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**Jazmin Sierra and Kathryn Hochstetler**

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# Transnational Activist Networks and South-South Finance: Transparency and Environmental Concerns in the Brazilian National Development Bank<sup>1</sup>

Jazmin Sierra and Kathryn Hochstetler

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**Abstract:** This article studies how transnational advocacy networks can influence international development finance. Transnational activists shaped the World Bank's lending by increasing its transparency and limiting its socio-environmental impacts. Developing countries can now look towards rising-powers' national development banks to finance their infrastructure and energy projects. The national development banks' weak transparency and socio-environmental standards pose a new challenge for transnational activism. Can activists leverage strategies used in World Bank reform to influence emerging power national development banks? We argue that whether a target is a supranational or national institution shapes the deployment and effectiveness of the strategies activists can use for influence. A supranational mandate and structure facilitates the deployment and effectiveness of a direct strategy focused on the transnational level, targeting the bank itself, and an indirect strategy focused on the national contexts of the bank's shareholders and borrowers. In contrast, a national mandate and structure encourages activists to deploy influence strategies solely in the context of the lending state. They furthermore make indirect strategies more effective than direct ones. We illustrate our argument by exploiting variation in the success across campaigns of a transnational network created to reform the Brazilian National Development Bank.

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Transnational activist networks shaped the World Bank's lending operations in the 1980s and 1990s, working with receptive national principals of the bank and allies among the institution's staff. Such networks pushed the bank to routinely and prospectively assess the environmental and social impacts of the projects it financed. They spurred the creation of an Environment Department and vice presidency. Activists also forced the Bank to be more transparent about its operations and opened the operations to direct scrutiny by non-governmental organizations (NGOs) through the Inspection Panel mechanism (Buntaine 2015; Fox, and Brown 1998; Park 2005a; Wade 1997). The success of the World Bank campaigns, in turn, allowed transnational activists to pressure other multilateral development banks and private banks to undergo similar reforms (Bissell, and Nanwani 2009; Nelson 2001; Park 2005b; Van Putten 2008; Wright 2012). Thus, the World Bank campaigns became iconic examples of the relevance non-state actors could achieve in global governance by networking across borders to influence states and international organizations (for example, Bramble, and Porter 1992; Keck, and Sikkink 1998; Nelson 1996; O'Brien, Goetz, Scholte, and Williams 2000; Rich 1994).

In the 21<sup>st</sup> century, developing countries increasingly look beyond the traditional multilateral development banks (MDBs) to finance their development projects. Emerging economic powers—such as Brazil and China— are using their national development banks (NDBs) to provide billions of dollars for roads, hydroelectric dams, and other infrastructure projects in developing countries (Bräutigam 2009; Bräutigam, and Gallagher 2014; Gallagher and Irwin 2014; Hochstetler 2014; Qobo, and Matsamai 2014). The expansion of the lending scope of NDBs, from export support to international project finance, has turned these institutions into global players in development finance. Most notably, in contrast to MDBs, they have declined to link their lending to policy conditions such as structural adjustment and environmental assessment.

The kinds of projects the globalized NDBs finance carry heavy social and environmental costs. These are the same problems that activists tried to solve with their original campaigns against the World Bank. Emerging-powers' development banks have social and environmental clauses that fall short of current international standards as embodied in the Equator Principles (Wright 2012). They only require that borrowing countries' national environmental assessment processes be followed. They also lack

mechanisms for the banks to intervene when those are inadequate. The NDBs of China and Brazil, the biggest international lenders, do not engage in public consultations with affected communities.<sup>2</sup> In addition, emerging-power NDBs have provided little information regarding what projects they finance, as well as under what conditions they do so.

To what extent can transnational activists use the same strategies that proved successful in reforming the World Bank and other development finance institutions to influence the international lending practices of emerging-power NDBs? In brief, we argue that whether a target is national or supranational shapes where NGOs deploy their strategies and which strategies can be effective.

Because the World Bank is a multilateral institution, transnational and domestic strategies served as “partial substitutes” (Cao, and Ward 2017, 81) with political opportunities available at each level (Sikkink 2005, 149; see also Roger, Hale, and Andonova 2017). Transnational activists used a *direct* strategy focused on the transnational level, targeting the World Bank itself. At the same time, they used an *indirect* strategy, by asking the many national governments that were either the bank’s ultimate principals or its borrowers to promote their reform agenda (Kardam 1993, 1776; Fox, and Brown 1998, 4; Keck, and Sikkink 1998, 147; Park 2010, 55). The characteristics of their target also contributed to the effectiveness of both strategies of influence: the World Bank’s broad lending mandate and its multilateral governance arrangement—its collective principal—allowed activists to find sympathizers within the organization that enjoyed autonomy to pressure for reforms. In addition, the existence of multiple shareholders and borrowing governments provided numerous sites for activists to seek to influence World Bank policy.

Globalized NDBs provide activists with more limited opportunities for influence, because they are national institutions with fewer, and less diverse, principals. An NDB’s mission and structure embody the economic statecraft objectives set by its single principal, the executive branch. This governance arrangement reduces the likelihood of allies within the bank and the effectiveness of the direct strategy. Indirect influence strategies, in turn, depend on the availability of an actor with the capacity and willingness

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<sup>2</sup> Only the Indian NDB has a grievance mechanism (Colombini 2015, 77).

to leverage its power over the NDB to implement reforms. However, national development banks are only formally accountable to national actors, which reduces the number of points of leverage available to activists.

We demonstrate the plausibility of our argument with an in-depth case study of the transnational activist network created to monitor and contest large-scale infrastructure and natural resource projects carried out both inside and outside Brazil with funding from the *Banco Nacional de Desenvolvimento Econômico e Social* (BNDES, Brazilian National Development Bank). In the past decade, BNDES became the world's third largest national development bank (after China and Germany). Like the World Bank advocates beforehand, this network of activists sought both greater transparency and improved socioenvironmental oversight from the BNDES. Because Brazil is a constitutional democracy with a history of movement activism and inclusive state initiatives (Abers 1999; Abers, and Oliveira 2015; Hochstetler, and Keck 2007), this is the kind of setting where we should expect few restrictions on activists as they attempt to influence bank policy.

We take advantage of the contrasting outcomes of two campaigns led by the same network. Activists were more effective in pursuing their transparency goals than in achieving socioenvironmental standards for BNDES-funded projects. This comparison allows us to examine the mechanisms that account for variation in campaign success while keeping constant alternative explanatory variables at the country and network level. We trace the mechanisms linking activist campaigns to BNDES reform by triangulating several data sources including interviews with core members of the network, BNDES bureaucrats, and other government officials, as well as archival research of BNDES documents and lending data.<sup>3</sup> We conclude by revisiting the broader implications of our argument.

### **Development Finance Institutions**

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<sup>3</sup> We provide as much information as possible. Names and locations are undisclosed if requested by interviewees.

The institutional landscape of development finance was largely constructed in the aftermath of World War II through the establishment of two sets of organizations: multilateral development banks and national development banks. Both sets can be considered developmental because they provide long-term financing that is tied to objectives beyond profits, such as positive economic, social, and environmental externalities (Bruck 1998, Babb, and Carruthers 2008). The balance between profit and collective benefits varies across, and even within, development banks (Luna-Martinez, and Vicente 2012).<sup>4</sup>

While sharing a developmental mission, MDBs and NDBs have traditionally differed along two dimensions: (i) the lending mandate (the lending purpose) and scope (the lending recipients) and (ii) their governance arrangements. On the first dimension, MDBs share a broad supranational mandate for financing economic development in some set of recipient countries. MDBs have interpreted their lending mandate as requiring that borrowing countries implement policies perceived by the bank as conducive to their development (Babb, and Carruthers 2009). This mandate, in turn, is aligned with a multinational lending scope. In contrast, the NDB's lending mandate is to support the development of the home economy. Its lending scope has traditionally been limited to the confines of its nation-state. Some lending by NDBs can support the home country's foreign trade by financing the exports of goods produced in the home country.

The second traditional difference between MDBs and NDBs is in their governance structure: multilateral or national. This conditions the number of proximate (closest and most directly influential) and ultimate (more distantly related) principals (Nielson, and Tierney 2003). The supranational nature of MDBs implies that their governance arrangements include a collective proximate principal and multiple ultimate principals (Gutner 2005, 17-18; Nielson, and Tierney 2003, 241-42). For the World Bank, the proximate principal is the Board of Executive Directors, a collective of nation-states. Of the current 24 Executive Directors on the board, the five largest bank shareholders— France, Germany, Japan, United Kingdom and United States— appoint a

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<sup>4</sup> For example, while the World Bank Group's International Development Association offers concessional loans, its International Bank for Reconstruction and Development incorporates profitability concerns in its operations.

member each, while the remaining member countries are grouped into constituencies. Such collective principals are prone to divergent interests and preferences (Hawkins et al. 2006). Furthermore, the World Bank has multiple ultimate principals, such as the executive and legislative branches of the largest member countries in the Executive Board. These ultimate principals can also influence the bank, most often through their control over financial contributions (Nielsen and Tierney 2003, 242).

In contrast, the governance arrangements of NDBs are nationally-oriented and so the number of proximate and ultimate principals is reduced. The proximate principal of an NDB is the Executive Branch of its home country. The Executive Branch typically appoints all the members of the Board of Directors that manages the bank as well as senior staff. NDBs also have a more limited number of ultimate principals. Under democratic regimes, the legislative and judicial branches typically act as ultimate principals: the former approves appropriations for the bank and sets rules for its operation, and the latter rules on legal questions that may arise regarding the bank's actions.

In the past decade, however, this distinction between NDBs and MDBs has blurred (see Table 1). Some emerging-power NDBs globalized their lending scope by supporting state to state lending, foreign investments of domestic firms, and export of services, rather than simply goods (Sierra 2015). As globalized NDBs expanded from export to project finance, they began financing the construction of roads, hydroelectric dams, and other infrastructure projects in developing countries. Because such projects carry heavy social and environmental costs, this new type of lending substantially increased the impact that national development banks have on the host countries.

**Table 1. Development Finance Institutions**

	<b>Examples</b>	<b>Lending Scope</b>	<b>Lending Mandate</b>	<b>Policy Conditions</b>	<b>Governance Structure</b>
National Development Banks	Nacional Financiera (Mexico), Development Bank of Turkey, Malaysia Development Bank	National	National	Yes	National
Globalized National Development Banks	BNDES, China Development Bank, South Africa Development Corporation, India Exim Bank	Global	Primarily National	No	National
Multilateral Development Banks	World Bank, Inter-American Development Bank, African Development Bank, European	Global	Global	Yes	Multilateral

	Investment Bank, Islamic Development Bank, Asian Development Bank				
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The globalization of some NDBs’ lending scope draws attention to how they have interpreted what it means to provide development finance. In contrast to MDBs, emerging-power NDBs do not tie their international lending to policy conditionalities for host countries. Instead, they require the use of their national goods and services by the recipient country.<sup>5</sup> This choice obeys a logic of economic statecraft: it allows rising powers to expand their economic clout and international leadership by promoting their firms’ international activities. The loans increase economic ties with other countries, and allow rising powers to present themselves as viable alternatives to the traditional MDBs (Bräutigam 2009; Kaplan 2016; Sierra 2015). This choice is also consistent with emerging-power foreign-policy stances. These countries stress national sovereignty in their relations with other governments, which implies not tying their development finance to particular policies (Kaplan 2016; White 2013). Instead, they portray their international development finance as “win-win” for creditors and borrowers (Bräutigam 2009, 1). This non-conditional lending increases the globalized NDBs’ attractiveness to potential borrowers and has helped them consolidate as global players (Kaplan 2016).

In sum, international lending has turned emerging-power NDBs into relevant players of global development finance. While their lending has consequences beyond the home country, their developmental mandates and governance structures continue to be grounded in the national sphere. How do differences in governance arrangements and lending mandates impact the capacity of transnational advocacy networks to influence global NDBs? Can the same strategies that proved successful for World Bank reform be used in these cases? We now turn to these questions.

**Networking for Influence**

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<sup>5</sup> BNDES has the strictest national mandate: international lending only supports nationally-controlled firms. The China Development Bank and the South African Development Corporation make some loans to foreign entities (Bräutigam, and Gallagher 2014; Qobo, and Matsamai 2014).



Our argument builds on existing literature that underscores how activists face different political opportunity structures depending on the characteristics of their target (Kitschelt, 1986; Meyer, and Minkoff 2004; Tarrow, 2011). A political opportunity structure can be broadly defined as the stable, exogenous factors that enhance or inhibit prospects for mobilization (Kitschelt 1986; Sikkink 2005; Tarrow 2011). Are the targets inclusive, indifferent, or repressive towards civil society claims? Are the targets amenable to allies that can provide further openings, information, and legitimacy to activists? Answers to these questions, in turn, can help understand what strategies of influence are more likely to allow for activist success.

This framework can be extended to transnational activism as a question of upward scale shift (Della Porta, and Tarrow 2005; Keck, and Sikkink 1998; Tarrow 2005). This occurs when contention goes from local to global scales. Upward scale shift multiplies the range of actors involved as well as the number and level of coordinated actions (Tilly, McAdam, and Tarrow 2001, 331).<sup>6</sup> Sikkink (2005) argues that scale shift allows activists to take advantage of both domestic and international opportunity structures. Activists can strategize whether political action should take place at the national or transnational level (see also Cao, and Ward 2017; Roger, Hale and Andonova 2017; Silva 2013). Where one is open and the other closed, activists opt for the open level. When both are open, she contends, activists exchange resources and information across borders, but focus on their national sphere (Sikkink 2005, 154). We contribute to this literature by studying how the opportunities afforded to transnational activists by scale shift are conditioned by whether they are targeting a supranational or a national institution. In particular, we ask what strategies of influence are more likely to succeed for each type of target.

Our emphasis on the characteristics of the target does not negate the importance of the activist networks' power resources. We recognize that the presence of two types of power resources, expert and moral authority, are preconditions for effective influence. Activists can use their expert knowledge to identify problems, explain their causes and effects, and provide possible solutions (Cross 2013; Haas 1990). They can also leverage moral authority by highlighting shared values and principles (Keck, and Sikkink 1998, 2)

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<sup>6</sup> Here we focus on upward scale shift from national to international contention, but it can also entail diffusion from local to national contention.

through symbols, stories, and events. Simply possessing authority bases is not enough for NGO influence, however. NGOs must deploy them strategically, we posit, according to the characteristics of the target.

### *Transnational Activists and The World Bank*

Research on changes in the World Bank in the 1980s and 1990s provides two lessons regarding how the characteristics of targets shape transnational advocacy campaigns.<sup>7</sup>

The first lesson is that after upward scale shift, activists used multiple strategies at both the national and supranational levels, and across national contexts. Northern and Southern advocacy organizations joined with Southern grassroots organizations to identify World Bank reform as a common purpose. They then pursued two main strategies of influence. In the direct strategy, activists focused on the transnational level, targeting the World Bank itself and its proximate principal in the absence of third parties. In the indirect strategy, activists focused on multiple national contexts by turning to the bank's ultimate principals and borrowing governments who could further promote their causes and objectives.

Activists pursued that direct strategy by communicating with and lobbying the World Bank. NGOs based outside of the United States established offices in Washington D.C. to access bank staff (Nelson 1996, 616). Regular meetings were held between bank staff, and environmental, anti-poverty and anti-structural adjustment activists (Kardam 1993, 1780, 1782; Nelson 1996, 611, 614; Wade 1997). These interactions were key in generating support for a reform agenda within the bank (Ebrahim, and Herz 2007, 18; Long 2001). NGOs also lobbied the bank's collective proximate principal, the Executive Board, by holding meetings with Executive Directors from dominant shareholders (O'Brien et al. 2000, 128).

The World Bank campaigns also leveraged an indirect strategy in multiple national contexts. In this strategy, activists took advantage of national opportunities by

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<sup>7</sup> Campaigns are strategically linked activities carried out by a diffuse principled network of individuals and organizations who develop salient ties in pursuit of a common objective and against a common target (Keck, and Sikkink 1998, 6).

acting as ‘first movers’, putting new issues on the local political agenda and prodding others to take up the issues of interest to the network (Fox, and Brown 1998; Rich 1994; Wade 1997). The most effective way to pursue an indirect strategy is through the target’s ultimate principals. NGOs therefore directed their efforts at the most relevant shareholders. The influence of American NGOs over the United States Congress and Treasury, two key ultimate principals of the World Bank, provided the network with strong leverage (Fox, and Brown 1998, 6). They brought Southern NGOs and grassroots movements from borrowing countries to US Congressional hearings, which helped sway legislators (O’Brien et al. 2000, 127). Aware that support within the United States for their causes was not always enough to change World Bank behavior (Wirth 1998, 60), the network also targeted ultimate principals in other member countries with significant voting power. For example, European and Japanese NGOs lobbied their home governments’ finance and foreign aid officials, and legislative branches, over national appropriations for the bank (Fox and Brown 1998, 6; Wirth 1998, 60, 63). Activists also pursued an indirect strategy via the bank’s borrowers. These provided influence as both board members (albeit with limited voting power) and clients (Fox 2003, xiv) given the bank’s concern with its reputation among loan-takers (O’Brien et al. 2000, 131, 217).

Activism deployed at these multiple levels and contexts was mutually-reinforcing (Kardam 1993, 1776; Fox and Brown 1998, 4; Keck and Sikkink 1998, 147; Park 2010, 55). The direct strategy helped to overcome restrictions at the national level, by focusing on the transnational level. A reformed World Bank could, in turn, pressure borrowing governments, the memorably labeled “boomerang” pattern (Keck and Sikkink 1998). When faced with the recalcitrance of the World Bank, activists pursued an indirect strategy, turning to national contexts where they could influence the bank’s ultimate principals and borrowers (Fox, and Brown 1998).

The second lesson is that the World Bank’s supranational development mandate and governance structure made both strategies more effective. Regarding the direct strategy, the bank’s broad developmental mandate (Clegg 2013) and the staff’s sensitivity to international norms (Nelson 1996, 610) provided lee-way for external ideas to resonate. In turn, a collective proximate principal gave senior staff a great deal of autonomy and influence over the institution’s policies (Ayres 1984, 66; O’Brien et al.

2000, 117). Bank presidents encouraged contact with NGOs (O'Brien et al. 2000, 119, 216; Piddington 1992, 215-19; Shihata 1992, 625). Friendly senior staff created informal groups to promote a more expansive vision of development within the bureaucracy and engage with activists (Kardam 1993, 1779). Some went as far as leaking internal documents to NGOs to further their causes (Long 2001, 48).

To carry out an indirect strategy, the network took advantage of the bank's multilateral governance structure. Activists simultaneously pressured several of the bank's key shareholders. These shareholders differed in their openness to activist demands as well as the content and intensity of their preferences regarding the different issue areas that activists cared about (O'Brien et al. 2000, 128). Multiple borrowing governments also provided leverage. The network focused on World Bank projects located in countries where the strength of local civil society made it easier to pressure the borrower (Wirth 1998, 62). Naming and shaming by local grassroots movements generated momentum for the demands made upon the bank by advocacy organizations based in Washington D.C. (O'Brien et al. 2000, 128, 130).

### *Transnational Activists and Globalized National Development Banks*

The preceding sections identified the differences between MDBs and globalized NDBs and how transnational activists influenced the former. Relying on this framework, we develop two expectations about how campaigns can influence globalized NDBs.

Our first expectation relates to how the characteristics of targets shape the use of influence strategies. In the case of globalized NDBs, we expect that activists will use their direct and indirect strategies primarily in the national context of the lending state, rather than at the supranational level or across national contexts. On the one hand, there are no international institutions that wield clear influence over these banks outside a narrow set of financial considerations (Rodrigues 2016). On the other hand, networks are more likely to fore-ground activists of the lending state since the national participants know, and have more access to, the institutions of their home country. These activists are likely to focus on their national sphere (Sikkink 2005, 154), further orienting the network in that direction. This implies that the network is less likely to focus its efforts on borrowing states.

Our second expectation relates the characteristics of targets to the question of which influence strategies will be more effective. In brief, we expect indirect strategies to be more effective than direct strategies in generating NDB reform.

Direct influence strategies, which hinge on persuading the target and its proximate principal, are less likely to generate NDB reform. All banks— whether MDBs or NDBs— are likely to resist reforms that imply power sharing with external actors (Fox, and Brown 1998, 10). Yet, the World Bank’s multilateral lending mandate and governance arrangement allowed activists to find sympathizers within the organization and for these sympathizers to have sufficient autonomy to initiate reforms. In contrast, an NDB’s mission and structure reduce this likelihood. National financial institutions typically embody national geostrategic motivations more forthrightly than multilateral institutions do (for example, Brown, Heyer, and Black 2016; Essex 2013). NDBs and their political principals may perceive strong efforts by foreign activists to influence the banks as over-stepping the fine line “between activism and non-interference in domestic affairs” (Rodrigues 2016, 711; see also Hochstetler and Keck 2007). Furthermore, the Executive Branch appoints NDB board members, providing strong incentives for senior staff to follow its wishes, reducing the likelihood of allies within the bank (Nielson and Tierney 2003).

Indirect influence strategies can generate NDB reform if there is an available actor that has the capacity and willingness to leverage the target. Such intermediaries are more difficult to find when influencing a national rather than a supranational development bank. The multilateral governance structures of MDBs multiply the avenues for leverage, increasing the likelihood of intermediaries. The fact that the ultimate principals of emerging-power NDBs are limited to the nation-state itself reduces the points of leverage. To effectively pursue the indirect strategy, transnational activist networks need to obtain support from ultimate principals in the lending state, such as the legislative and judicial branches. This may pose a high barrier in democratic contexts and an insurmountable barrier in authoritarian ones. Alternatively, activists could turn to pressuring borrowing governments. This strategy, however, is likely to be less effective than targeting the principals and the network is less likely to try it because of its focus on the NDB’s national context.

## Globalized National Development Banks: The case of BNDES

We provide a plausibility test of our argument by focusing on a transnational activist network that aimed to influence BNDES' international lending policy in the period between 2005 and 2015. This is an excellent setting in which to test our argument for several reasons.

First, the BNDES follows our priors regarding the lending scope, lending mandate, and governance arrangements of an emerging-power NDB. The BNDES was created in 1952 to support Brazilian development by providing long-term finance. After the Workers' Party (PT – *Partido dos Trabalhadores*) came to office in 2003, the BNDES formed part of the PT's vision for a 'renewed developmental state' (Hochstetler, and Montero 2013) and international leadership (Hochstetler 2014, 360-361). The BNDES thus sharply expanded its financing from export support to international project financing.<sup>8</sup> From 2003 through 2015, BNDES' international project finance totaled nearly \$14.5 billion. This international project finance is a small portion of total BNDES lending and this article does not attempt to argue otherwise. However, because its lending is destined to support large-scale infrastructure projects (Table 2), it is highly relevant in recipient countries and turns the BNDES into an important player in international development finance.

**Table 2.** BNDES international project lending, 2003-2015

Project type	Number	Host countries
Roads	21	Angola, Dominican Republic, Ghana, Guatemala, Honduras
Water infrastructure (not hydroelectric)	18	Angola, Argentina, Dominican Republic, Ecuador, Mozambique, Venezuela
Hydroelectric plants	9	Angola, Costa Rica, Dominican Republic, Ecuador, Peru
Transmission lines	3	Angola, Uruguay

<sup>8</sup> "International loans" is a shorthand to refer to internationally-linked disbursements. BNDES international project finance supports Brazilian firms and does not leave the country. Capital for the construction of a road or the purchase of vehicles by a foreign government is provided to the Brazilian firm (Authors' interview with BNDES International Division bureaucrats, Rio de Janeiro, May 2012).

Oil and gas pipelines	6	Argentina, Uruguay
Airports	3	Angola, Cuba, Mozambique
Other	16	

BNDES international project finance, in turn, fits our expectations regarding the mandate of an emerging-power NDB. Lending is designed to benefit Brazil. BNDES makes international loans to support the exports of goods and services of nationally-controlled firms. Loans in Table 2 only covered the cost of construction and engineering services by a Brazil firm (see Online Appendix for list of loans).<sup>9</sup> Yet, BNDES lending also benefited host countries because it lacked policy conditionalities. This allowed host governments to follow only national regulations for the projects and avoid pressure for governance changes or structural adjustment of their economies. The BNDES funded large scale infrastructure projects at a time when the World Bank avoided such projects because of their socioenvironmental costs (Gallagher, Irwin, and Koleski 2012, 17; World Bank Group 2009). It also financed governments unwilling or unable to comply with the standards of traditional international funders (Gallagher, Irwin, and Koleski 2012, 8, White 2013, 122).

Regarding BNDES' governance arrangement, Brazil's executive branch is its proximate principal. The executive branch sets the political and economic mandate for the bank, and appoints its senior bureaucracy and the majority of members of the Board of Directors and Fiscal Council. The Office of the Federal Controller, part of the executive branch, oversees the BNDES' accounting process. The other two branches of government are the ultimate principals of the bank. The legislative and judicial branches exercise oversight over the BNDES through, respectively, any legislation and rulings that

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<sup>9</sup> These firms were: Norberto Odebrecht (50 projects), Andrade Gutierrez (12 projects), Camargo Corrêa (7) and Queiroz Galvão (7). An ongoing corruption investigation among Brazil's major economic actors has implicated these firms. The US judicial system confirmed that Odebrecht paid bribes to access more than 100 projects in 12 countries (US Department of Justice 2016, 7). Some BNDES-financed projects may be among these. Yet, publicly available information thus far provides no indication of BNDES participation in these schemes beyond financing the resulting contracts. In October 2016, the BNDES suspended all international project finance until it could conduct internal review of the rationale and conditions of each project. Three months later, the bank resumed international lending. See also *O Globo* 2017.

affect BNDES' functioning. Congress also oversees BNDES accounts and the transfers it received from the National Treasury, and can request BNDES participation in congressional hearings.

A second reason this is a good setting to explore our argument is because BNDES' international lending generated a process of scale shift, whereby stakeholders across the world identified a common target and purpose. Civil society organizations, both in Brazil and abroad, agreed that the BNDES's expansion from export support to international project financing was not accompanied by the necessary transparency and socioenvironmental awareness. Brazilian organizations believed that the bank's lending brought negative impacts on local communities across Latin America that were like those faced by vulnerable populations in Brazil (Rede Brasil 2008, 13). By 2007, all of the Brazilian advocacy organizations that counted BNDES oversight among their goals were focused on BNDES' internationalization support (Sierra 2015). NGOs in borrowing countries also connected their struggles to those within Brazil. "Brazilian NGOs were interested in the effects of dams, we were interested in the effects of roads. At first that seemed like a difference to us," noted a representative from a Peruvian organization, "but at the end we realized these were the same things, we have common interests."<sup>10</sup> The annual meetings of the World Social Forum, where Brazilian and developing country NGOs shared their experiences and information regarding BNDES funding and its impact, increased awareness of their joint aims (Rede Brasil 2007, 13-14).<sup>11</sup> Lastly, NGOs from developed countries also participated in the network. The Ford Foundation and the International Budget Partnership, among others, provided funding (Spink 2013, 11) while other Northern NGOs— International Rivers, Greenpeace, Friends of the Earth, and World Wildlife Fund, among others— provided visibility and legitimacy to this emerging network, as well as funding for its advocacy activities.

In July 2007, 38 Brazilian advocacy and grassroots organizations created *Plataforma BNDES* (BNDES Platform) to coordinate their efforts to monitor the bank

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<sup>10</sup> Authors' phone interview with *Derecho, Ambiente y Recursos Humanos* representatives, November 2016.

<sup>11</sup> IBASE. 2009. Banco Divulga Informações Importantes, Mas Insuficientes. Press Release, March 04. Accessed July 26, 2016. [http://www.plataformabndes.org.br/dvdm/conteudos/informe\\_marco2009.htm](http://www.plataformabndes.org.br/dvdm/conteudos/informe_marco2009.htm)



(Spink 2013). Fifty-one foreign NGOs became adherents of Plataforma BNDES, attending meetings to discuss the impacts of BNDES-backed projects and signing its documents and petitions to the BNDES presidency. Of these, nearly 80% came from Latin America. Bolivia, Ecuador, Colombia and Peru accounted for the country origin of half of these organizations. Plataforma BNDES disintegrated in late 2012 due to disagreements among its members about the content and the format of its claims.<sup>12</sup> It was almost immediately recreated as the *Fórum de Diálogo BNDES e Sociedade Civil* (Forum for Dialogue between the BNDES and Civil Society) in 2013. Most organizations from Plataforma BNDES participated in the Fórum, which pursued the same issues as its predecessor (Cardoso, Borges, and Rodriguez 2015; Moreira 2015).

A third reason this is a good setting to explore our argument is because it allows us to control for alternative explanations. The network sought the adoption of transparency and socioenvironmental standards, yet was more successful at pursuing the former than the latter. By examining within-network variation in campaign success, we can exclude other plausible accounts, including regime type (Fox, and Brown 1998; Smith, and Wiest 2005, 637), government ideology (Florini 1999, 214; Smythe 2000, 86) or leaders' reputational concerns (Burgerman 2001): both campaigns took place under the government of the PT, a left-wing party with historic ties to civil society. Furthermore, both campaigns were initiated during the same period and were similar in their relevance for activists and the resistance they generated from the BNDES. While our case selection cannot address the possibility that variation in success followed differences in power resources across campaigns, we tackle this issue in our case studies.

Finally, this case allows us to distinguish the relevance of direct and indirect strategies of influence because these were rolled-out sequentially. Brazilian NGOs initially preferred to exercise direct influence because their members had ties to the PT and did not want to appeal to the political opposition in Congress. Furthermore, the BNDES delayed the indirect strategy by pressuring these organizations not to engage

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<sup>12</sup> Some network members proposed that loans should be held to a standard of “co-responsibility”, whereby BNDES should be financially and legally responsible for damages generated by supported projects. Member organizations disagreed on this point. See: Authors' interview with *Mais Democracia* representative, Rio de Janeiro, May 2014; Rede Brasil, 2007.

with other branches of government, threatening to withdraw from bilateral discussions with the NGOs.<sup>13</sup> Yet as the activists became more frustrated with the bank, they became open to collaboration with its ultimate principals.<sup>14</sup>

In the remainder of the article, we first present the variation in the success of the two campaigns led by the transnational advocacy network. To show the plausibility of our argument, we trace the mechanisms linking the network's strategies to campaign outcomes. If our argument is correct, we should find three kinds of evidence. First, the transnational network should deploy its influence strategies primarily within Brazil. Second, when the network relies only on a direct strategy of influence, it should face insurmountable obstacles to BNDES reform. Finally, when the network is able to implement an indirect strategy of influence, it will advance its reform objectives by acting as a 'first mover,' placing its goals on the public agenda and pressuring ultimate principals to take up its cause.

### **The BNDES Activists: Campaigns, Strategies, and Varying Outcomes**

The BNDES activists had varying levels of success in achieving their campaign goals. The organizations themselves concluded in 2015 that although the network increased the bank's transparency, it did not make significant advances on the socioenvironmental front (Borges 2015a; IBASE 2014, 17-18).

The BNDES activists rallied around two primary objectives. The first objective was to achieve greater transparency about BNDES's activities. At the time that the network was created, the BNDES did not publicize even basic information regarding its loans. NGOs did not have any opportunity to interact with BNDES authorities and the bank's communication with the public was limited to press releases (Plataforma BNDES 2007, 5). Activists demanded that the BNDES disclose its loan portfolio and its economic analyses so they could understand the rationale behind each loan. The network believed that the BNDES should follow the transparency standards set by the MDBs, which

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<sup>13</sup> Authors' interview with NGO representative, location undisclosed, May 2014.

<sup>14</sup> Authors' interview with NGO representative, location undisclosed, May 2014.

published loan data and had clear policies regarding its diffusion.<sup>15</sup> They also demanded that the bank should state its long-term strategy and priorities (Plataforma BNDES 2007, 5) and establish an institutional mechanism for interactions with civil society.

A second goal of the network was for the BNDES to impose socioenvironmental requirements for the projects it financed (Rede Brasil 2008, 21-22). Domestically, BNDES relied on other public agencies to assess socioenvironmental impacts and conduct any consultation with affected communities. For international project finance, the bank followed the host government's impact assessment procedures, which were often weaker than the Brazilian legislation. Activists proposed that the BNDES should incorporate its own socio-environmental criteria in the loan evaluation process. They also demanded participatory and conflict resolution mechanisms to increase the influence of local populations (Borges 2015a, 40-45). Overall, the transnational network pushed for the bank to raise its domestic standards and to hold international projects to the same principles.

Regarding the transparency objective, the bank launched BNDES Transparency in 2008. Through this program, the bank agreed to present online data on the top 50 projects within each operational area during the past 12 months. This included information on the loan recipient, amount of the loan, and its general purpose.<sup>16</sup> In 2012, BNDES added information about international loans, including the host country, the contracting firm, and the purpose of the loan, but not its amount, which was considered proprietary information (Conectas 2013, 56). Further information regarding its international loans was finally posted in 2015. In 2012, the BNDES also created a Citizen Information Service to respond to citizens' information requests and transformed its communication strategy. Top BNDES officials published newspaper editorials providing the rationale behind its policies. The bank also became active in social media, using its accounts to respond to concerns, and to provide data and rationale for its loans.<sup>17</sup> BNDES itself noted

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<sup>15</sup> See Badin 2009a.

<sup>16</sup> See BNDES. "BNDES Transparente." Accessed June 30, 2016.

[http://www.bndes.gov.br/SiteBNDES/bndes/bndes\\_pt/Institucional/BNDES\\_Transparente/Consulta\\_as\\_operacoes\\_do\\_BNDES/planilhas\\_operacoes\\_diretas\\_e\\_indiretas\\_nao\\_automaticas.html](http://www.bndes.gov.br/SiteBNDES/bndes/bndes_pt/Institucional/BNDES_Transparente/Consulta_as_operacoes_do_BNDES/planilhas_operacoes_diretas_e_indiretas_nao_automaticas.html).

<sup>17</sup> *Portal Brasil* 2010 ; Batista 2015.

that it posted the information as the result of a gradual, cumulative process of opening its books to society.<sup>18</sup> Transparency is not complete: loan data is published only after a contract is issued, the bank does not disclose its rationale for supporting a project, and information on international loans is more limited than on national loans. Yet, the advances of the past decade made the BNDES more accountable (Fórum de Diálogo 2014a).

The effects of the network were more limited in BNDES' social and environmental impact assessments and conditions. In December 2008, the BNDES changed its regulations and began to demand that loan recipients (public and private) present an assessment of the expected socio-environmental impact of their projects when presenting a formal loan request. A year later it created an Environmental Division and in 2010 launched its Socioenvironmental Responsibility Policy, accompanied by ten broad guidelines for assessing socioenvironmental impact (Friends of the Earth US 2014, 12).<sup>19</sup>

Substantive changes did not follow these reforms (Fórum de Diálogo 2014b). The BNDES relied on the company's assessment of potential socio-environmental impacts, rather than carrying out an independent study. Furthermore, the firm's assessment and BNDES's evaluation of it were not publicly available, impeding local communities from participating in impact assessment. BNDES's loans for international activities still relied primarily on the evaluations of host governments. The Socioenvironmental Responsibility Policy remained vague (Borges 2015a) and could not be used to hold the BNDES accountable to its own standards. After 2011, the BNDES pulled back from more active engagement with socioenvironmental issues. A loan it received from the World Bank to develop peer-reviewed social and environmental baseline standards in 28 sectors was not fully executed (McElhinny 2011, 1).<sup>20</sup> By 2016, the BNDES had completed guidelines for only three sectors and these were not mandatory (Fórum de

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<sup>18</sup> BNDES. 2016. “#verdadeiro/falso.” Facebook Post. Accessed April 22, 2016.

<https://www.facebook.com/bndes.imprensa/photos/pb.810484929045349.-2207520000.1453143955./868671796559995/?type=3&theater>

<sup>19</sup> BNDES presented a revised version in 2014.

<sup>20</sup> It was only contemplating domestic loans at the time. See: Authors' telephone interview with Sergio Weguelin, then-Superintendent of BNDES Environment Area, July 2011.

Diálogo 2014b, 4).<sup>21</sup>

We show below that this observed variation in campaign success is explained by the strategies the network could leverage. While the direct strategy met obstacles in both campaigns, the network gained the support of the bank's ultimate principals for its transparency campaign. The socioenvironmental campaign found fewer allies to leverage for indirect influence, and resulted in limited gains. Both campaigns missed opportunities to deploy pressure on recipient governments, delaying and reducing their gains.

### *Transparency Standards Campaign*

The transnational activist network had ample moral and expert authority for its transparency campaign. Its expert authority stemmed in part from the knowledge accumulated during the World Bank campaigns, when Brazilian organizations forced the MDB to publish its Country Assistance Strategy document for the first time (Vianna and Cambeses 1999, 16-17). Furthermore, the network built its knowledge on the specificities of legislation about BNDES. At stake in the discussion was the legal tension between, on the one hand, the BNDES' obligations as a bank to protect clients' confidential information and, on the other hand, its obligations as a public agency to disclose its use of public funds. The network's early perception was that it would not be able to exercise influence if it did not reduce the resource and informational asymmetries between it and BNDES.<sup>22</sup> Network documents show their increasing ability to discuss the applicability of various laws and regulations and to contest the bank's interpretations (Fórum de Diálogo 2014a). This growing expertise was supported by transnational information sharing and coordination, including the joint organization of seminars and publication of documents by Brazilian and foreign organizations (Conectas 2013, 54; DAR 2014a).

The network also pitted moral arguments about democracy against the bank's

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<sup>21</sup> See BNDES. "Guias Socioambientais." Website. Accessed March 3, 2016.

[http://www.bndes.gov.br/SiteBNDES/bndes/bndes\\_pt/Institucional/O\\_BNDES/Responsabilidade\\_Social\\_e\\_Ambiental/Politica\\_Socioambiental/guias\\_socioambientais.html#](http://www.bndes.gov.br/SiteBNDES/bndes/bndes_pt/Institucional/O_BNDES/Responsabilidade_Social_e_Ambiental/Politica_Socioambiental/guias_socioambientais.html#)

<sup>22</sup> Authors' interview with Caio Borges, Director of Business and Human Rights Project, Conectas, São Paulo, June 2014.

claims of technocratic competence. It argued that BNDES distributed public money with limited oversight from elected representatives, much less citizens. Democracy, activists noted, demanded that affected populations in Brazil and abroad be given the information they needed to exercise oversight (Rede Brasil 2008, 13, 19; Badin 2009b, 23-24; Spink 2013, 16). The network requested the creation of a national equivalent to the PT's subnational participatory budgeting procedures (Abers 1999). By drawing on the historic principles and flagship policy innovation of the PT, activists were holding the government accountable to its mandate.

Drawing on these power resources, the network first pursued a direct strategy for influence. In 2005, several NGOs sent a formal request to the BNDES to create an institutional channel for dialogue between the bank and civil society (Ibase 2014, 4). BNDES president Guido Mantega (2004-2006) responded favorably and created an internal working group tasked with proposing a BNDES transparency policy in consultation with interested NGOs. It informally consulted with different organizations, ranging from eight to twenty NGO representatives per meeting. At this point, activist demands were quite limited, asking the BNDES to publish data regarding the 10 largest projects within the bank's five main operational areas (Spink 2013, 14). This objective was not achieved and NGOs were left disappointed by the complete failure of the working group after Mantega left BNDES in March 2006.<sup>23</sup>

Activists then began to use an indirect strategy by acting as 'first movers'. They helped place the issue of BNDES transparency on the agenda of the judicial and legislative branches and later took advantage of the legislative changes to further their agenda. The first episode of the indirect strategy came in the form of an open letter from Plataforma BNDES to the Federal Prosecutors Office in April 2007 asking the latter to enforce the constitutional principle of transparency in the public sector. The BNDES sought to avoid the involvement of federal prosecutors. It asked the NGOs to withdraw their request in exchange for the resumption of direct negotiations (Spink 2013, 15; Ibase 2014, 6-7). Three months later, the BNDES working group and the network organized a seminar entitled "The BNDES that we have and the BNDES that we want" (Pontes Furtado 2007). This seminar was the first time that the bank participated in a public

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<sup>23</sup> Plataforma BNDES. "Carta ao Presidente do BNDES, Damian Fiocca." Press Release. 07/13/2006.

meeting with members of Brazil's civil society (Pontes Furtado 2007, 8). The meeting focused on BNDES' domestic lending.

Shortly after, the BNDES published data on its top 50 projects within each operational area. In 2008, the bank launched the BNDES Transparency portal mentioned above (IBASE 2014, 8). Bank president Luciano Coutinho (2007-2016) invited civil society representatives to the ceremony where BNDES announced its new policy, saying, "Through dialogue with social movements, we built a work agenda that included maximal transparency by the bank for public evaluation."<sup>24</sup> Yet activists remained unsatisfied and continued to pressure the bank, demanding that it publish its full loan portfolio and expand the role of its Ombudsman office (Borges 2015b).

The transnational network continued to exercise indirect pressure by focusing on advancing transparency legislation, joining existing efforts within Brazil. The network urged Congress to tie Treasury funding for the BNDES to the bank's response to civil society's concerns.<sup>25</sup> Pressure from NGOs, many of which were network members, was fundamental for Congress to approve a Freedom of Information Act in 2012 (Malin 2012, 4).<sup>26</sup> The new law required disclosure of public agencies' programs, projects, and disbursement of financial resources. It compels all government agencies to follow standards of transparency and create a Citizen Information Service (through which citizens may request additional or specific information). The Act also includes sanctions for non-compliance. According to a BNDES official, "the freedom of information legislation was a big deal. We took it very seriously and it began to change the institutional culture within the bank."<sup>27</sup>

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<sup>24</sup> BNDES. 2008. "BNDES Reforça Mecanismos de Combate à Discriminação e Amplia Transparência." February 15. Press Release. Accessed April 14, 2016.

[http://www.bndes.gov.br/SiteBNDES/bndes/bndes\\_pt/Institucional/Sala\\_de\\_imprensa/Noticias/2008/20080215\\_not017\\_08.html](http://www.bndes.gov.br/SiteBNDES/bndes/bndes_pt/Institucional/Sala_de_imprensa/Noticias/2008/20080215_not017_08.html)

<sup>25</sup> Plataforma BNDES. 2011. "Carta Contra a Aprovação no Senado da MP 526 Sobre o Aumento em R\$ 55 bilhões do orçamento do BNDES." Press Release. June 28.

<sup>26</sup> See: Lei 12.527/2011. On the role of NGOs, see Fórum de Direito de Acesso a Informações Públicas. "Sobre o Fórum." Website. Accessed April 21, 2016. [http://www.informacaopublica.org.br/?page\\_id=2](http://www.informacaopublica.org.br/?page_id=2) For other actors' contribution, see Michener 2014.

<sup>27</sup> Authors' interview with Fábio Kerche, advisor to the BNDES presidency, Rio de Janeiro, June 2014.

The network was not yet satisfied, however, as the BNDES continued to resist further disclosure of its lending portfolio. The bank drew a line against transparency for international project finance. It argued that there remained a legal grey area about whether the Freedom of Information Act overrode legislation protecting bank secrecy. The BNDES' proximate principal also staunchly defended the bank's disclosure policy. President Dilma Rousseff (2011-2016) even vetoed a legislative project that prevented BNDES from claiming bank secrecy.<sup>28</sup>

The network, armed with its new technical expertise on BNDES-related legislation, was well prepared to contest these claims (Fórum de Diálogo 2014a). It continued to pursue the full implementation of the law by maintaining pressure on both the bank and the intermediaries. Activists leveraged a public outreach campaign to show how the BNDES failed to comply with the Freedom of Information Act. It sought to include this issue in congressional debates on BNDES by publishing questions for congressional members to ask when the BNDES president provided testimony.<sup>29</sup> This practice also allowed foreign members of the network to represent their views to Brazilian legislators.<sup>30</sup> The network also published explicit recommendations for areas where Congress could increase its oversight over the BNDES (Conectas 2013).

Public prosecutors took judicial actions against the BNDES between 2012 and 2015 to force the bank to fulfill its duties under the Freedom of Information Act. The BNDES appealed unfavorable verdicts from lower courts,<sup>31</sup> but the Federal Supreme

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<sup>28</sup> *O Globo*. Dilma veta fim do sigilo das operações do BNDES. May 22.

<http://g1.globo.com/economia/noticia/2015/05/dilma-veta-fim-do-sigilo-das-operacoes-do-bndes.html>

Accessed April 29, 2017.

<sup>29</sup> Conectas. 2015. "BNDES Questionado." Press Release. April 13. Accessed April 15, 2016.

<http://www.conectas.org/pt/noticia/33853-bndes-questionado>. Conectas. 2015. "Replica ao Presidente do BNDES." April 17. Accessed on April 15, 2016. <http://www.conectas.org/pt/acoes/empresas-e-direitos-humanos/noticia/34860-replica-ao-presidente-do-bndes>

<sup>30</sup> Conectas. 2014. "BNDES: Prestação de Contas no Senado." March 27. Accessed on April 15, 2016.

<http://site1367329185.hospedagemdesites.ws/pt/acoes/empresas-e-direitos-humanos/noticia/16983-bndes-prestacao-de-contas-no-senado>

<sup>31</sup> *Âmbito Jurídico*. 2014. "BNDES Questiona Decisão Sobre Acesso a Relatórios de Análise de Crédito." January 14. Accessed on April 14, 2016.

<http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=257920&caixaBusca=N.64>



Court ruled in May 2015 that the institution could not rely on bank secrecy to avoid its obligations under the Freedom of Information Act.<sup>32</sup> This court's decisions cannot be overturned. The BNDES declared that it would comply with the Federal Supreme Court, stating that it now had legal grounding to disclose additional loan data (Coutinho 2015). A month after the ruling, the BNDES posted more detailed information on its international project support.

Despite the transnational nature of the network, the indirect strategy was deployed only at the national level. Given that much of BNDES' rationale for not disclosing its loan portfolio rested on protecting clients' confidential information, the network could have demanded more disclosure from borrowing governments, but did not focus its efforts there. Policy recommendations for achieving greater transparency centered on the Brazilian Congress and Central Bank, and ignored the role of borrowers.<sup>33</sup> Limited attempts were made to pursue the issue at the transnational level. Advocacy organizations from Bolivia, Brazil, Colombia, and Peru— all members of the network — set up the Regional Coalition for Transparency and Participation and created a BNDES Transparency Barometer to measure and monitor the bank's transparency. To increase its visibility, it was launched during the Civil Society Policy Forum, held during the World Bank's and International Monetary Fund's annual meetings.<sup>34</sup>

In sum, the achievements of the BNDES transparency campaign resulted from leveraging indirect strategies in the Brazilian national context. Direct pressure on the bank did not advance the network's cause much. The ability to turn from a direct strategy to an indirect strategy ultimately led to the campaign's achievements.<sup>35</sup> The network

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<sup>32</sup> *O Estado de São Paulo*. 2015. "O Sigilo do BNDES." May 28. Accessed April 15, 2016.

<http://opiniao.estadao.com.br/noticias/geral,o-sigilo-do-bndes,1695603>

<sup>33</sup> For a synthesis of the network's policy recommendations, see: Conectas 2015.

<sup>34</sup> Asociación Ambiente y Sociedad. 2016. "El Barómetro Sobre BNDES Como Herramienta para la Gobernabilidad Ambiental en América Latina." Press Release, April 14. Accessed April 20, 2016. <http://www.ambienteysociedad.org.co/es/el-barometro-sobre-bndes-como-herramienta-para-la-gobernabilidad-ambiental-en-america-latina/>

<sup>35</sup> Instituto Humanitas Unisinos. 2012. "BNDES: Movimentos Sociais Querem Transparência. Entrevista Especial com Maíra Fainguelernt." May 24. Accessed June 30, 2016.

recognizes that the actions of the legislative and judicial branches were necessary to achieve its campaign goals.<sup>36</sup> As noted by a NGO member, “while negotiating with the NGOs was an option for the BNDES, complying with [the other branches’] decisions was not.”<sup>37</sup> However, the failure of the direct strategy and the lack of pressure on borrowing governments had two consequences. First, any advances were limited to the specific requests made by the ultimate principals and did not cover the full extent of the network’s goals. Second, the bank could partially resist reforms at the implementation stage. This case shows that a campaign is less likely to meet all its goals unless both the direct and indirect strategies succeed.

### *Socioenvironmental Standards Campaign*

The network not only had vast moral and expert authority when it began its socioenvironmental campaign, but its power resources were arguably higher than in the transparency campaign. Brazilian organizations had extensive technical knowledge on socioenvironmental issues (Abers, and Oliveira 2015; Hochstetler, and Keck 2007). One of the most important campaigns to green the World Bank had taken place in Brazil in the early 1980s for that reason (Keck, and Sikkink 1998; Vianna 2003).

Activists also leveraged their moral authority in this campaign. They noted the trade-offs involved in the developmental model pursued by the BNDES. Large infrastructure and natural resource projects were compared to the jobs or popular housing that could be built with the same funds (Rede Brasil 2008, 11). The model’s detrimental consequences were also underscored with the giant Belo Monte Dam project, which presented a highly visible and negative example (Bratman 2014). The Brazilian Movement of People Affected by Dams argued that there should be a new category of Brazilians, those ‘*atingidos*’ (affected) by BNDES-backed projects. The concept of

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<http://www.ihu.unisinos.br/entrevistas/509756-bndes-que-desenvolvimento-e-esse-entrevista-especial-com-maira-fainguelernt>

<sup>36</sup> Conectas. 2015. “Replica ao Presidente do BNDES.” April 17. Accessed April 15, 2016.

<http://www.conectas.org/pt/acoes/empresas-e-direitos-humanos/noticia/34860-replica-ao-presidente-do-bndes>

<sup>37</sup> Authors’ interview with Borges, Op. cit.

*atingidos* was later taken up by the transnational advocacy network.<sup>38</sup>

The network stressed that all communities, in Brazil and beyond, should be granted sovereignty over development choices for their locales: “Development cannot be imposed” (Rede Brasil 2008, 13). Its members showed concern that projects financed by BNDES would use a double quality standard, strategically complying with foreign legislation that was weaker than the Brazilian (Plataforma BNDES 2007, 18). Brazilian advocacy organizations felt that it was their moral obligation to provide a voice for vulnerable communities outside of Brazil. As an NGO representative claimed in an interview, “Our office is four blocks away from the BNDES. If we don’t have much opportunity for dialogue with the BNDES, can you imagine what it is like for an indigenous population in Bolivia?”<sup>39</sup>

The network’s participants correspondingly focused on documenting the ways that the projects BNDES funded internationally fell short of their development ideals (Verdun 2008). Throughout this period, they organized meetings where local populations could share their experience with BNDES investments and denounced “paradigmatic cases” of BNDES’s investments in Latin America and Africa (for example, FASE 2013; DAR 2013, 2014a, 2014b; Asociación Ambiente y Sociedad, 2015).

These power resources were first leveraged, as in the transparency campaign, through a direct strategy of influence. Between August 2005 and July 2006, members of the advocacy network met with BNDES officials from the environmental and electricity divisions (Ibase 2014, 4). Yet this initial dialogue proved futile. The bank offered contacts primarily in its comparatively powerless social division (Ibase 2014, 5). Meanwhile, technical staff in the infrastructure and international divisions either resisted the socioenvironmental orientation (Spink 2013, 18) or simply considered it outside their expertise.<sup>40</sup>

Following this initial period of the network’s direct campaign, the BNDES carried

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<sup>38</sup> Plataforma BNDES. 2009. “Carta dos Atingidos por Projetos Financiados pelo Banco Nacional de Desenvolvimento Econômico e Social.” November 25. Accessed June 30, 2016. <http://reporterbrasil.org.br/2009/12/carta-dos-atingidos-pelo-bndes/>

<sup>39</sup> Authors’ interview with Iderley Colombini, *Ibase* representative, Rio de Janeiro, May 2014.

<sup>40</sup> Authors’ interview with BNDES’ Infrastructure Division bureaucrats, Rio de Janeiro, May 2012.

out a few socioenvironmental reforms, but these did not meet activists' demands. In 2008, the bank signed the Protocol of Intentions for Socioenvironmental Responsibility with the Ministry of Environment, but the reform faced implementation issues (Ibase 2014, 8).<sup>41</sup> That same year, BNDES included a socioenvironmental impact assessment of loan requests. However, activists considered that the risk classification was too narrow and that it failed to include special protections for indigenous populations (Fórum de Diálogo 2014b, 6).

In November 2009, the network met with bank authorities, including its president, in a meeting symbolically titled the "First South American Meeting of Populations Affected by BNDES Financed Projects." Over 200 individuals representing 50 NGOs participated, including organizations from Bolivia, Ecuador and Peru. As in the transparency campaign, activists were disappointed with the results of direct negotiations. They noted that bank authorities had backtracked from earlier commitments.<sup>42</sup> Activists concluded that the bank would ignore the network as a valid interlocutor if it sought out structural reforms rather than settling for compensatory measures (Glass 2009).

In 2010, the BNDES presented its Social and Environmental Policy, which provided guidelines to evaluate firms' assessments. The bank launched the policy without previous consultation with activists.<sup>43</sup> The network continued to pressure its target by producing several public documents which expressed their criticism of this policy. They argued that the bank did not provide an independent assessment of projected impacts and compensations and that affected communities continued to lack a mechanism through which to provide their input prior to the loan's execution. Finally, they criticized the lack of information about how the bank monitored a project or which enforcement mechanisms were available in case of non-compliance (Fórum de Diálogo 2014b). The BNDES Social and Environmental Policy also lacked workable criteria regarding

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<sup>41</sup> Plataforma BNDES. 2009. "Documento de Posicionamento da Plataforma BNDES." February 13. Rio de Janeiro, Brazil.

<sup>42</sup> INESC. 2009. "BNDES Ignora Cobranças de Atingidos pelos Projetos Financiados pelo Banco." Press Release. November 27. Accessed June 30, 2016. <http://www.inesc.org.br/noticias/noticias-gerais/2009/novembro/bndes-ignora-cobrancas-de-atingidos-pelos-projetos-financiados-pelo-banco>

<sup>43</sup> Authors' interview with NGO representative, location undisclosed, May 2014.

socioenvironmental assessments of projects outside of Brazil.

The network re-engaged the bank in 2014 in the Dialogue Forum Between BNDES and Civil Society in an attempt to improve the bank's Policy on Socioenvironmental Responsibility. It continued to press upon BNDES authorities the same set of demands as before, noting that the bank had made little progress in socioenvironmental issues (Fórum de Diálogo 2015, 1).

Why was the socioenvironmental campaign, which had greater power resources than the transparency campaign, less influential? And why did the socioenvironmental campaign not include both direct and indirect strategies of influence? We posit that the socioenvironmental campaign faced the recalcitrance of both the target and its proximate and ultimate principals. In addition, the network missed the opportunity to exercise greater pressure through borrowing governments.

The bank's proximate principal, the executive, strongly resisted including socioenvironmental standards in BNDES lending. The presidency of Lula da Silva (2003-2010) did not want to impose policy conditions on loan recipients and actively promoted the development model rejected by the network (Hochstetler 2014). His first Minister of Environment, Marina Silva, agreed with many of the network's demands. Silva left activists without an ally within the Executive Power, however, when she resigned in protest in May 2008, citing the priority given to large development projects over environmental protection (Abers, and Oliveira 2015, 12). Dilma Rousseff's administrations resisted the network's proposals even more strongly. The new government set up "Situation Rooms" where ministerial representatives discussed how to remove obstacles – like environmental licensing – to infrastructure projects.<sup>44</sup>

The ultimate principal that first allowed the indirect strategy to succeed in the transparency campaign, the Brazilian Congress, was unavailable in this campaign as leverage on the target. The conservative ruralist group in Congress gained ground in the 2010 elections, leaping to 35% of all Congressional members and became key to Rousseff's governing coalition. The group used its veto power in Congress to weaken existing Brazilian socioenvironmental legislation, by relaxing legislation on demarcation

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<sup>44</sup> Authors' interview with Celso Knijnik, Director of Energy Programs for the Programa de Aceleração do Crescimento (Growth Acceleration Program), Brasilia, September 2014.

of indigenous lands, limitations on deforestation, and impact assessment (DIAP 2014).

Despite the transnational nature of the network, the indirect strategy, as in the transparency campaign, was fixed at the national level. In the socioenvironmental campaign, the absence of transnational network pressure on borrowing governments is particularly striking since local grassroots organizations were active in their resistance to BNDES-funded projects. After the BNDES announced in 2011 that it would finance the construction of a highway in Bolivia, local populations began a cycle of protests against the project. These actions led the government of Evo Morales (2006-present) to cancel the loan (Morales 2013). Peruvian NGOs also successfully pressured the Peruvian Congress to halt the 2010 Peru-Brazil Energy Cooperation Agreement, centered on BNDES-funded hydroelectric dams (Moreira 2015, 250). Local organizations drew attention to their cause in the Organization of American States and the United Nations' Rio +20 (Moreira 2015, 215).

The BNDES network, however, continued to deploy its influence strategies within Brazil. In the case of Bolivia, activists requested meetings with BNDES President Coutinho and Rousseff's Chief of Staff, and wrote public letters to the BNDES and the Brazilian Foreign Ministry.<sup>45</sup> Yet the Brazilian government declined to put pressure on Bolivia to improve socioenvironmental outcomes and BNDES ignored all network requests for meetings.<sup>46</sup> The network also did not exercise pressure on the Peruvian government and was marginal to the transnational campaign led by local NGOs. To the dismay of the Peruvians, Brazilian NGOs lacked the personnel and budgets for sustained participation in their campaign (Moreira 2015, 214).

In short, the network was unable to leverage either a direct or indirect strategy of influence in its socioenvironmental campaign inside Brazil. As in the transparency

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<sup>45</sup> See: Itamaraty. 2011. "Situação na Bolívia." Press Release. Accessed on April 22, 2016.

<http://www.itamaraty.gov.br/sala-de-imprensa/notas-a-imprensa/situacao-na-bolivia> BNDES. 2014.

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<sup>46</sup> Plataforma BNDES. 2011. "O BNDES é (Co)Responsável pelos Conflitos na Bolívia. Pela Suspensão Imediata do Financiamento à Construção da Estrada." September 29.

campaign, the network's demands faced the BNDES' recalcitrance. The demands conflicted with the bank's disinclination to impose socioenvironmental conditions on host countries. Yet, unlike the transparency campaign, no ultimate principals were interested in taking up the network's demands and increasing pressure on the bank. The network further missed the opportunity to deploy influence strategies against borrowing governments. Rather than lead to greater momentum for BNDES reform, the cancellation of specific projects became isolated episodes. As a result, the bank's socioenvironmental safeguards are far from the network's demands and the standards applied by the World Bank (Cardoso, Borges, and Rodriguez 2015).

### **Conclusion**

Can transnational activist networks influence emerging powers? Can they use the same strategies and approaches that were successful when addressing traditional economic powers and multilateral institutions? Transnational networking can be a powerful form of civil society mobilization because it allows activists to exploit both domestic and international opportunity structures and venue shop among them (Cao and Ward 2017; Roger, Hale, and Andonova 2017; Sikkink 2005; Silva 2013). Yet, our article shows how a national target may limit activists' ability to take advantage of this potential. In making this argument, we join a long tradition in the study of collective action that emphasizes how different targets require different strategies on the part of activists.

Our conclusions derive from the study of one kind of national target, the globalized national development bank. There may be important differences among national targets that future research should explore. First is the degree to which the national target is vulnerable to domestic pressure. Our research suggests that the governance arrangements of a target conditions the opportunities for activists to find openings. While the BNDES network focused on influencing the bank directly, the cards were stacked against this approach. The bank had few incentives to depart from its principal, the national executive, which also resisted the network's demands. Other national targets may be more prone to principal-agent problems that can be exploited by

activists. Vulnerability to domestic pressure is also conditioned by regime type. Brazil's democratic setting facilitated the indirect strategy that leveraged the oversight power of the National Congress and Judiciary to improve bank transparency. Among rising-powers, Brazil, India, and South Africa have comparatively open political settings (Abers 1999; Rodrigues 2016, 704), while China obviously does not (Gilley 2012; Xie 2009). In such closed domestic settings, the importance of outside influence, a point we turn to next, will prove even greater.

The second difference is the degree to which the national target is exposed to external pressure. Sikkink and Keck's (1998) boomerang strategy is particularly apt in settings where the national target is vulnerable to outside influence (Wu 2005). Yet, the target state's position in international politics, including its size and relative power, can condition its exposure to external pressure (Burgerman 2001, 9). Rising-powers may be more impervious to traditional forms of outside influence, such as those that originate in an international institution or an established power. But can activists find other forms of external pressure?

One possibility lies in rising economic powers' concern over their reputations in other emerging economies (Bräutigam 2009; Shambaugh 2015; Stuenkel, and Taylor 2015). An important next step, therefore, involves understanding the conditions that make borrowing governments more susceptible to leverage. One answer points to presence of a robust civil society that can exercise influence over its home government. Yet, as the case of BNDES shows, this may not be enough to bring transnational pressure to bear on borrowing governments. The national character of the NDB makes this more difficult, we argue, because it reduces the likelihood of equal footing between lending and borrowing advocates. The BNDES-focused network did not manage to overcome this challenge and missed opportunities to supplement its action with greater mobilization in recipient countries. Future research may focus on how foregrounding of activists from the target's home state influences the transnational network's strategic choices.

Our emphasis on the characteristics of targets also raises the issue of the degree to which the emerging-power multilateral banks, such as the Asian Infrastructure Investment Bank and the BRICS' New Development Bank, will be more like the traditional banks or the globalized NDBs (Chin 2016). On the one hand, these new



institutions' supranational mandates will not be accompanied by policy conditionalities. This makes their mandates more like those of globalized NDBs. On the other hand, these multilateral institutions will be organized around a collective principal, making their access points more like those of traditional MDBs. The consequences that this new mix of mandate and governance arrangement may have for transnational networks is grounds for further examination.

Finally, these observations also raise broader implications for international relations. Both international financial institutions and non-state actors have been key disseminators of liberal international values, however imperfectly (Keck and Sikkink 1998; Kopinski, and Sun 2014; Woods 2008). Not only are emerging powers' governments and banks, in contrast, less willing to impose those values, but our study of the BNDES network suggests that NGOs have a narrower set of effective strategies to influence them. The rise of South-South finance may therefore shape the global normative structure well beyond the direct effects of their loans. These are serious potential shortcomings, especially if they instigate a "race to the bottom" in transparency and socioenvironmental expectations among global financiers (Kopinski, and Sun 2014; Woods 2008).

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