the chances of her government to coordinate so many domestic actors and create effective interministerial groups or channels of dialogue. On the other hand, these players were

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<sup>334</sup> Interview with MDA#1.

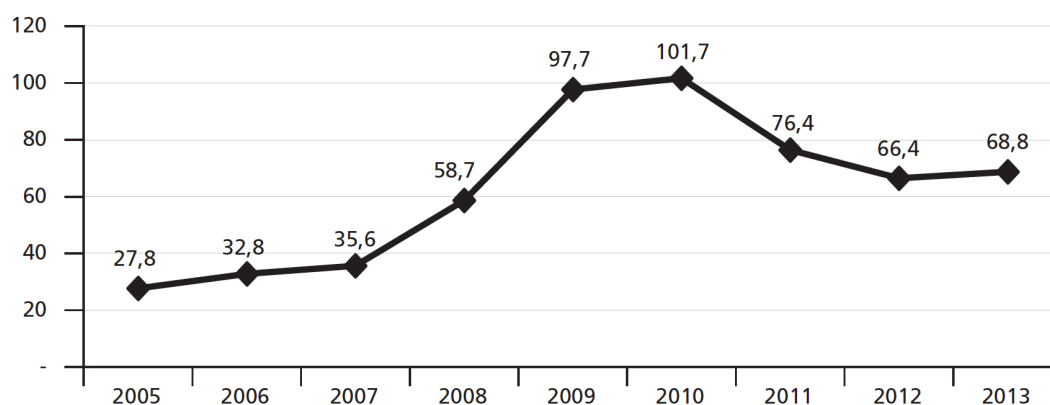
<sup>335</sup> Interview with MRE#10.

<sup>336</sup> I here make reference to their major lines of work, as both the MDA and the MAPA (through EMBRAPA) could respectively deal with trade liberalization and projects aiming to benefit smallholders.



less active in the international arena, which constrained the possibilities of the development of new bureaucratic conflicts. More than creating new initiatives, the actors involved with Brazil's foreign policy expected to avoid broader losses.

Together with the economic crisis and political paralysis, problems with the country's hyperactive international agenda became more apparent. The large number of technical development cooperation projects impaired their proper implementation and continuation, making Rousseff to scale down ongoing projects and avoid creating new ones, as depicted in figure 17.



**Figure 17.** Disbursements (BRL) with technical cooperation (IPEA and ABC, 2016)<sup>337</sup>

This situation frustrated some African and Latin American partners that voted for Graziano da Silva and expected Brazil to step up its role as a provider of technical assistance.<sup>338</sup>

#### V.4. Brazil and the right to food at FAO

<sup>337</sup> The last official compilation of Brazil's international development cooperation demonstrates that CONAB, EMBRAPA, the MDS, and CGFOME/ABC spent less with development cooperation projects in 2016 than in the two previous years (IPEA, 2018).

<sup>338</sup> MDS#2 explained the strategy to win votes for Graziano da Silva and the central role of Africa: "our diplomacy worked hard to win votes and that was based not on sympathy for Brazil, but on programs and plans. We sent a mission to the headquarters of the African Union in Addis Ababa to understand what were the agricultural challenges in Africa, especially concerning family farming, and what Brazil could do. How Brazil could share its experiences and help these countries through the work of FAO. Graziano said he would be the 'African candidate' and put Africa at the center of FAO's agenda. This mission stayed there for three months. Later, Graziano went to a summit of the African Union and met with heads of state, saying he would defend African pledges during his mandate".

Throughout the last years, Brazilian negotiators have attempted to mainstream the country's view on the concept of R2F in discussions at FAO. In order to evaluate that engagement, I traced three circumstances that are interrelated: (a) Brazil's involvement with the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security; (b) its contributions to debates on R2F at the Committee on World Food Security (CFS); and (c) the election of Graziano da Silva and its impacts on the promotion of Brazil's interpretation of R2F.

I defined these moments for two main reasons: first, R2F is a much wider concept in comparison to the two others presented in previous chapters. It not only addresses and broadens the notion of food security, but is also part of many other discussions of the food security regime. Second, because Brazilian negotiators advanced the concept more frequently than they did with the ideas of concentric circles and RWP respectively in the regimes of climate change and peace and security. For that reason, I decided to work with a larger time span, which allows me to further analyze the role of each explanatory factor.

To start with (a), Brazil attempted to influence the intergovernmental working group negotiating the voluntary guidelines, serving as a country “with experience in implementing the right to food” (FAO, 2004: 4). That behavior is a consequence of self-perception and external validation of Brazilian experiences. Whereas FAO supported domestic initiatives and considered Brazil's approach to R2F convergent with its institutional perspective, that endorsement made Brazil's delegates to keep branding national successes and placing the country as a central player in debates.<sup>339</sup> Suitably, Brazil was commended by FAO for approaching the task “within a human rights framework”.<sup>340</sup>

In the same way (b), negotiators expected to internationalize the “Brazilian” view of R2F, defending that the CFS should tie together the need for intersectoral governance of domestic policies, the promotion of mechanisms of social participation

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<sup>339</sup> That strategy generated novel demands of countries willing to learn from Brazil's experiences. In 2006, for example, the Philippines expressed at FAO the interest to implement “its own version of Brazil's Zero Hunger Program in the form of a ‘Strategy towards a Hunger-free Philippines’”. See: <http://www.fao.org/tempref/docrep/fao/meeting/011/j8532e.pdf>, accessed on 13 January 2020.

<sup>340</sup> See: <http://www.fao.org/3/J2891e/J2891e.htm>, accessed on 13 January 2020. The executive-director of the WFP, Josette Sheeran, affirmed in 2010 that Brazil knew how to “break the grip-hold of chronic food insecurity”. See: <http://www.fao.org/3/k9551e/k9551e.pdf>, accessed on 13 January 2020.

and the importance of enshrining R2F in national constitutions. As I demonstrate in the next section, Itamaraty articulated that official view at FAO. It avoided linking R2F with more contested notions like food sovereignty, also choosing not to defend R2F as a justiciable right and subject of litigation. As explained by an interviewee, the MAPA “never accepted food sovereignty and the MDA insisted on it. So Itamaraty had to harmonize these views”.<sup>341</sup> A diplomat similarly mentioned that “if we defended food sovereignty, we would create an issue [with domestic actors like MAPA] because we also wanted to export food”.<sup>342</sup>

The strategy was to come to terms with both ministries and adopt an intermediate position that, at the same time, would allow Brazil to influence debates, evince the country as a cooperative and reasonable player, and not displease multilateral partners. In the end, that halfway view ended up being fully convergent with FAO’s mainstream approach to R2F.

The disposition to promote R2F within the CFS appeared in a 2004 meeting, when the Brazilian delegation informed that Lula da Silva convened a “Summit of the World Leaders for the Action Against Hunger and Poverty”, attempting to “mobilize international attention and political will to the challenges of combating hunger and poverty”.<sup>343</sup> Likewise, Zero Hunger was later promoted as an example of a national initiative in the context that led to the creation of the International Alliance Against Hunger (IAAH).<sup>344</sup> In 2006, Brazil hosted the International Conference on Agrarian Reform and Rural Development (ICARRD) in Porto Alegre, associating, in subsequent talks at the CFS, agrarian reform with R2F and cultural diversity.<sup>345</sup> Brazil made use of its role as host to advance its positions, relying on the conference as another stepping-stone for the progressive realization of R2F.

The intention to act was also present during Rousseff’s first presidential mandate. In 2011, FAO member states established the Global Strategic Framework for

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<sup>341</sup> Interview with FAO#2.

<sup>342</sup> Interview with MRE#12.

<sup>343</sup> See: <http://www.fao.org/3/J3345e/J3345e00.htm>, accessed on 13 January 2020. Lula da Silva also pledged to establish a solidarity fund to reduce hunger and poverty together with members of the G-8 and UN agencies.

<sup>344</sup> See: [http://www.fao.org/monitoringprogress/docs/IAA\\_Towards\\_Int\\_Com.pdf](http://www.fao.org/monitoringprogress/docs/IAA_Towards_Int_Com.pdf), accessed on 13 January 2020.

<sup>345</sup> See: <http://www.fao.org/tempref/docrep/fao/meeting/011/j8345e.pdf>, accessed on 13 January 2020.

Food Security and Nutrition (GSF). It expected to enhance the role of the CFS, improve coordination, and combine efforts of state and non-state actors to prevent future food crises, fight hunger and eliminate poverty. Brazil was the coordinator of the GSF and, a year later, pointed out as a “success story institutionalizing multi-ministerial coordination and civil society participation to address food insecurity and promote the right to food”. Since the creation of Zero Hunger, “the country has promoted food security and the right to food on many fronts, through effective laws, strong institutions, sound policies and an empowered civil society” (FAO, 2012b: 27).<sup>346</sup>

Elected during Rouseff’s administration (c), Graziano da Silva opened novel avenues for civil society participation, especially at meetings of the CFS, which, to some extent, mirrored Brazil’s domestic experience with CONSEA. During his mandate, not only FAO increased ties with non-state actors favorable to R2F, but also financed their presence in CFS debates.<sup>347</sup> Furthermore, Graziano da Silva explicitly mentioned his interest in transforming FAO into a development agency. That intention guards intrinsic relationship with a more systematic way of approaching food insecurity, which Brazil promoted with Zero Hunger and other national policies and plans.

The regional dimension played an important role in Brazil’s participation in the regime. It was part of a broader foreign policy strategy through which Brazil’s views were socialized regionally and then forwarded multilaterally. By doing so, Brazilian negotiators could present the country’s ideas as receiving regional support and being based on ongoing projects. That domestic-regional-multilateral course of action intended to strengthen Brazil’s claims and make them be seen as collective endeavors. As an official working for the MDA at the time explained: “we had the deliberate intention not to make other countries copy our policies, but help them implement their own, so we could foster regional cooperation”.<sup>348</sup> According to another interviewee, former MDA minister Miguel Rossetto approached chancellor Celso Amorim with the idea of MERCOSUR establishing a specialized meeting to work on food security-

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<sup>346</sup> On Brazil and the GSF, see: <http://www.fao.org/3/mc025E/mc025E.pdf>, accessed on 13 January 2020. During Rouseff’s presidency, other topics gained space in Brazil’s participation at the CFS, namely the controversial relationship between biofuels and food security.

<sup>347</sup> On that matter, MRE#9 explained that a fluid dialogue with civil society organizations was crucial to minimize power concentration within FAO. “Some of our positions were similar to the ones of the civil society. We thus reinforced one another as much as possible”. MDS#3 shared the opinion.

<sup>348</sup> Interview with MDA#2.

related topics, which ended up being the REAF: “we expected to foment a cooperative regional platform even before being able to measure the effects of our policies”.<sup>349</sup>

Depending on the case, the path from the domestic to the multilateral level was not as direct. A good example is the 2006 Hunger-Free Latin America and Caribbean Initiative (IALCSH), which was pioneered by Brazil and Guatemala. It was “inspired by Brazil’s Zero Hunger”, having more ambitious targets than the UN Millennium Development Goals (MDG) (Sanches *et al.*, 2019: 47). The IALCSH echoes the basics of R2F, relying on the notion that hunger is a violation of human rights. The IALCSH received technical support from FAO and countries like Spain, which demonstrates that linkages between the levels of analysis might vary. In the specific case of the IALCSH, the regional dimension assumed its present form after the existence of domestic policies and the multilateral backing of FAO.

Beyond that, in talks at FAO, GRULAC frequently acted as a bloc, promoting common views, collectivizing interests and putting its weight to influence the agenda.<sup>350</sup> The convergence with Brazilian interests was visible in, for instance, GRULAC’s bid for the CFS to include civil society representatives;<sup>351</sup> FAO regional conferences for Latin America and the Caribbean, which encouraged the role of international cooperation for the realization of R2F; attempts to approximate CELAC with GRULAC, mostly following summits and presidential diplomacy;<sup>352</sup> and bilateral and trilateral technical cooperation projects with regional partners like Haiti.

Cooperation with extra-regional groups was also relevant. In the case of the CPLP, it had its own Food and Nutritional Security Council and shared Brazil’s view on the importance of R2F (Dias, 2017).<sup>353</sup> With the African continent, Brazil organized the

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<sup>349</sup> Interview with FAO#2.

<sup>350</sup> As point out a CONSEA official (BRA#1), that convergence with regional partners occurred but was not a rule. “We had some difficulties to compose joint positions with Argentina. Until recently they had a conventional view on food security, sometimes in opposition to Brazil’s perspective. In fact, they have displayed a position very similar to MAPA’s”.

<sup>351</sup> See: <http://www.fao.org/3/j3202e/j3202e.htm>, accessed on 14 January 2020.

<sup>352</sup> See, for instance, <http://www.fao.org/members-gateway/grulac/documentos/celac/en/>, accessed on 14 January 2020. A good example of how regional and multilateral dynamics are intertwined is the 2014 II CELAC Summit in Habana, in which member states requested FAO, the Latin American Integration Association (ALADI) and the Economic Commission for Latin America and the Caribbean (ECLAC) to prepare a food security plan for CELAC. See: <http://www.fao.org/americas/prioridades/plan-celac/acerca-de-celac/en/>, accessed on 14 January 2020. Beyond its regular summits, CELAC has a ministerial meeting on family farming.

<sup>353</sup> See: <https://www.cplp.org/id-4719.aspx>, accessed on 14 January 2020.

2010 “Brazil-Africa Dialogue on Food Security, Fight Against Hunger, and Rural Development” in Brasília, sharing a portfolio of public policies like the PAA and development cooperation programs such as the More Food International. As for the BRICS, its members have “actively participated in and facilitated global discussions on nutrition-sensitive social protection”, also being seen as sources of good practices (FAO, 2016). The bloc created the BRICS Agriculture Research Platform (BRICS-ARP), which operates as a “virtual facility to promote food security, sustainable agri-development and poverty alleviation through strategic cooperation in agriculture within the BRICS countries”. Under the Action Plan 2012-2016 for Agricultural Cooperation of BRICS Countries, Brazil was responsible for working on “food security to most vulnerable people” and on creating a BRICS group in FAO, which could also act within the WFP.<sup>354</sup> Finally, Brazil co-created the India, Brazil and South Africa Facility for Poverty and Hunger Alleviation (IBSA Fund), which was established in 2004 but lost ground during Rouseff’s administration.

#### **V.5. The right to food and explanatory factors**

Beyond enabling Brazil to promote R2F, the structural, the domestic and the bureaucratic explanatory factors reinforced each other, enabling the country to exert a prominent role in the food security regime.

##### *Regime structure*

The open structure of the food security regime was a necessary condition for Brazil to be able to advance its view on R2F. I raise five points about that. First (i), it is a non-hierarchical setting, granting more opportunities for developing countries to shape existing normative and operational multilateral foundations. Relying on the inexistence of veto power or distinct types of membership, Brazil could not only bring its interests to the negotiating table, but also successfully elect and re-elect a national for FAO’s top position. Second and differently from the two previous case studies (ii), Brazil made use of the support of its Latin American and Caribbean partners to promote R2F. While GRULAC legitimized Brazilian positions, its members pursued similar strategies at FAO. They pushed forward initiatives that were previously socialized in arrangements such as MERCOSUR and CELAC, validating individual claims.

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<sup>354</sup> See: <http://infobrics.org/post/25585/>, accessed on 14 January 2020. Also see: <http://www.brics.utoronto.ca/docs/111030-agriculture-plan.html>, accessed on 14 January 2020.

Third (iii), Brazil enhanced its engagement at FAO when the institution was undergoing changes. The reform of the CFS reflected the intention of making it more representative and responsive to demands of civil society actors upholding a rights-based approach to food security. These shifts found echo in the attempts of Lula da Silva and Rousseff to find common interpretations of R2F and enlarge the number of stakeholders partaking in CFS meetings. National experiences like CONSEA, which was a crucial actor for R2F to gain prominence in Brazil, served as one of the models for a reformed CFS. Fourth (v), although the voluntary guidelines were adopted in 2004, FAO member states continued discussing measures to support the progressive realization of R2F. As the path from normative orientation to practical enactment was still unfinished, countries like Brazil could find more chances to influence ongoing discussions. Fifth (iv), the election of Graziano da Silva helped to legitimize Brazil's pledges. As mentioned by an interviewee:

Brazil gained the possibility to better expose its policies. (...) [before Graziano da Silva], social movements did not have the same level of participation at FAO. [After Graziano da Silva] Several themes acquired political relevance they never had before. The crucial topic of poverty, for example, it was not that present before his election.<sup>355</sup>

On that matter, a Brazilian diplomat ironically commented: "Itamaraty has to pretend the director-general is neutral. Countries support their nationals for a reason. Otherwise the United States would not want to elect Americans for the WFP. The elected candidates indeed exert influence".<sup>356</sup>

### *Domestic assets*

As with the previous explanatory factor, the group of domestic policies and plans composed a necessary condition that enabled Brazil's behavior at FAO, namely when it comes to R2F.<sup>357</sup> As contends Albuquerque (2019b), programs like Zero Hunger, the PAA, the PNAE, the defense of R2F at the domestic level and the

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<sup>355</sup> Interview with FAO#2.

<sup>356</sup> Interview with MRE#11.

<sup>357</sup> As stated by MRE#9, "when we were able to include... When CONSEA was able to include R2F in Brazil's constitution, it opened an avenue for Itamaraty to act. R2F became a fundamental right that should be protected and promoted".

development of a set of integrated public policies inspired Brazil's role at FAO in debates on both conceptual and practical issues. In the view of a Brazilian official,

As Brazil is one of the most unequal countries in the world, it doesn't have enough legitimacy to say how the world should be better. However, when you have the external recognition that you are fighting a historical problem, having positive results, and reducing inequality, your credentials are enhanced and you are heard. That process happened with Brazil.<sup>358</sup>

Domestic assets not only enacted subsequent multilateral positions, but were also legitimized by institutions like FAO, composing a dynamic feedback mechanism. According to an interviewee, "in the end, Zero Hunger strengthened FAO's agenda. Diouf (Jacques Diouf, FAO's director-general between 1994-2011) perceived that. So you had Lula favoring Brazil's agenda, which was good for Diouf, for FAO and consequently for Brazil".<sup>359</sup> In the view of a bureaucrat working for that UN organization, "since Lula could not obtain validation from the Brazilian press and because Brazil's elites are very susceptible to international opinions, external legitimation served as a means to amplify the acceptance of Zero Hunger in the country".<sup>360</sup> An interviewee working for the WFP mentioned that the international validation was used by Brazil as a marketing tool: "the Brazilian government did not think: 'they are admiring us, so what can we do better? How can we enhance our domestic policies?' Instead, their behavior was: 'they are saying great things about us, so that means we are doing the right thing'".<sup>361</sup>

Some interviewees mentioned that the externalization of domestic experiences was not clearly planned: "back in 2003, they [policymakers] were lost. They only knew they wanted to make it happen, that they wanted to bring innovative solutions and unify

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<sup>358</sup> Interview with MDS#2.

<sup>359</sup> Interview with MDA#1.

<sup>360</sup> Interview with FAO#3. The International Policy Centre for Inclusive Growth (IPC-IG) and the WFP's Centre of Excellence against Hunger, both operating in Brasília and respectively founded in 2004 and 2011, were important allies in the diffusion of domestic practices (Fraundorfer, 2013). WFP's Centre of Excellence against Hunger affirmed that "this rights-based approach to food security is a hallmark of the Brazilian experience. Brazil's social programmes are widely recognized as successful cases of government investment in inclusive growth policies" (WFP, 2013: 6).

<sup>361</sup> Interview with WFP#2.



policies”.<sup>362</sup> Others, at Itamaraty and the MDA, disagreed, arguing that it was “deliberate and strategic”, as illustrates the international working group established by minister Rossetto and the talks involving FAO and the MRE.<sup>363</sup> The existence of domestic instances of deliberation and decision-making bodies like CONSEA also served as a model for the country’s multilateral inroads.

Domestic plans like *Brasil sem Miséria* continued being developed during Rousseff’s government and Brazil persisted in taking part in conceptual debates. However, Brazil’s international dynamism diminished, primarily when it comes to its role as a provider of development cooperation. As stated by an interviewee, whereas Lula da Silva offered EMBRAPA’s services to other developing countries, Rousseff remarked that Brazil should be its priority.<sup>364</sup> Lastly, although domestic assets like being an agricultural powerhouse were not directly associated with R2F, they can be linked to Brazil’s technical expertise on rural matters, which could theoretically be driven towards the realization of R2F.

#### *Domestic decision-making procedures*

Brazil’s promotion of R2F is a direct consequence of the activism of specific governmental and non-governmental actors during the period 2003-2016. Brazil would hardly come up with a renewed stance at FAO without the MDA, which increased its leverage throughout the presidency of Lula da Silva, and the MDS and CONSEA, which were respectively established and recreated by the PT. Beyond that, the role of the presidency – namely president Lula da Silva – was pivotal for a set of domestic policies and plans to come about and later be part of the country’s multilateral positions throughout Rousseff’s mandates. In this regard, an interviewee remarked that it was Lula da Silva who imprinted centrality for the topics of food security, hunger fighting,

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<sup>362</sup> Interview with MRE#11. MDS#1 and WFP#2 shared a similar opinion. According to WFP#1: “Nothing was planned. Sometimes we think everything is well organized, but that was not the case. Things happened very slowly. Zero Hunger started having some good results and many other programs were being developed. Afterwards, many countries asked for Brazil’s support. So when Lula and Amorim travelled abroad, some bureaucracies received telegrams from Itamaraty telling them to ‘act accordingly’. Act accordingly how? So these ministries started to evaluate how they could cooperate”.

<sup>363</sup> Interviews with MDA#1 and MDA#2. According to MRE#9, “already in the transition to Lula’s presidency, we started to dialogue with FAO. Already in December 2002, FAO officials came to help us and it became clear that we needed to have a structure like CGFOME in the government”. BRA#3 also defended that the internationalization of domestic policies was deliberate.

<sup>364</sup> Interview with FAO#1.

poverty alleviation and R2F: “before him, Brazil had no specialized bureaucracy working on the implementation of domestic policies in such a scale”.<sup>365</sup> These players continued influencing the domestic agenda under Rousseff in spite of the domestic economic crisis and shifts in foreign policy orientation.

Reflecting on why Brazil chose FAO as a “privileged forum”, an interviewee explained the strategic role of domestic players:

Lula had an advisory group of experts on agricultural and food supply policies since the presidential campaign of 1989. When he was elected in 2002, that group composed the working group mandated to devise Zero Hunger. The program started receiving a lot of criticism in Brazil, so Lula reunited this group and asked: ‘in the alphabet soup that is the UN, is there a letter dealing with food security in a similar way we do here in Brazil?’ After that, someone said: ‘well, there is the WFP’. Another person mentioned IFAD. And then an official said that FAO could work best. It was in this specific meeting that they started to articulate how to perform at FAO, which later resulted in the election of Graziano da Silva as FAO’s regional representative for Latin America and the Caribbean and then as director-general.<sup>366</sup>

More than in the previous case studies, the political party in power adds up to explain why Brazil could come up with a set of policies and plans and later promote their internationalization. Two interviewees reminded that the PT had a “significant international orientation” even before coming into the presidency. One of them complemented, however, that some prominent figures within the party such as Marco Aurélio Garcia, the special advisor to Lula da Silva and Rousseff on international affairs, “never favored the topic”, being more focused on articulating matters related to regional integration.<sup>367</sup>

Bureaucratic disputes – mostly between the MAPA and the MDA, but also within these ministries - were frequent at the domestic realm, but not so much at FAO. That happened for three main reasons: (i) the MAPA centered its actions and pro-agribusiness positions at the WTO, leaving more spaces for the MDS, the MDA,

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<sup>365</sup> Interview with FAO#1.

<sup>366</sup> Interview with FAO#3.

<sup>367</sup> Interviews with FAO#3 and FAO#1.

CONSEA and CGFOME to act at FAO (and the WFP);<sup>368</sup> (ii) with the exception of Itamaraty, who attempted to mediate bureaucratic disagreement, these actors could join forces and converge agendas, sidelining the MAPA and preventing it to move its interests forward; and (iii) Itamaraty, as in the climate change regime, worked to pacify tensions and present a “unified” narrative about Brazil’s successes, silencing dissent and avoiding cacophony. That singularity of FAO was not repeated in other contexts in which food security was also debated. Beyond quarrels at the WTO, clashes involving and within bureaucracies were commonly seen in Brazil’s bilateral and regional inroads.

Concerning bilateral development cooperation, Itamaraty’s ABC did not coordinate the multiple initiatives championed by Brazil nor imprinted a common vision to projects carried out by the MDA or MAPA’s EMBRAPA. That scenario became more complicated with Rouseff’s government, when the budget to technical and humanitarian cooperation diminished considerably (Albuquerque, 2019b; IPEA and ABC, 2016). Regionally, during discussions leading to OAS’ 2012 Declaration of Cochabamba on “Food Security with Sovereignty in the Americas”, for example, Brazilian negotiations were attempting to single out the centrality of the concepts of R2F, food security and nutrition and food sovereignty. Brazil received the backing of most of CELAC and the opposition of the United States, Canada, Mexico and Colombia. When talks were advancing towards Brazil’s interests, a negotiator recalled that tensions reflecting the agribusiness versus family farming dualism appeared within Itamaraty.

An ambassador instructed me to change our position. I explained that these concepts – R2F, food security and food sovereignty – are safeguarded by national legislation, by LOSAN. When I finished my point, he said something like: ‘I understand that as a human being, but the Brazilian state is a major agricultural exporter and I am here to defend the Brazilian state’. As we could not agree, the issue was brought to Itamaraty in Brasília. The problem was only solved when we received a direct orientation from the presidency telling our delegation to abide by the law.<sup>369</sup>

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<sup>368</sup> At FAO, MAPA was more interested in discussions on livestock and sustainability.

<sup>369</sup> Interview with FAO#3.

A government official diplomatically named these differences “constructive ambiguity”. He summed up how bureaucratic disagreement reflected in Brazil’s positions in the following manner:

In many moments we had prevailing positions, but they were not undisputed. This generates conceptual confusion and some observers could find it problematic to clearly understand Brazil’s initiatives. We always had difficulties to talk about food sovereignty because while CONSEA, the MDA and other ministries defended it, parts of Itamaraty considered it troubling, as it could open the way for domestic agricultural subsidies, something we were fighting against at the WTO. That was the trickiest concept and Brazil never consistently expressed its defense for it. With R2F things were different. It was backed by domestic policies and supported by our strategic alliances with other developing countries. China, India and South Africa were also promoting it.<sup>370</sup>

#### **V.6. Brazil’s right to food and the degree of change**

Brazil’s promotion of R2F fits well into the country’s overall approach to multilateralism. While expecting to influence FAO’s debates, Brazil did not display a revisionist behavior. A CONSEA official corroborates the notion that R2F was only directed to supplement the idea of food security: “food security is a goal, an objective, that should be guided by R2F”.<sup>371</sup> The intention was to make it reflect a rights-based interpretation that was already visible in Brazil’s constitution and in policies like Zero Hunger. In the words of a FAO official who helped build the flagship program during the presidency of Lula da Silva: “these concepts coexist, but you can consider that they evolve throughout time (...). The right to food is a complement to food security and member states are the forces defining how conceptual evolutions will take place”.<sup>372</sup>

Beyond making use of R2F to influence ongoing normative debates and strengthen the centrality of the topics of hunger and poverty at FAO, Brazilian negotiators engaged with the regime’s operational components. That intention was

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<sup>370</sup> Interview with MDA#2.

<sup>371</sup> Interview with BRA#1.

<sup>372</sup> Interview with FAO#1. Accordingly, in a 2017 document, the CFS affirmed that “the right to adequate food can serve as an underlying guiding principle, a common thread to engage governments at different levels as duty bearers to ensure sustainable change and the availability of nutritious food at all levels”. See: <http://www.fao.org/3/a-mu275e.pdf>, accessed on 17 January 2020, p. 13.

visible with the election of Graziano da Silva, who came with the mission to develop FAO's cooperative dimension and promote inclusive spaces of debate such as the CFS. In addition to FAO, Brazil expected to have an enhanced participation in the main governing body of the WFP.<sup>373</sup>

As it occurs with the other case studies part of this thesis, although Brazil's negotiators kept the general orientations of Lula da Silva's foreign policy, the country's inner dynamics affected the continuous defense of R2F. During Rousseff's years, that was a consequence of the economic crisis, fewer development cooperation projects, Brazil's incapacity to maintain a proactive role at the WFP and a reduced engagement with multilateral debates. Temer's government extinguished Itamaraty's CGFOME and the MDA in 2016, transforming the latter in the Special Secretariat for Family Farming and Agrarian Development (SEAD).<sup>374</sup> With the MDA out the equation, concepts like R2F – and even more food sovereignty - lost space in Brazil's political agenda in both domestic and multilateral dimensions. Notwithstanding these setbacks and bureaucratic changes, Brazil's delegation at FAO did not receive new instructions at least until late-2016. As pointed out a FAO official,

It was no use for them [Temer's government] to undermine Brazil's director-general. Brazil was being commended. Although Graziano was elected because of successful programs developed under Lula and Dilma, the extinction of some of these programs with Temer was not reflected here [at FAO]. A temporal gap [between domestic changes and subsequent multilateral behavior] was visible.<sup>375</sup>

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<sup>373</sup> National legislation (law 12.429/2011 and law 13.001/2014) allowed Brazil to donate food (mostly rice, beans and corn) to nations affected by crises and/or environmental disasters, which made the country rank between the WFP's top 10 donors in 2011 and 2012 and integrate its Executive Board. The idea was to articulate donations to countries in humanitarian distress with structural support, to which Brazil would receive the assistance of WFP's Centre of Excellence against Hunger in Brasília. However, the WFP is a program and not an agency like FAO, which means that it depends on reliable sources of funding. Brazil's sluggish economy and the diminished relevance of the country's foreign policy in the last years of Rousseff's government impaired a continued activism at the WFP. See: <https://www.globalpolicy.org/component/content/article/133-tables-and-charts/51214-top-10-donors-to-wfp.html>, accessed on 17 January 2020. Furthermore, Brazil's inroads at the WFP were criticized because although it donated food, it did not provide transportation. That situation created some problems with the WFP.

<sup>374</sup> See: <https://www1.folha.uol.com.br/mundo/2016/09/1813599-itamaraty-extingue-departamento-de-combate-a-fome.shtml>, accessed on 17 January 2020.

<sup>375</sup> Interview with FAO#2.

Bolsonaro went further, transferring functions of SEAD to the MAPA; allocating its remaining duties to the newly created Secretariat for Family Farming and Cooperativism (SAF), which is also subordinated to the ministry; ending the MDS; and engaging in a legislative battle to extinguish CONSEA.<sup>376</sup> Mixing diffuse narratives of “socialism”, “authoritarianism”, “Bolivarianism” and “meritocracy”, his administration defended that many of the domestic policies and bureaucratic departments created during PT’s presidencies needed to be reversed. Contributing to this view is the fact that the PT did not effectively expose to Brazil’s society what were the direct and indirect gains of the development cooperation projects headed by the country as well as how the linkages involving the national and the multilateral dimensions could prove beneficial (Albuquerque, 2019b).

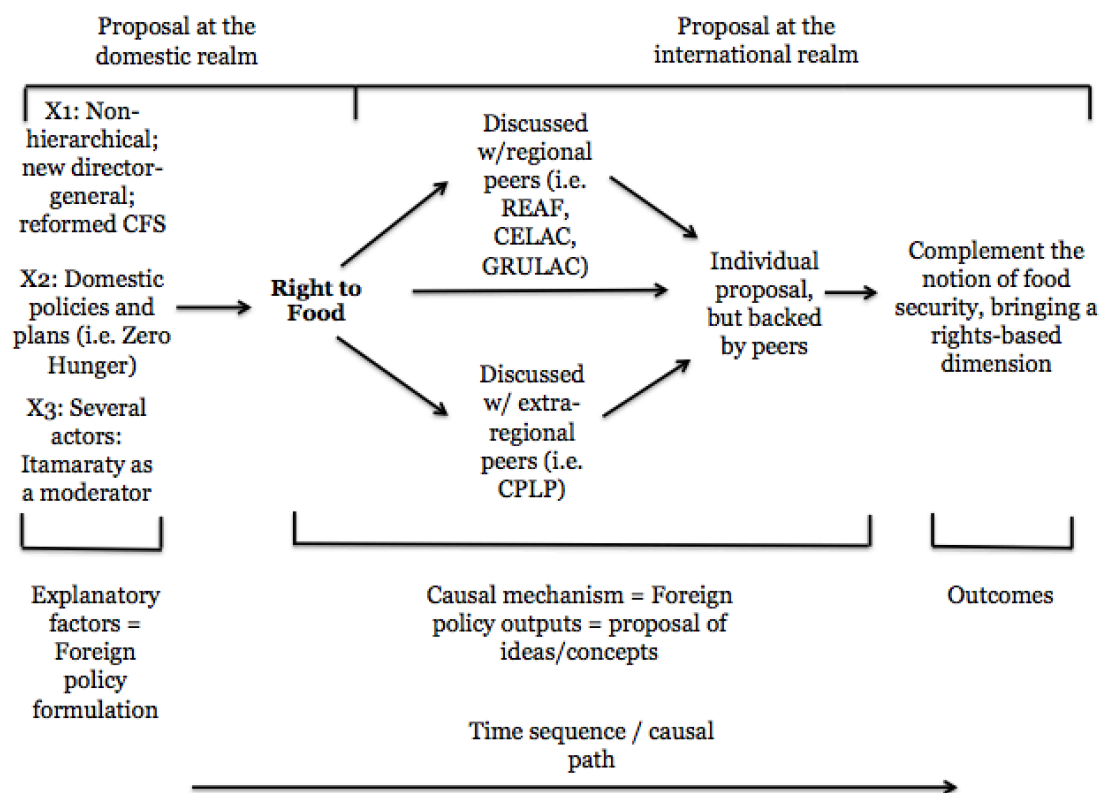
## **V.7. Final remarks**

This chapter illustrated Brazil’s reading of R2F and intention to promote it in the food security regime, notably at FAO. As far as Brazil did not invent the concept, it imprinted its own view to continuing normative debates. Relying on successful national experiences, Brazilian negotiators upheld the centrality of R2F, defending that an evolving food security agenda should take into consideration a rights-based dimension. Without denying the importance of ensuring economic and physical access to safe and nutritious food, Brazil highlighted that the right to be free from hunger and the right to adequate food should come together.

In comparison to the concentric circles and RWP, Brazil’s R2F is less defined and conceptually bounded. It happens because R2F is a fluid idea, being tied to the notions of food security (and its variants like food security and nutrition) and food sovereignty. Brazil’s view on R2F is purposely vague and moderate because domestic actors part of the federal bureaucracy and civil society organizations do not uphold coinciding interpretations. Whereas some ministries, NGO, and smallholder’s movements approximate R2F to food sovereignty, other players avoid making this connection. Moreover, not opting to follow a narrow understanding allows Brazilian diplomats to more easily surpass domestic tensions and influence multilateral debates.

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<sup>376</sup> See: <https://fianbrasil.org.br/veto-de-bolsonaro-a-recriacao-do-consea-reafirma-que-alimentacao-saudavel-nao-e-prioridade-para-governo/>, accessed on 17 January 2020.



**Figure 18.** Analytical framework and R2F

As displayed in figure 18, the three explanatory factors were individually necessary and jointly sufficient for Brazil’s R2F to be put forward in the multilateral domain and more specifically at FAO. Succinctly, (X1) FAO is a non-hierarchical setting in which member states can influence the agenda more easily than in, for instance, the UNSC. Moreover, it was undergoing changes resulting from the reform of the CFS and the election of a new director-general, who favored the promotion of novel ideas and the reinterpretation of existing ones. Graziano da Silva epitomized a set of national public policies, being responsible for Zero Hunger and favoring similar approaches during his mandates. Although he did not follow a “Brazilian” agenda, it is fair to say that he contributed to legitimize Brazil’s food security-related domestic assets.

Domestic policies and plans (X2) were also decisive. Whereas they were part of Brazil’s credentials, their successes and international recognition portrayed the country as a responsible and non-indifferent player. Domestic bodies like CONSEA were directly associated with a reformed CFS and with the need to strengthen R2F. Programs like Zero Hunger later materialized as the UN “Zero Hunger Challenge” and the UN SDG number 2. Policies like the PAA and the PNAE were commended by FAO,

integrating its strategic lines of work and serving as models to trilateral development cooperation projects implemented with partners in Africa and Latin America and the Caribbean. As stated throughout this chapter, the relationship between the domestic realm and the multilateral domain was clear and mutually reinforcing. Brazilian decision-makers explored that connection particularly during the presidencies of Lula da Silva and Rousseff.

Brazil's activism at FAO was a direct consequence of the work of several bureaucratic actors (X3), namely the MDA, the MDS, Itamaraty, and CONSEA. Clashes were mostly confined to the domestic realm, but also visible in South-South development cooperation projects and in forums like the WTO. At FAO, Itamaraty was able to avoid cacophony, presenting Brazil's views as a coherent byproduct of domestic debates. By and large, that happened because of MAPA's relative absence from normative debates and in reason of Itamaraty's initiatives to control "radical" stances linking R2F to food sovereignty and to litigation and claim mechanisms. In spite of the new Temer government, Brazilian negotiators at FAO continued with Lula da Silva and Rousseff's foreign policy guidelines. Lack of orientation from Brasília and the diminished importance conferred to FAO allowed that multilateral behavior to continue by inertia.

The path from the domestic to the multilateral level took into consideration diplomatic exchanges with regional and extra-regional peers. Regionally, Brazil built on MERCOSUR's REAF, CELAC and GRULAC to reinforce views, socialize practices and collectivize individual interests. Extra-regionally, normative preferences and national experiences were replicated in CPLP's Food and Nutritional Security Council and in development cooperation initiatives with African partners, from whom Graziano da Silva received votes. The role of regional and extra-regional players was much more important than in the two previous chapters, which means that Brazilian policymakers could strategically foment partnerships to enhance multilateral clout. As depicted in figure 18, these partnerships did not shift the content of Brazil's R2F nor resulted in a distinct collective proposal. Instead, they gave support to Brazil's views.



## CONCLUSION

In dire times for multilateralism, international relations scholars tend to go with the flow, embracing narratives that “multilateralism is dead”,<sup>377</sup> “in free-fall”<sup>378</sup> and “needing to be rescued”.<sup>379</sup> Especially after the election of Donald Trump, multilateralism is under stress and being questioned by both developed and developing powers. Yet, multilateralism is still a key foundation for a rattled global order. Studying some of its inner components – here treated as regimes – is crucial for understanding how solid is the current order, its principles, norms, rules and decision-making procedures. Change is indeed under way and while states are discussing standards of conduct and rules of engagement, no viable alternatives were presented. In times of renegotiation of entrenched practices and normative orientations, setbacks and reversals are possible. This thesis looked into what type of change is occurring and how disruptive it is.

I started the research questioning how developing powers interact with the main normative and operational foundations of multilateral regimes. I demonstrated that whereas mainstream – and mostly realist literature – tends to sharply divide the world in “keepers” and “challengers” (Gilpin, 1981; Goldstein, 2005; Kupchan, 2014; Mearsheimer, 2010), this might not be the case if one looks into certain states, explanatory factors and contexts. Having a clear focus on Brazil, my investigation illustrated that attaching definitive adjectives to foreign policy behavior can be misleading. Instead of uncritically adopting terms such as revisionist, partner, free rider and bandwagon, just to mention some, I resorted to domestic and structural factors to explain how foreign policy is actually produced and implemented. Without attempting to create an all-encompassing (and surely defective, not to say over-ambitious) explanatory model, I focused on specific concepts that Brazilian negotiators forwarded in particular negotiations.<sup>380</sup> As they appeared between foreign policy formulation and

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<sup>377</sup> See: <https://www.bloomberg.com/news/articles/2019-08-22/multilateralism-is-dead-long-live-the-g-7>, accessed on 23 January 2020.

<sup>378</sup> See: <https://cpr.unu.edu/the-multilateral-freefall.html>, accessed on 23 January 2020.

<sup>379</sup> See: [https://www.ecfr.eu/publications/summary/rescuing\\_multilateralism](https://www.ecfr.eu/publications/summary/rescuing_multilateralism), accessed on 23 January 2020.

<sup>380</sup> This methodological choice approximates to the definition of middle-range theories. See, for instance, Merton (1968).

the existing normative and operational multilateral components, these concepts were framed as foreign policy strategies or mechanisms.

Methodologically speaking, process tracing is a powerful method to uncover causal sequences and define chains of events leading to particular outcomes. The research showed how process tracing can be an extremely valuable method for in-depth, within case, interview-based analyzes. Moreover, process tracing was instrumental for studying concepts whose origins go back in time (Goertz, 2017). Doing so allowed me to relate their content with the normative and operational elements part of multilateral regimes. The method nevertheless ended up being exceedingly time-consuming, demanding an iterative way to conduct research that might not be applicable to works dealing with more cases and data, which would require the use of qualitative alternatives like QCA and/or quantitative methods.

Taking into account the mentioned insufficiencies and expecting to broaden the analysis and enhance the quality of my findings, I combined process tracing with the comparative method. In all the three case studies, I carefully chose matching explanatory factors and mechanisms, which allowed me to compare cases and look for patterns and contrasts. While process tracing alone could not do so, the comparative method would not provide detailed information on the cases. For these reasons, my analytical framework brought together the two qualitative methods, enhancing their usefulness. Future works should test this methodological combination when studying specific foreign policy outcomes bound to determined time frames and thematic arenas.

Coming back to the first hypothesis part of this research (H1), I conclude that Brazil's recent foreign policy cannot be characterized as revisionist. That applies to cases having different combinations of explanatory factors and dealing with distinct subjects. Throughout the interval 1985-2018 and more specifically in the time frame of this work (2011-2014), Brazilian foreign policy decision-makers did not expect to harm the core presupposes of the ongoing order, or its norms and principles. Referring back to the discussion held in the first chapter, Brazil did not vouch for *changes of regimes* nor defended alternative views of world order and ordering. Although sometimes accusing the present liberal arrangement of being unjust and anachronistic, Brazil did not question its bases. On the one hand, it benefited from the existing order. On the other hand, it did not have the means to provoke broader changes.

Taking into consideration the second hypothesis (H2), Brazil did not assume a pro-status quo position either. As the case studies demonstrate, the country had the

intention to alter some rules and decision-making procedures, or specific operational components making regimes. The current state of things, although it normatively matched Brazil's aspirations, was not operated in accordance with its interests. Because of that, Brazil attempted to change and/or adapt specific rules and decision-making procedures. Its negotiators strived for *changes within regimes*. Amongst the strategies to pursue so, I focused on conceptual contributions that took the form of multilateral proposals and ideas.

I contend that while Brazil can be taken as a pro-status quo player in respect to the existing norms and principles, it was in favor of revising some specific rules and decision-making procedures.<sup>381</sup> The three case studies consequently tested the two previous hypotheses and, after exposing their inadequacies, substantiated an alternative hypothesis: instead of going for changes *of* regimes, Brazil hoped for changes *within* these arrangements, but only to the extent they did not lead to broader normative transformations.<sup>382</sup> Brazil's nuanced approach to multilateral regimes was neither revisionist nor pro-status quo, but in favor of certain changes in how thematic arenas should be governed. In other words, Brazil favored shifts in regimes' operational elements while keeping their normative components in place.

This in-between condition defined the country's multilateral behavior until recently and that conduct was shared by other developing countries.<sup>383</sup> As said by a senior diplomat, Brazil's strategy "was about occupying spaces, adjusting the order to

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<sup>381</sup> Recalling the discussion developed in chapter I, I decided not to frame Brazil's behavior as "soft revisionist". Besides being an inaccurate concept, it implies that Brazil would be, at the same time, an *overall* "pro-status quo" state without clearly delineating how it interacts with regimes' existing normative and operational foundations. Brazil's behavior would also not fit into "norm antipreneur", which is how Bloomfield (2016) defines countries defending the normative status quo and relentlessly resisting changes. Furthermore, it would not correspond to the notions of "norm entrepreneur" or "competitor entrepreneur", as Brazil did not propose new norms in the three case studies nor supported existing norms without reservations, but expected to control their implementation through defined rules.

<sup>382</sup> Coming back to the four process tracing tests discussed in chapter II, case studies not only eliminated rival hypotheses (hoop test), but also offered a sufficient criterion – individually or through a combination of necessary explanatory factors - for accepting causal inference (which characterizes passing a smoking gun test). I would also contend that the cases here studied provided robust inferential leverage, approximating the analysis to a doubly decisive test (Collier, 2011; Goertz and Mahoney, 2012).

<sup>383</sup> In the words of a senior diplomat (MRE#14), "I understand that we [Brazil] lived with a certain tension between short-term realism, which served more immediate interests, and a long-term vision that, in my view, could be conciliated with that realism. A more multilateral world, one that was subject to norms, one in which utopia and realism could function together". It should be remembered that none of these behaviors is restrictive to Brazil or other developing countries. Many changes in rules and decision-making procedures occurred throughout the last decades, for example, as a consequence of the discussions to regulate and liberalize trade at the WTO or to define membership categories at the UNSC.

new challenges, exploring new avenues. And that was totally justified and in accordance with how multilateralism functions. (...) It was not about subverting norms”.<sup>384</sup> This thesis therefore differs from most works dealing with similar topics, as it not only dealt with the degree of change, but also with the type of change states like Brazil might pursue.

The analytical framework present in the second chapter and in the final part of each case study portrays Brazilian-led concepts or proposals as means through which Brazil pursues its interests. Two points can be made about these concepts. First (i), they can be seen as ways to achieve consensuses and posit Brazil as a reasonable mediator. This fits well especially with the first two case studies. In the climate change regime, Brazil expected to bring together countries defending more ambitious carbon emission reduction targets and the group of states advocating for the maintenance of the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC). As demonstrates chapter III, with the concept of concentric circles Brazil managed to influence the continuity of the regime at least until early 2016, also receiving recognition from UNFCCC officials.

Similar situation happened in the peace and security regime. There, Brazilian negotiations placed the country between supporters of unbridled use of force in cases when state responsibility is not fulfilled and the ones leaning towards the defense of strict sovereignty. Relying on the perspective that force can be used as a last resort and only in accordance with specific circumstances, Brazil could count on RWP to dialogue with most parties. Chapter IV shows that the proposal appeared in subsequent UN debates, receiving backing not only from the UN secretary-general, but also from other countries and the architects of the norm of R2P.

The food security regime slightly differs, as Brazil’s intention to portray itself in a conciliatory manner was not as present. This occurs because the concept of right to food (R2F) was already being discussed at FAO, not being a sole byproduct of the country’s foreign policy. In spite of that, players such as Itamaraty tailored domestic views on R2F, leaving aside more controversial notions like food sovereignty and trying to present Brazil as a moderate country.

Second and related (ii), these concepts are expressions of pragmatic state behavior. As Gardini (2011: 15) defines, pragmatism converges with ideology to “shape

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<sup>384</sup> Interview with MRE#7.

the determinants of foreign policy”, also being a manifestation of it and able to lead to a more plural and diverse global order. This pragmatic approach is visible in the three case studies. In the climate change regime, Brazilian negotiators advanced the concentric circles specifically when the country – together with China, India and South Africa - was under pressure to assume more ambitious targets. They did so taking into consideration Brazil’s domestic comparative advantages and bearing in mind national commitments on the way to the COP-21. In the peace and security regime, Brazil was against the uncritical enactment of R2P, which led its negotiators to promote ways to control the operationalization of that norm. By placing constraints on the usage of force, Brazil helped to reinforce the role of the UNSC and avoid the repetition of interventions like the one in Libya. In the food security regime, Brazilian negotiators enhanced the country’s role at FAO and actively promoted the concept of R2F as ways to legitimize national social protection programs and experiences related to hunger fighting and poverty alleviation.

Additionally, two of the case studies indicate how negotiators could maneuver these concepts and change their meanings throughout time. Both the climate change and the peace and security chapters illustrate how the concentric circles and the RWP were initially used to obstruct contending proposals that could harm existing principles and norms. Following this defensive step and in consequence of general positive responses, Brazilian negotiators started to proactively make use of these same concepts to increase the country’s legitimacy. That shift of strategy did not occur in food security talks because the proposal of R2F was already convergent with the regime and being followed by a group of states.

When it comes to the three explanatory factors (regime structure, domestic assets and domestic decision-making processes), their importance varied with each case study. In the climate change regime, the three factors were individually necessary and jointly sufficient for the concentric circles to come about. The regime is non-hierarchical and the fact that it was undergoing changes leading to the Paris Agreement helped negotiators to come with the idea. Itamaraty diplomats working in conjunction with the MMA could read the situation and, relying on the country’s domestic assets, forward the idea and attempt to influence evolving talks.

In the peace and security regime, the role of domestic assets was not essential for RWP to exist. The combination of a streamlined decision-making process controlled by Itamaraty and Brazil’s presence as a non-permanent member at the UNSC, however,

was critical for the country to be able to present its views on the operationalization of R2P as regards the Libyan crisis. The food security regime guards similarities with the climate change case. Although not enduring a similar level of structural transformation (i.e. a new agreement reviewing the state of things and defining how responsibilities should be divided), the regime was open and non-hierarchical enough for Brazil to promote its own and converging reading of R2F. As far as bureaucratic players clashed in the domestic realm, Itamaraty exerted a pacifying role, being able to present a unified narrative of the country's successful food security-related policies and plans.

This thesis also demonstrated that apart from the rhetoric of fomenting partnerships and acting collectively, Brazil's multilateral behavior is essentially individual. Brazil commonly presents proposals without previously discussing their content with regional or extra-regional partners, as exemplify the climate change and the peace and security cases. More collaboration occurred in the food security case, but even there the proposal continued being "Brazilian" and not Latin American or a byproduct of regional blocs like MERCOSUR or extra-regional blocs like the BRICS. This finding contradicts Itamaraty's official discourse and corroborates works (Malamud, 2011) that affirm Brazil bypass the regional dimension to act globally.<sup>385</sup> Further studies should test this assertion and compare its root causes with established regimes like non-proliferation and trade and emerging regimes such as cyber security.

All these case studies are, according to Levy (2008), attempts to understand and interpret a spatially and temporally bounded set of events. I specifically located these cases in the period 2011-2014, or when Brazil was under the first government of Rousseff.<sup>386</sup> Three concluding remarks should be made about that choice. First (i), Rousseff's administration, namely her second term, was damaging to Brazil's economy and to the overall image of the country. The three case studies illustrate that the worst recession since the 1930s, more sensed in the interval 2015-2016, affected the continuity of national policies, created budget deficits, impaired government spending and contributed to spiraling political turmoil. Several ministries endured financial cuts,

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<sup>385</sup> The theoretical discussion on "misplaced states", which investigates mismatches between a state's aspirations and other's expectations for it, also provides good insights. See: Aslam *et al.* (2020).

<sup>386</sup> Process tracing nevertheless required me to conduct research before and after that time frame.

which affected development cooperation initiatives, the diffusion of domestic experiences abroad, and Brazil's ability to project power.<sup>387</sup>

Second (ii), even amidst this complicated scenario, Brazilian negotiators were able to promote creative ideas in multilateral discussions. RWP appeared in 2011, the concentric circles in 2014 and R2F in several circumstances throughout that period. All these ideas – or part of them - continued integrating the diplomatic discourse after that. Beyond them, other proposals were forwarded in different regimes. Going back to the explanatory factors, I present the idea of “foreign policy inertia” to explain why that activism was still possible. In the climate change case, for instance, domestic setbacks and the rise in deforestation rates were not so patent to external observers. Also, as the major stakeholders part of the regime were more apprehensive with the challenges posed by the 2016 election in the United States, Brazil was not placed in the spotlight. The peace and security case demonstrates the existence of a detachment between domestic assets and multilateral engagement, with Brazil's attempts to assume greater responsibilities not necessarily being tied to specific capabilities. As for the food security case, the impacts of the economic crisis on social policies were more observed during Rousseff's second mandate and in the subsequent presidency of Temer.

The key element explaining foreign policy inertia is people. Officials working at federal ministries – I here cite the MMA in climate matters and the MDA in food security talks - and more specifically at Itamaraty could carry on the country's main positions and keep Brazil's multilateral involvement. According to a diplomat who worked closely with RWP: “in that moment, a very active government was ending [Lula] and Brazil was at the UNSC. Everyone involved with the topic was ingrained with the idea of being active”.<sup>388</sup> As Brazil was still being seen as a legitimate country, its negotiators could manage to keep the pace in multilateral discussions and come with novel proposals, particularly after the hyperactive Lula da Silva's years. That trend repeated in all the three case studies, corroborating the idea of a detachment between the domestic and the multilateral levels of analysis.

Foreign policy inertia occurred even with a president having lack of charisma and disinclination towards foreign affairs in comparison to her two predecessors (Cason

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<sup>387</sup> Brazil also faced pressures for not paying its contributions to international organizations. See: <https://www.gazetadopovo.com.br/economia/brasil-deve-r-32-bilhoes-a-orgaos-internacionais-como-onu-e-oms-8rps0wzglrfnkb41kegrux05z/>, accessed on 27 January 2020.

<sup>388</sup> Interview with MRE#8.

and Power, 2009; Malamud, 2017). Her dormant presidential diplomacy helped to rollback Brazil's international insertion but did not entirely play against the multilateral proactivity of bureaucratic actors. Adding to that, she was not contrary to the main directives guiding Brazil's foreign policy since the return to democratic rule. Foreign policy inertia therefore happened even with shifts in the top positions at Itamaraty and with Rousseff's tendency to concentrate responsibilities and not delegate power.

Until recently, foreign policy inertia benefited from the perceptions of other countries, namely the gatekeepers of the current liberal order, as discussed in the first chapter. As long as Brazil's initiatives received overall positive feedback and were seen as contributing to existing regimes, the costs of altering multilateral behavior were considerably higher. In that situation, Brazilian negotiators could more easily circumvent a wavering president and continue keeping previous courses of action. I also mention that beyond being part of the same political party, which in Brazil's history helped to avoid more encompassing changes in foreign policy orientation, the progression of time between Lula da Silva and Rousseff's first mandate was short to provoke greater shifts.

Foreign policy inertia started to erode under the presidency of Temer, who promoted bureaucratic reforms, extinguished ministries, scaled down social programs, reduced South-South development cooperation projects and looked for "liberal-leaning" partnerships (Marcondes and Mawdsley, 2017). But even during this transitional period Brazil could keep some previous positions, as illustrate the offer to host international climate talks (COP-25); the lack of new orientations from Brasília, which led negotiators to hold their views at FAO; and the continuous participation of Brazil in peace and security talks at the UN. Temer's government also disbursed around US\$ 400 million to pay debts with multilateral organizations and maintain Brazil's voting rights.<sup>389</sup> Although attempting to promote shifts in relation to previous PT governments, his administration did not threaten the normative foundations of multilateral regimes. According to a senior diplomat serving during these last governments, "it is very hard for a country like Brazil to develop new attitudes in multilateral forums that represent

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<sup>389</sup> See: <https://noticias.uol.com.br/internacional/ultimas-noticias/2019/01/06/cooperacao-internacional-onu-governo-temer-jair-bolsonaro.htm>, accessed on 31 January 2020.



substantial changes in relation to what it used to do. It is very hard and uncommon. That is true especially in a context of democracy”.<sup>390</sup>

This being said, inertia ended with Bolsonaro, who imprinted new contours to Brazil’s foreign policy, acted to save a country “on the brink of socialism” and developed a selective type of presidential diplomacy favoring right-wing, nationalist, conservative and Christian governments (Casarões and Flemes, 2019).<sup>391</sup> As chancellor Ernesto Araújo loosely defined, “the moment of a new independence” started. Opposing the “homeland” to the “international liberal order” and saying that Brazil “would not work for the global order nor please its managers”, he defined the United States, Israel, Hungary, and Poland as favored partners and affirmed Brazil would resist what he called “globalism”. Bilateral and multilateral relations would be oriented to produce “tangible results”, surpassing the scarce outcomes of previous engagements. Together with Bolsonaro, he promoted sweeping changes in Itamaraty, opening the possibility of non-diplomats being appointed to key positions.<sup>392</sup>

While openly attacking the current state of things and mentioning that the UN would not “erase nationalities or sovereignties in the name of an abstract ‘global interest’”, Bolsonaro’s Brazil continued participating in the multilateral system, being prepared to “take on the responsibilities attributed to us”.<sup>393</sup> Making use of the existing international forums, his government criticized the very order they are embedded in and expected to weaken its bases, as did the United States under Trump. That represents a profound shift in relation to previous governments. Whereas Cardoso, Lula da Silva and Rousseff promoted conceptual contributions, reinforced normative foundations and aimed to alter specific operational elements of current regimes, Bolsonaro developed a contrasting approach. His government tried to undermine entrenched norms and principles, hoping to harm the mandate of institutions like the UN Human Rights

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<sup>390</sup> Interview with MRE#13.

<sup>391</sup> See: <http://www.itamaraty.gov.br/en/speeches-articles-and-interviews/president-of-the-federative-republic-of-brazil-speeches/20896-speech-by-brazil-s-president-jair-bolsonaro-at-the-opening-of-the-74th-united-nations-general-assembly-new-york-september-24-2019-photo-alan-santos-pr>, accessed on 3 February 2020

<sup>392</sup> See: <http://funag.gov.br/index.php/pt-br/component/content/article?id=2913>, accessed on 3 February 2020.

<sup>393</sup> See: <http://www.itamaraty.gov.br/en/speeches-articles-and-interviews/president-of-the-federative-republic-of-brazil-speeches/20896-speech-by-brazil-s-president-jair-bolsonaro-at-the-opening-of-the-74th-united-nations-general-assembly-new-york-september-24-2019-photo-alan-santos-pr>, accessed on 3 February 2020.

Council. Bolsonaro therefore moved away from the idea of Brazil being neither revisionist nor pro-status quo.

Brazil's foreign policy since 2019 expected to make use of multilateral forums to change them from within. Normatively and operationally, the current international order did not match Brazil's interests, consequently needing to be altered. In this sense, Brazil's behavior became much more revisionist than previous moments in the country's diplomatic history.<sup>394</sup> Having said that, Bolsonaro did not propose any coherent alternatives nor forwarded feasible conceptual contributions, which makes his revisionism more an allegory aiming to please domestic audiences and certain foreign partners than reality.<sup>395</sup> This revisionism had its nature placed on resisting accepting most liberal norms and principles and on questioning how they are put in motion.

By and large, the three explanatory factors discussed throughout this thesis underwent transformations during the first year of Bolsonaro's presidency. When it comes to regime structure (i), the international order saw a rising challenge coming not only from the developing world, but also from developed countries like the United States. Areas like trade, human rights, climate change and nuclear non-proliferation had their underlying normative and operational foundations questioned. Brazil acted accordingly, also hoping to benefit from a closer relationship with these players. Nevertheless, as points out MacDonald (2020), a shared hard right worldview does not necessarily align national interests. As for the domestic assets (ii), Brazil's sluggish growth rates (1,3% in 2017 and 2018 and 1,1% during Bolsonaro's first year) affected its ability to exert influence and sustain effective public policies and plans. Together with that, Brazil's image abroad was tarnished by a president who, among other things, openly defends torture and commemorates the 1964 military dictatorship,<sup>396</sup> attacks science and scientific knowledge,<sup>397</sup> boosts culture wars between defenders of

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<sup>394</sup> Reminding Johnston's (2003: 11), indicators of revisionist behavior, "the actor may participate in these institutions and may abide by their rules and norms temporarily, but if given a chance, it will try to change these rules and norms in ways that defeat the original purposes of the institution and the community".

<sup>395</sup> Brazil's contradictory behavior is exemplified by its bid to enter the OECD and internalize its norms and rules, which started during Temer's presidency and continued with Bolsonaro.

<sup>396</sup> See: <https://www.hrw.org/news/2019/03/27/brazil-bolsonaro-celebrates-brutal-dictatorship>, accessed on 7 February 2020.

<sup>397</sup> See: <https://www.nature.com/articles/d41586-019-02484-w>, accessed on 7 February 2020.

“traditional values” and more progressive voices,<sup>398</sup> and mixes religious beliefs and foreign policy.

Concerning the domestic decision-making procedures (iii), Bolsonaro’s lack of guidance pushed several domestic groups to openly struggle for influence over Brazil’s foreign policy. In a situation of permanent dispute, his government can more easily play with different positions, shift preferences, and confuse public opinion and international partners. The number of domestic actors involves Evangelical leaders, pro-market reformists, large landholders, defenders of stricter public security measures, the Armed Forces, and followers of Olavo de Carvalho, the “architect of Bolsonaro’s far-right vision”.<sup>399</sup> As chancellor Araújo aligned with this last group and Itamaraty lost relative prestige and access to the president, the ministry missed its ability to mediate distinct positions and provide some direction to Brazil’s foreign policy. As a result, Brazil was seen as a source of instability, being taken as a difficult and unreliable partner (Stuenkel, 2019). Congressmen like Rodrigo Maia, the speaker of the Lower House, and Senate president Davi Alcolumbre, not to mention subnational governments – mostly in the Northeast and North regions of Brazil – often acted to circumvent and oppose the presidency, seeking to preserve international partnerships.<sup>400</sup>

Lastly, changes in the explanatory factors and in the overall foreign policy provoked contrasting outcomes, which were mostly seen in Brazil’s behavior in the climate change and the food security regimes. Calling Amazon deforestation “cultural”, Bolsonaro’s government scaled back efforts to fight illegal logging, ranching and mining, weakened environmental agencies, attacked NGOs operating in the region and foreign governments who provided forest protection payments, as well as abandoned hosting the COP-25.<sup>401</sup> Data for 12 months through July 2019 shows that Amazon

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<sup>398</sup> See: <https://www.ft.com/content/f470734e-c41a-11e9-a8e9-296ca66511c9>, accessed on 9 February 2020.

<sup>399</sup> See: <https://www.theatlantic.com/international/archive/2019/12/brazil-olavo-de-carvalho-jair-bolsonaro/604117/>, accessed on 9 February 2020.

<sup>400</sup> That was visible, for instance, in Maia’s talks with Argentina and China and in the dialogues involving Northern governors and the EU as regards climate matters as well as Northeastern governors and China in relation to fighting the coronavirus. See, for example: <https://noticias.uol.com.br/saude/ultimas-noticias/redacao/2020/03/20/governadores-do-ne-consultam-china-e-pedem-material-para-tratar-covid-19.htm>, accessed on 20 March 2020.

<sup>401</sup> See: [https://www.washingtonpost.com/world/the\\_americas/brazils-bolsonaro-calls-amazon-deforestation-cultural-says-it-will-never-end/2019/11/20/ba536498-0ba3-11ea-8054-289aef6e38a3\\_story.html](https://www.washingtonpost.com/world/the_americas/brazils-bolsonaro-calls-amazon-deforestation-cultural-says-it-will-never-end/2019/11/20/ba536498-0ba3-11ea-8054-289aef6e38a3_story.html), accessed on 12 February 2020. Also see:

deforestation saw the biggest spike in more than a decade.<sup>402</sup> Coupled with that, his administration ended climate change divisions within Itamaraty and the MMA, empowering an environment minister who “ridicules climate talks”. These measures affected Brazil’s image as a country interested in tackling climate change.<sup>403</sup>

Similar occurred in the food security regime, as Bolsonaro’s administration extinguished the MDS and CONSEA and promoted bureaucratic shifts that favored large landholders and the MMA. With more than 1.3 million beneficiaries losing access to Bolsa Família, the president claimed hunger in Brazil was a “big lie”.<sup>404</sup> Graziano da Silva deplored his comment and said he was “uninformed”.<sup>405</sup> The UN Office of the High Commissioner for Human Rights also expressed concerns, reminding the “impressive results and progress” achieved in the last decades.<sup>406</sup> These examples display a clear mismatch between the more recent domestic decisions and the existing multilateral normative and operational elements governing food security.

As concerns the peace and security regime, Bolsonaro’s government developed a lower profile and avoided publicly opposing the established norms and principles, an inconsistent behavior for a government that fundamentally questions how the multilateralism system operates. In his speech at the UN, for example, he praised Brazil’s contributions to peacekeeping operations, which in early 2019 involved 275 nationals in eight missions abroad.<sup>407</sup> That more prudent multilateral conduct in comparison to the other case studies part of this research can be associated with the number of military occupying high-ranking positions in the government, many of them

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<https://www.nytimes.com/2019/07/28/world/americas/brazil-deforestation-amazon-bolsonaro.html>, accessed on 12 February 2020.

<sup>402</sup> See: <http://www.obt.inpe.br/OBT/assuntos/programas/amazonia/prodes>, accessed on 12 February 2020.

<sup>403</sup> See: <https://www.independent.co.uk/news/world/americas/brazil-climate-change-steak-un-conference-environment-minister-ricardo-salles-a9248526.html>, accessed on 12 February 2020.

<sup>404</sup> See: <https://brasil.elpais.com/brasil/2020-01-28/bolsa-familia-sob-bolsonaro-fecha-a-porta-a-novos-beneficiarios-enquanto-espero-na-fila-vou-pegando-fiado.html>, accessed on 14 February 2020.

<sup>405</sup> See: <https://www.dw.com/pt-br/bolsonaro-est%C3%A1-mal-informado-diz-diretor-geral-da-fao/a-49734599>, accessed on 14 February 2020.

<sup>406</sup> See: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24339>, accessed on 14 February 2020.

<sup>407</sup> See: <https://www.nexojournal.com.br/grafico/2019/10/29/O-Brasil-nas-opera%C3%A7%C3%B5es-de-manuten%C3%A7%C3%A3o-da-paz-da-ONU>, accessed on 16 February 2020.

having participated in UN peacekeeping operations like the MINUSTAH. Beyond his vice-president, who is a retired Army general, Bolsonaro militarized his inner circle and allowed the military to influence decision-making. However, that bureaucratic leverage did not immediately revive Brazil's bid for permanent membership in the UNSC.

In sum, explanatory factors shifted in relation to the actors now defining foreign policy and in respect to the role of Brazil's domestic assets after years of protracted economic crisis and, more recently, the impacts of Bolsonaro's government on the country's image. Coupled with that, the global order is undergoing changes, altering external perceptions towards Brazil as well as the margins of maneuver for this and other developing powers to act.

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## APPENDIX

### APPENDIX A – LIST OF INTERVIEWS

The dataset of interviews is based on Cabral (2016) and Seabra (2016) and comprises 65 interviews divided in the case studies of climate change (34), peace and security (8) and food security (21). Two other interviews are unrelated to cases, as they focused on the overall Brazilian foreign policy and its historical evolution. All anonymous interviewees received codes related to their institutional positions, but the following list only features the ones appearing in the thesis. The numbers part of each code represent the order in which the interviews were made. In-depth interviews not receiving codes served as contextual information.

<b>Climate Change</b>					
#	<b>Institutional affiliation</b>	<b>Date of interview</b>	<b>Length</b>	<b>Method</b>	<b>Code</b>
1	United Nations Environment Programme (UNEP)	23-Jun-2015	1h 08m	Audio recording	UN#1
2	Climate Policy Initiative (CPI)	14-Jul-2015	36m	Audio recording	
3	Climate Policy Initiative (CPI)	14-Jul-2015	36m	Audio recording	
4	UNFCCC	30-Jul-2015 and 06-Aug-2015	59m	Audio recording	UNFCCC#1
5	UNFCCC	04-Aug-2015	38m	Audio recording	UNFCCC#2
6	Deutsche Institut für Entwicklungspolitik (DIE)	04-Aug-2015	39m	Audio recording	
7	UNFCCC	05-Aug-2015	52m	Audio recording	
8	UNFCCC	05-Aug-2015	52m	Audio recording	

9	UNFCCC	06-Aug-2015	1h 06m	Audio recording	UNFCCC#5
10	UNFCCC	06-Aug-2015	1h 14m	Audio recording	UNFCCC#6
11	UNFCCC	13-Aug-2015	55m	Audio recording	
12	Corporación Andina de Fomento (CAF)	13-Aug-2015	56m	Audio recording	CAF#1
13	European Union	14-Aug-2015		Unrecorded	
14	Germanwatch	17-Aug-2015	51m	Audio recording	
15	Greenpeace	27-Aug-2015	42m	Audio recording	NGO#4
16	World Bank	28-Aug-2015	29m	Audio recording	
17	Center for International Forestry Research (CIFOR)	17-Sep-2015	49m	Audio recording	
18	Center for International Forestry Research (CIFOR)	17-Sep-2015	49m	Audio recording	
19	MMA	22-Sep-2015	1h 06m	Audio recording	MMA#1
20	Instituto de Manejo e Certificação Florestal e Agrícola (Imaflora)	25-Sep-2015	54m	Audio recording	
21	MCTIC	09-Oct-2015	1h 04m	Audio recording	MCTI#1
22	MCTIC	09-Oct-2015	1h 04m	Audio recording	MCTI#2
23	Instituto Clima e Sociedade	14-Oct-2015	40m	Audio recording	NGO#8
24	Universidade Federal do Rio de Janeiro (UFRJ)	09-Nov-2015	52m	Audio recording	UFRJ#1
25	IPCC	18-Nov-2015	1h 18m	Audio recording	IPCC#1
26	Instituto de Pesquisa Ambiental	25-Jan-2016	1h 04m	Audio	NGO#9

	da Amazônia (IPAM)			recording	
27	MRE	02-Feb-2016	1h 07m	Audio recording	MRE#1
28	MRE	12-Feb-2016	1h 22m	Audio recording	MRE#2
29	MRE	19-Feb-2016	59m	Audio recording	MRE#3
30	MMA	20-Jun-2016	55m	Audio recording	MMA#2
31	MMA	20-Jun-2016	55m	Audio recording	MMA#3
32	World Resources Institute (WRI)	08-Sep-2016	49m	Audio recording	
33	AILAC	28-Oct-2016	56m	Audio recording	AILAC#1
34	Konrad-Adenauer-Stiftung (KAS)	03-Nov-2016	1h 11m	Audio recording	

<b>Peace and Security</b>					
35	International Coalition for the Responsibility to Protect	05-Jan-2017	41m	Audio recording	
36	MRE	26-Jan-2017	1h 21m	Audio recording	MRE#4
37	Global Centre for the Responsibility to Protect	08-Feb-2017	49m	Audio recording	NGO#12
38	MRE	10-Mar-2017	50m	Audio recording	MRE#5
39	UN Office on Genocide Prevention and the Responsibility to Protect	13-Mar-2017	42m	Audio recording	UN#2
40	MRE	06-Apr-2017	47m	Audio recording	MRE#6

41	MRE	05-Apr-2017	44m	Audio recording	MRE#7
42	MRE	23-May-2017 and 06-Apr-2018	1h	Audio recording and informal conversation	MRE#8

<b>Food Security</b>					
43	MDS	16-Jun-2016	37m	Audio recording	MDS#1
44	MRE	24-Jun-2016	53m	Audio recording	MRE#9
45	MDS	24-Jun-2016	1h 11m	Audio recording	MDS#2
46	MDS	24-Jun-2016	1h 11m	Audio recording	MDS#3
47	MRE	14-Jul-2016	1h 17m	Audio recording	MRE#10
48	World Bank	26-Jul-2016	50m	Audio recording	
49	WFP	27-Jul-2016	53m	Audio recording	WFP#1
50	EMBRAPA	19-Aug-2016	36m	Audio recording	
51	FAO	24-Aug-2016	53m	Audio recording	FAO#1
52	CONSEA	21-Sep-2016	42m	Audio recording	BRA#1
53	FAO	23-Sep-2016	1h 11m	Audio recording	FAO#2
54	EMBRAPA	18-Oct-2016	55m	Audio recording	



55	MDA	20-Oct-2016	1h 41m	Audio recording	MDA#1
56	WFP	25-Oct-2016	53m	Audio recording	WFP#2
57	FAO	22-Nov-2016	45m	Audio recording	FAO#3
58	MDA	06-Dec-2016	26m	Audio recording	MDA#2
59	Empresa de Assistência Técnica e Extensão Rural (EMATER)	07-Dec-2016	57m	Audio recording	
60	Fundação Oswaldo Cruz (Fiocruz)	02-Feb-2017	1h 04m	Audio recording	BRA#3
61	MDA	14-Feb-2017	1h 17m	Audio recording	MDA#3
62	MRE	20-Mar-2017	1h 08m	Audio recording	MRE#11
63	MRE	27-Mar-2017	59m	Audio recording	MRE#12

**Unrelated to Cases**

64	MRE	30-Nov-2015	1h 01m	Audio recording	MRE#13
65	MRE	21-Dec-2015	1h 12m	Audio recording	MRE#14

## APPENDIX B – SAMPLE INTERVIEW GUIDE

This guide was used for an interview with a Brazilian diplomat working with peace and security matters. Some excerpts of the responses appear in chapter IV.

1. Since the 2005 UN World Summit Outcome the world has faced new cases of disrespect for human rights and disputed humanitarian interventions. What is your opinion on the idea of R2P and how do you evaluate its evolution?
2. There is great confusion about the definition of R2P. This is visible both in academic debates and in the policy arena. How do you define R2P?
3. The literature suggests that R2P is not clearly understood because politicians and academics mismatch its content with its operationalization. What is your view on that?
4. What is your opinion on the way developing powers deal with R2P? Do you see any similarities or differences in their behaviors?
5. Regarding Brazil, how did the idea of RwP come about? In which context?
6. Again, how do you define it? As a principle? Norm? Idea? Concept?
7. What is your interpretation of RwP?
8. RwP did not go forward in debates at the UNSC, eventually losing momentum. Why did that happen?
9. Do you think the idea behind RwP was clearly understood by the other players within and outside the UNSC?
10. RwP was forwarded when all BRICS countries were part of the UNSC. What was their reaction to Brazil's idea?
11. Concerning the structure of the peace and security regime, does the composition of the UNSC affect the ability of non-P5 member states to come with novel ideas? Please elaborate.
12. Do you consider that domestic assets have a role for this type of idea to exist? If so, what type of assets? Could you mention any intangible assets as well?
13. With regard to the role of bureaucracies, domestic actors other than Itamaraty exerted influence on RwP?
14. What was the role of president Dilma Rousseff?
15. The idea of RwP was not well understood by many people working with peace and security matters. Why did that happen?