

**(DON'T) COME TO BRAZIL:  
HOW INTERNATIONAL ACTORS HAVE INFLUENCED BRAZILIAN  
ENVIRONMENTAL POLICY IN THE 21<sup>ST</sup> CENTURY**

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**A Thesis**

**in**

**International Relations**

Presented to the Faculties of the University of Pennsylvania in  
Partial Fulfillment of the Requirements for the Degree of  
Bachelor of Arts  
2021

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## **Acknowledgements**

Thank you to Dr. McGuire for guiding me throughout this process, answering all my questions, and making sure I made it to the end of the year with a complete thesis. Also in the IR Department, thank you to Dr. Nishino and Dr. Bowden, for supporting this research and my other academic endeavors over the past year. In the Andrea Mitchell Center for the Study of Democracy, thank you to Dr. Green, Dr. Shafer, and Dr. Cohn-Postar for all your feedback that helped shape this thesis. Thank you also to all my professors throughout these four years who have helped me grow so much.

Thank you to my parents for allowing me to embark on this crazy journey so far from home. Thank you also for teaching me from an early age to appreciate the environment and the value in caring for it.

Finally, thank you to all my friends who have listened to me complain about this thesis for over a year and have helped make this process a lot more fun.

## **Abstract**

This thesis answers the question: how have international actors and events attempted to influence environmental governance in Brazil in the 21st Century? It uses qualitative process tracing to analyze how the key aspects of Brazilian environmental policy over the past two decades came to be, and how international factors played a role in shaping them as well as responding to them. The analysis is centered around two case studies that represent distinct moments in Brazilian environmental governance. In the early 2000's, Lula's first term institutionalized the environmental concern championed by transnational organizations through a closer partnership with national civil society and a strong national bureaucracy. After 2018, though, Bolsonaro's anti-preservation priorities have caused a dismantling of environmental protections, which have elicited a forceful response from the international community in the form of forceful economic pressure to push for greener policies in Brazil. The thesis concludes that the extent to which international actors can influence Brazil's government depends on the alignment of interests between the two sides and the influencing instrument used. During the Lula years, international actors focused on normative and institutional reforms, i.e. the UN's sustainable development agenda and the participation of civil society in governmental decision-making, while economic pressure, represented by international agreements as well as purchasing and investment decisions, were preferred instruments during Bolsonaro's presidency. Overall, this thesis sheds light not just on the international debate around environmental action, but also on how global forces can shape domestic policy more broadly.

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## Introduction

In 1928, Henry Ford acquired from the Brazilian government a wide stretch of land in the Amazon Rainforest along with the permission to set up his own town and factory there.<sup>1</sup> The goal of *Fordlândia*, as the town came to be known, was to use the rubber that at the time could only be extracted from a specific tree in the rainforest to manufacture Ford Inc.'s car tires. In order to house the thousands of North American workers who had relocated to operate this huge enterprise, the company built a small town not unlike the Detroit suburbs many of them came from, effectively creating an enclave of the United States in this previously unoccupied part of the state of Pará. Even though Ford ended up never producing a single tire in the Amazon, *Fordlândia* to this day represents just how far international actors can go to assert their interests in Brazil's natural resources. Since the 1920's many other foreign actors have continued shaping the Brazilian government's environmental actions, telling it how to best explore — or protect — the Amazon and its other ecosystems. For better or for worse, Brazil's incredible biodiversity and vast natural resources have historically been of vital interest to many around the globe, meaning that Henry Ford was far from the last *gringo* who tried to determine what Brazilian environmental policy should look like.

As time has brought about the alarming decline of climate and ecosystem safeguards around the world, there has been a push from a wide range of international actors to support conservation efforts in Brazil. Governments, nonprofits, international organizations, corporations and individuals have argued that Brazil has not done enough to protect its ecosystems. Therefore, international players have tried to direct, guide, and force the Brazilian government's independent

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<sup>1</sup>Romero, Simon. "Deep in Brazil's Amazon, Exploring the Ruins of Ford's Fantasyland." *New York Times*, 2017, <https://www.nytimes.com/2017/02/20/world/americas/deep-in-brazils-amazon-exploring-the-ruins-of-fords-fantasyland.html>. Accessed 1 10 2020.

environmental actions by employing economic, diplomatic, and political pressure. This rising international interference in Brazilian environmental governance can be attributed to a growing lack of confidence in Brazil's efficacy and willingness to protect its forests, a phenomenon that directly correlates to a loss of faith in the country's institutions. This context of mixed intentions, mixed actions, and mixed results begs a deep analysis of the role of foreign actors in shaping Brazil's environmental actions, a matter this thesis intends to clarify by answering the question: how have international events and actors attempted to influence Brazilian environmental policies in the past two decades?

The main answer to this question, and the central argument for this thesis, is that international influence is a greatly nuanced phenomenon that depends on time, the alignment of interests, and the goal of the influence to bear fruits. The thesis finds that when the general priorities of the intervening global actor and the appropriate domestic ones are aligned, influence often takes the form of knowledge-sharing and setting of expectations, often leading to positive policy outcomes. On the other hand, when international and national actors' interests are not aligned, influence often becomes more coercive in nature and generally can involve the consideration of economic measures. The implications of this this answer and the particularities of how policy responds to international pressure are explored later on in the thesis, though.

My research question is multidisciplinary by nature, since the analysis of how international actors affect a country's national environmental policy concerns not only Environmental Studies itself but also Economics, Political Science and clearly International Relations. While pertinent to all these fields of study and more, this thesis fits more appropriately among International Relations scholarship since it focuses on the transnational relationships between and among countries as well as nonstate actors, building on existing theories concerning their behavior. The primary focus of

the research is how actors outside of one country can directly affect matters pertaining specifically to internal policy, a discussion that builds on the existing debate over sovereignty and foreign interference. Given the historical resistance of Brazilian institutions to international oversight over the Amazon rainforest and recent accusations of foreign meddling in internal affairs by the Bolsonaro government, the issue of national sovereignty is even more prominent in the discussion of Brazilian environmental policy. It is also directly related to traditional International Relations Liberal thought since it directly analyzes how state preferences determine their actions and how these actions are influenced by broad definitions of power that operate within cultural and institutional constraints. Additionally, the thesis builds on Liberalism by arguing that environmental action is oftentimes the direct result not just of policy but of ideas and a collective value of preservation championed by non-state actors and international regimes. As a whole, this research contributes to scholarship on how international power, institutions, and ideas work in tandem with each other and at times separately to shape a state's internal policy.

With the rapid aggravation of the climate crisis and the prominence of environmental topics on the global agenda, it is clear today that the environment is no longer a fringe topic in International Relations, but a central theme of interest to both scholars and actors in the political arena. Even though global environmental politics as a distinct discipline was only established in the 1990s, it is more important than ever today. Countries and organizations now pay more attention to conservation and attempt to direct others' actions in that field more than ever before, which is precisely the subject of this research. Overall, this study contributes to International Relations scholarship because it delves into a topic that has so far received limited attention from scholars but is extremely relevant to today's political and social scenario, expanding the shared knowledge of interstate and state-nonstate relations in environmental topics.

As previously mentioned, this topic is of high practical importance given the ongoing climate crisis and intensive conservation efforts in today's global society. Environmental protection as a whole has recently surged to the forefront of political discourse in Brazil given the 2018 election of President Jair Bolsonaro, a staunch anti-conservationist and climate denier, and his administration's subsequent tirade against environmental protections. While 2020 saw widespread intensification of wildfires, environmental degradation has been an issue in Brazil since the developmentalist push of the 1960s to industrialize and integrate the Amazon with the rest of Brazil. Although indexes that measure loss of forest land fell slightly in the 2000s, they started rising again in the last decade. To measure the dimension of the devastation, 2019 was the year with highest rates of deforestation on record, and in 2020 rates increased by 55% compared to the previous year.<sup>2</sup> Meanwhile, the number of wildfires in the Amazon increased 28% — not to mention that 30% of the Pantanal's land area was burned in 2020 alone.<sup>3</sup> These numbers, coupled with the government's complete dismissal of the issue, makes environmental policy in Brazil now more relevant than ever before.

In a scenario where global confidence in Brazil's ability to protect the environment is rapidly falling, world leaders and international organizations are taking a larger role in pushing for an increase of on-the-ground environmental efforts as well as policy changes. A recent high-profile example of this was the doubt cast over the landmark free trade agreement between the European Union and MERCOSUR given its lack of environmental protection standards, as activist groups challenge the deal's legality on European courts while leaders such as Chancellor Merkel and

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<sup>2</sup> “Incêndios florestais pelo mundo são os maiores 'em escala e em emissões de CO2' em 18 anos.” UOL Notícias, 2020, <https://noticias.uol.com.br/meio-ambiente/ultimas-noticias/bbc/2020/09/18/pantal-incendios-florestais-pelo-mundo-sao-os-maiores-em-escala-e-em-emissoes-de-co2-em-18-anos.htm>. Accessed 01 10 2020.

<sup>3</sup> Ibid.

President Macron say they will only ratify it if Brazil steps up its protection of the Amazon.<sup>4</sup> Additionally, some private companies and investors have started addressing environmental risks in their supply chain. For instance, Norway's national asset manager dropped one Brazilian soybean producer due to deforestation concerns in 2017, Chinese firms, which account for a majority of soybean exports from Brazil, have so far done little to limit purchases of unsustainable grains.<sup>5</sup> Overall, however, international actors of different types are more active today than at any time in the past in demanding responsible action from Brazil in reducing environmental harm — meaning that there is not only relevance but also substance in studying how these interactions play out.

Therefore, from a practical standpoint understanding the role of international actors in spearheading or supporting environmental efforts Brazil would be beneficial for policymakers and civil society leaders around the globe. Most academic engagement with this topic has consisted either of case studies of specific joint programmes or comparative analyses connecting this to other topics or regions. This study, which surveys the actions of international players in Brazil since the turn of the century would allow us to see how this action takes place, under which circumstances it is successful, and what its consequences are for Brazil and others. Among those who would benefit from such a study, international actors would learn how to best deal with the Brazilian government and population, how to navigate social and political constraints, and how to structure efforts to achieve the best possible results in their conservation activities. Meanwhile, government and private officials in Brazil would have a better understanding of how to interact with, welcome,

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<sup>4</sup> “Merkel: Amazon deforestation threatens EU-Mercosur deal.” DW, 2019, <https://www.dw.com/en/merkel-amazon-deforestation-threatens-eu-mercosur-deal/a-54651194>. Accessed 10 09 2020.

<sup>5</sup> Raposa, Kenneth. “In Brazil, Bolsonaro’s Deforestation Might As Well Be China’s.” Forbes, 2019, <https://www.forbes.com/sites/kenrapoza/2019/06/06/in-brazil-bolsonaros-deforestation-might-as-well-be-chinas/#20fb8f1853fa>. Accessed 10 09 2020.

and direct the influence of foreigners towards the common goal of protecting the environment through projects, laws, and policies.

In order to conduct my research, I begin by summarizing the existing literature on International Relations academic work concerning foreign action in the Amazon as well as related fields and topics. The literature review analyzes broad trends of research into what environmental policy is and how it is formed, general interference of foreign actors in another country, and more specific environmental and Brazil-related instances, focusing the analysis separately at states, international regimes, and nonstate actors. This section is followed by an explanation of my research design, where I outline and justify my choice of methodological approach: comparative representative case studies. What follows are the two analytical chapters that each analyze one period of time in 21st-Century Brazilian environmental governance. The first chapter delves into the Lula administration in the early 2000's and its efforts to enhance federal environmental capacity by incorporating resolutions and guidelines from international organizations, while the second case study sees how Bolsonaro's attempts to undermine environmental governance elicited global backlash, often in the form of economic measures. Finally, the conclusion relays the main points of the thesis: that global initiatives lead to better results when there is an alignment between national and foreign priorities; when that is not the case, economic pressure leads to a switch in action.

## **Literature Review**

As previously mentioned, my topic of interest has been studied by scholars in different fields, from traditional International Relations or Political Science articles focusing on the political impacts of cross-border interactions to Environmental Studies research looking at the effects of different environmental governance mechanisms. While the broad subject of environmental policy in the international arena has been widely discussed, the more specific theme of international influence in Brazilian policy has not been studied as in-depth. Furthermore, a large share of the academic work around international aid and intervention has focused on non-environmental subjects such as economic development, democratic transitions, or armed conflicts. As such, there is scant literature that attempts to directly answer my research question, but a wealth of resources that explore the intersecting themes of Brazil's environmental policy and interaction with other international actors and provide a fundamental groundwork of the key concepts, issues, and actors that concern my thesis. This literature review provides a survey of the existing academic work that shaped my understanding of this question, divided in three main sections: an initial survey of the scholarship on environmental policy as a whole as well as its development and practice in Brazil, followed by a discussion of the issue of international influence as pertaining to different types of international actors, and finally an analysis of how scholars have linked Brazilian environmental policy to the influence and pressure of third party foreign actors. This is not however a firm division, as research has often touched on multiple of these issues at once and they are intersectional by their very nature. Although these topics have international relevance, given the regional specificity of my research I prioritize the scholarship done by Brazilian and Latin American authors for the literature review and throughout the thesis.

## **Environmental policy, in general and in Brazil**

The primary focus of this thesis, environmental policy is traditionally thought of as any measure undertaken by a state, corporation, or other actor aiming to protect the environment and preserve natural ecosystems.<sup>6</sup> It usually aims to limit the adverse effects of human activity and occupation on the Earth's natural resources through preventative measures and can be decided, regulated, and acted on by any class of actor. Uhr et al. (2012) explains that, despite most negative impact coming from economic activity by private actors, the main entities that determine environmental policies are states, given the little incentive that corporations would have in an unregulated environment to curb their negative impact.<sup>7</sup> Traditionally, corporations see environmental impact as an externality to their business since they are not the ones who face the consequences of this action; furthermore, they tend to overuse natural resources, since they think of their actions individually and not as part of an ecosystem. The position of corporations means that states are therefore the main players in creating and enforcing environmental policies that are deemed to protect the interest of society.<sup>8</sup> Additionally, states are the only actors who have the legal might to impose controls on others, meaning that while they hold massive persuasive power their actions might be hard to persuade. Due to their importance in setting environmental policy both nationally and internationally, states are therefore the main subject of this research.

Environmental policy became a concern for states after the 1950s, when research proved the harmful effect of anthropic action on the ecosystem, but it was only from the late 1980s

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<sup>6</sup> Fernandez-Vítora, V. C. "Los instrumentos de la gestión ambiental en la empresa". Madrid: Ediciones Mundi-Prensa, 1997. 541p.

<sup>7</sup> Uhr, Daniel A.P., et al.. "Como as ONGS ambientais Influenciam a Política Ambiental Brasileira?" *RBE*, Rio de Janeiro v. 66 n. 1 / p. 79-98 Jan-Mar 2012.

<sup>8</sup> Dotto, A. C.; Cunha, D. da R. "Tutela ambiental constitucional". *CEPPG – CESUC – Centro de Ensino Superior de Catalão*, n. 22, p. 187-198. 2010.

onwards that the international community's actions were guided by concepts such as sustainable development. Environmental governance, in the global and domestic fronts, has been put to practice through three main instruments that still compose the guiding principles of environmental policy today.<sup>9</sup> The first instrument, which is arguably the most commonly employed by national governments, is regulation. It prescribes and limits behaviors by different actors by imposing requirements on environmental standards for different economic activities, such as restricting carbon emissions and the use of toxic substances as well as delimiting where and how the activity must be conducted. Environmental regulations can be very effective in improving the quality of air and water and conserving natural environments given that they are generally binding and rigid, meaning they coerce actors into limiting their environmental impact. States usually set regulations in the form of national or local legislation as well as specific requirements and guidelines issued by government agencies. The second instrument of environmental policy is financial incentives, which states employ to either incentivize or restrict some type of economic action by making it cheaper or more onerous respectively. These incentives, which usually take the form of subsidies or taxes — but can also include tax breaks, fines, and levies — are usually set by the federal government and effectively curb environmentally harmful economic activity. The third instrument is environmental reporting and ecolabeling, which aims to inform decision-makers about the environmental impacts of their actions. Examples of reporting are the Environmental Impact Assessment (EIA), which is required in many countries and helps private actors determine the environmental effects of construction or other activity as well as how to mitigate them. Standards for measuring, monitoring, and reporting environmental impact can be extremely helpful, even if

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<sup>9</sup> Uhr, Daniel A.P., et al.. "Como as ONGS ambientais Influenciam a Política Ambiental Brasileira?"

in most cases those standards leave the implementation up to private actors, who have more flexibility and are not often bound by the recommendations.

In addition to discourse on the instruments of environmental policy, scholars such as Barros (2008) and Souza (1992) have also focused on the mechanisms with which states stipulate and enforce it, which generally take the form of legal procedures under the guise of the national executive and legislative branches. Research has pointed out that in most countries environmental policy and management are controlled by the central government and shaped by national laws as well as policies set by specific agencies subordinated to the executive power.<sup>10</sup> In Brazil, environmental policy was first officially determined by the federal government with the National Environmental Policy Act (PNMA) of 1981, but scholars agree that the environment was already indirectly legislated on long before that.<sup>11</sup> Souza finds that the 1934 Constitution established natural resource management under the guise of the Union, a policy that remained mostly untouched throughout different constitutional reforms that granted broader autonomy to states and municipalities. Finally, the 1988 Constitution was the first one that explicitly stated the duty of the state to care for the natural environment, which, along with the establishment of municipalities as the appropriate implementation and regulation actors of environmental policy, further boosted protections nation-wide.<sup>12</sup> Overall, though, the powers to decide the policy still lie with the federal government, while implementation falls to actors down the line.<sup>13</sup>

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<sup>10</sup> Barros, Dalmo Arantes, et al. "Breve Análise Dos Instrumentos Da Política de Gestão Ambiental Brasileira." *Política & Sociedade*, vol. 11, no. 22. 2012 [https://www.academia.edu/15667914/Breve\\_an%C3%A1lise\\_dos\\_instrumentos\\_da\\_pol%C3%ADtica\\_de\\_gest%C3%A3o\\_ambiental\\_brasileira](https://www.academia.edu/15667914/Breve_an%C3%A1lise_dos_instrumentos_da_pol%C3%ADtica_de_gest%C3%A3o_ambiental_brasileira). Accessed 9 Nov. 2020.

<sup>11</sup> Souza, C. M. de. "Democracia, participação social e funcionamento das instituições: situação e perspectivas da federalização do desenvolvimento". *Revista de Administração Pública*, Rio de Janeiro, v. 26, n. 3, p.15-35, 1992.

<sup>12</sup> Pereira, P. F.; Scardua, F. P. "Espaços territoriais especialmente protegidos: conceito e implicações jurídicas". *Revista Ambiente & Sociedade*, São Paulo, v. 11, n. 1, Campinas, p. 81-97. 2008.

<sup>13</sup> Scardua, Fernando Paiva, & Bursztyn, Maria Augusta Almeida. "Descentralização da política ambiental no Brasil". *Sociedade e Estado*, 18(1-2), 291-314, 2003. <https://doi.org/10.1590/S0102-69922003000100014>

As previously noted, the first and fundamental piece of Brazilian environmental legislation was the National Environmental Policy Act (*Política Nacional do Meio Ambiente*, PNMA), which created the National Environmental Council (*Conselho Nacional do Meio Ambiente*, CONAMA) in 1981. The CONAMA, which to this day still acts as the defining force behind Brazilian environmental policy, is a legislative body under control of the Union composed of representatives from the federal and state governments and agencies as well as from civil society.<sup>14</sup> Additionally, the PNMA described the aim of CONAMA as the preservation of the natural environment such as to ensure human life, socio-economic development, and national security, which would be achieved under the instruments preconized by the Act: the evaluation and licensing of environmentally damaging activities. These are broad goals which were later enshrined in the 1988 Constitution, but the matter of putting those aims into practice did not fall under the jurisdiction of the PNMA. Scardua & Bursztyn (2003) argue that the PNMA served a decentralizing function, since it instituted a National Environmental System composed of central deliberative and executive organs as well as local and sectional ones, the latter of which would be in charge of deciding when and how to implement policies.<sup>15</sup>

The establishment of the PNMA in 1981 set the groundwork for the creation and restructuring of a complex — and at times too complex — state apparatus to regulate environmental affairs composed of several agencies and programs, four of which scholars have highlighted as the most impactful in defining policy today.<sup>16</sup> Founded in 1989 through the merger of separate agencies responsible for fishing, forestry, and the climate, the Brazilian Institute of

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<sup>14</sup> de Sousa, Ana Cristina Augusto. "A evolução da política ambiental no Brasil do século XX." *Achegas*. net 26 (2005).

<sup>15</sup> Scardua, Fernando Paiva, & Bursztyn, Maria Augusta Almeida. "Descentralização da política ambiental no Brasil".

<sup>16</sup> de Sousa, Ana Cristina Augusto. "A evolução da política ambiental no Brasil do século XX." *Achegas*. net 26 (2005).

Environment and Renewable Natural Resources (*Instituto Brasileiro do Meio Ambiente e Recursos Naturais*, IBAMA) is the government's administrative arm, handling environmental licensing and helping implement environmental law. In 1992, in the midst of the modernizations the Brazilian government was undertaking in preparation to host the Eco-92 conference, it created the Ministry of the Environment (*Ministério do Meio Ambiente*, MMA), whose goal is to advance environmental considerations behind all public policy decisions of the federal government. Consequently, in 1998, parliament approved the Environmental Crimes Act, which is considered one of the most encompassing in the world for criminalizing a range of actions individuals and organizations can commit in offense of the environment, while stipulating penalties and reparations for the harm committed. Finally, Congress approved in 2012 the new Forest Code which built upon previous legislation to protect natural environments, cementing the concept of sustainable development through the regulation of land preservation in private properties.<sup>17</sup> In addition to the IBAMA, the MMA, the Environmental Crimes Act, and the Forest Code, many other federal agencies, mechanisms, commissions, and pieces of legislation have been enacted since the 1980s in support of a national environmental policy. They form a regulatory landscape that scholars agree is usually too complex and ineffective, since the roles and jurisdictions can be unclear or competing and the limited funding is diffused throughout several different avenues.<sup>18</sup>

The causes and effects of the limitations of Brazilian environmental policy are a main topic of interest for researchers in the country. Barros et al., (2012), for instance, affirm that the legislative branch often enacts laws that fail to minimize environmental harm either due to the inefficacy of the on-the-ground agents in charge of enforcing the law or due to a lack of clarity

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<sup>17</sup> Barros, Dalmo Arantes, et al. "Breve Análise Dos Instrumentos Da Política de Gestão Ambiental Brasileira."

<sup>18</sup> Scardua, Fernando Paiva, & Bursztyn, Maria Augusta Almeida. "Descentralização da política ambiental no Brasil".

and specificity of the law itself.<sup>19</sup> They also stipulate that there is a generalized lack of knowledge of the legislation by the public and by the very officials who are charged with implementing it, given the confusion of several legal codes and the inexistence of a comprehensive educational effort hamper implementation of these measures. De Sousa (2005) added to that explanation the limited funding for the MMA, alongside the restrictions that come from its financing sources and the fact that this funding must be distributed to several agencies in states and municipalities.<sup>20</sup> On top of these points there are issues such as extreme bureaucracy, lack of professionalization of personnel, and low levels of monitoring. Finally, these scholars attribute the institutional inefficiencies of the Brazilian environmental system to the decentralization of powers which commissions multiple governmental organs to decide on the same issue.<sup>21</sup>

Additionally, one other issue of concern for researchers and policymakers alike is the general priority of environmental policy in Brazil as a response to the unique environmental challenges the country faces given its vast natural resources and development trajectory. Although scholars and activists focus on deforestation and fires as some of the most pressing issues for Brazil, especially in the Amazon, the government, through the MMA, has set a Climate Agenda that highlights urban issues, such as air quality, pollution of waterways, trash disposal and management, and green urban areas (MMA).<sup>22</sup>

### **The issue of international influence**

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<sup>19</sup> Barros, Dalmo Arantes,, et al. “Breve Análise Dos Instrumentos Da Política de Gestão Ambiental Brasileira.”

<sup>20</sup> de Sousa, Ana Cristina Augusto. "A evolução da política ambiental no Brasil do século XX." *Achegas*. net 26 (2005).

<sup>21</sup> Braga, A. de C. O. P. “Normas abertas e regras no licenciamento ambiental”. *Dissertação (mestrado)*. Escola de Direito de São Paulo, São Paulo. 132p. 2010.

<sup>22</sup> Kolk, Ann. “From conflict to cooperation: International policies to protect the Brazilian Amazon”. *World Development* 26, no. 8 (1998): 1481-1493.

Having surveyed the substantive nature of environmental policy and how scholars traditionally conceptualize it, the next step is to analyze the other variable of my research question: how national policy is affected and determined by international actors and factors. Before turning to international influence on Brazilian environmental policy, it is important to take a step back and review the context in which this influence happens, i.e. what scholars have concluded about the broader interactions between states and non-state actors in the international arena and how they shape national policy. This section focuses on the literature surrounding international influence on matters on national policy that go beyond environmental concerns, focusing on actions by different types of actors and the main phenomena that define them, in order to trace common themes that can be applied to the more niche environmental policy realm.

International influence often raises questions surrounding national sovereignty that have been at the core of scholarly research concerning state interactions in the international arena. Sovereignty, as traditionally defined by International Relations scholars, relates to the idea that countries possess independent, autonomous control of their national territory and policies.<sup>2324</sup> Countries often evoke the idea of sovereignty to defend their national interests and their independent decision-making, which complicates the debate around international influence as national policies must be set voluntarily, even if unwillingly. This phenomenon is common in countries that find themselves in the center of international scrutiny as is the case of Brazil, where sovereignty is a defining feature of foreign policy and concern when it comes to national policy. In fact, Petersen (2019) argues that Brazilian sovereignty and a sense of national identity arose in the 18th Century as a response to North American pressure to open navigation channels in the

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<sup>23</sup> Hagel, Peter. "Sovereignty." Oxford Bibliographies, 2016, doi:10.1093/OBO/9780199743292-0031.

<sup>24</sup> Bodin, Jean. "On Sovereignty: Four Chapters from six Books of the Commonwealth". Edited and translated by Julian H. Franklin. Cambridge, UK: Cambridge University Press, 1992.

Amazon, as foreign attempts to shape internal policy rallied the nascent nation-state against a perceived international threat and gave way to nationalist movements.<sup>25</sup> This trend has continued, as Ferreira (2008) explains that the national sovereignty of the Brazilian territory was breached in a 2008 accord between Brazil and France that allowed for the joint monitoring of illegal mining activity by both states in the border region between the state of Amapá and the French Guiana.<sup>26</sup> Therefore, due to the long history of colonialism and imperialism in Brazil, scholars agree that the Brazilian government tends to oppose international attempts to shape its national policy and identity, especially when it comes to its natural resources, by evoking principles of national sovereignty as a way to defend independent national decision-making.<sup>27</sup>

The concern of states regarding their national sovereignty naturally leads to a consideration of how states interact with each other and shape each other's national policies in an effort to avoid violating the sovereignty inscribed in international law. Given the fact that national policies can have worldwide consequences, scholars generally note that states often influence or attempt to influence another's national decisions through many different forms, in a process that is commonplace within international relations.<sup>28</sup> Aidt (2019) surveyed in depth the various forms in which states influence others by creating a model which concluded that they fall under three categories.<sup>29</sup> Agreement interventions, such as trade agreements, in which countries voluntarily

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<sup>25</sup> Petersen, Victor Hugo. "The Deepest South: Como O Interesse Estadounidense Sobre A Amazônia No Séc. XIX Contribuiu Para A Formação Da Soberania Brasileira Durante O Império." *Anais do XI Congresso Brasileiro de História do Direito* (2019)

<sup>26</sup> Ferreira, Elcio. "Acordo Brasil x França, Uma Questão de Soberania Nacional".

[https://www.academia.edu/8333086/Acordo\\_Brasil\\_x\\_Fran%C3%A7a\\_uma\\_quest%C3%A3o\\_de\\_Soberania\\_Nacional](https://www.academia.edu/8333086/Acordo_Brasil_x_Fran%C3%A7a_uma_quest%C3%A3o_de_Soberania_Nacional). Accessed 16 Nov. 2020.

<sup>27</sup> Alves, Maria Aparecida. "Globalização, Soberania Nacional E Direito Internacional" *R. CEJ*, Brasília, n. 27, p. 86-94, out./Dez. 2004.

<sup>28</sup> Trindade, Thiago Aparecido, & Caio Bugiato. "O Estado Nas Relações Internacionais." *OIKOS* | Rio de Janeiro, vol. 16, no. 3, 2017, pp. 39-52.

<sup>29</sup> Aidt, Toke. "Foreign Influence and Domestic Policy: A Survey." *Barcelona GSE Working Paper Series*, vol. 1072, 2019.

agree to some concessions in exchange for some other benefits, are an effective way to shape internal policy if the parties can commit to the terms of the agreement. Institutional interventions, on the other hand, are more forceful in that the influencing country aims to shape the other's policy by changing the institutions that determine policymaking in the other country, which usually occurs through the support of a reformist faction of the national political landscape. Finally, policy intervention refers to instances in which a state either rewards or sanctions another state's behaviors through the application of a range of unilateral measures such as foreign aid and sanctions, respectively — the former of which deserves a more in-depth look due to its efficacy and recurrence.

The issue of sanctions and international economic pressure has of course been the subject of extensive analysis by scholars given their role as one of the most common mechanisms for states to exert international pressure. Despite the frequentness of sanctions, scholars such as McGee (2020), Schmidt (2009), and Akhtar (2019) tend to agree that they are not effective in achieving policy outcomes or do so at too high a cost to make them a worthwhile investment.<sup>30</sup> This is true for a variety of reasons, including because sanctions constitute a negative-sum game in which the involved countries and national players suffer a net loss, because there are usually more effective ways to influence another country, and because they can violate international law in infringing on countries' rights to development and not being sanctioned by the UN.<sup>3132</sup> Overall, though, both

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<sup>30</sup> McGee, Robert W. "Economic Sanctions and International Relations." *SSRN Electronic Journal*. [https://www.academia.edu/25461686/Economic\\_Sanctions\\_and\\_International\\_Relations](https://www.academia.edu/25461686/Economic_Sanctions_and_International_Relations). Accessed 13 Nov. 2020.

<sup>31</sup> Schmitt, Olivier. "International Sanctions." *Routledge Handbook of Security Studies* (2nd Ed.), 2009. [https://www.academia.edu/26725665/International\\_Sanctions](https://www.academia.edu/26725665/International_Sanctions).

<sup>32</sup> Akhtar, Syed Ali. "Do Sanctions Violate International Law?" *Economic and Political Weekly*, vol. 54, no. 17, 2019, [https://www.academia.edu/39133779/Do\\_Sanctions\\_Violate\\_International\\_Law](https://www.academia.edu/39133779/Do_Sanctions_Violate_International_Law).

unilateral and multilateral economic sanctions continue to be a widely employed and accepted mechanism of international intervention.

After states, the most prominent category of intervening actors encompasses state-led actors, intergovernmental organizations (IGOs) and international regimes, which are respectively defined as organizations composed primarily of sovereign states and as internationally-accepted frameworks and processes that regulate a certain topic and can facilitate agreements by decreasing transaction costs and promoting certain actions.<sup>33</sup> IGOs and regimes can act as catalysts for international action, pushing for the adoption of a rule by its members, setting standards for behavior, and providing an arena for discussion, but they rarely behave as actors themselves, meaning they do not often engage in trading, interfering, deploying military, or most actions traditionally associated with states.<sup>34</sup> They can, however, act as intervening players in specific instances where IGOs have the authority to represent states themselves, such as the European Union, or by acting more informally, providing support for an action a state is undertaking. Most literature on how international organizations affect change within countries has focused on their role in creating charters, accords, and rules that limit or direct state behavior, with many scholars emphasizing the difficulty these organizations face in enforcing their rules.<sup>35</sup> Additionally, studies on the intervening role of IGOs concerns their peace-making status, with many scholars arguing

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<sup>33</sup> Keohane, Robert. "The demand for international regimes". *International Organization*, 36(2), 325-355, 1982. doi:10.1017/S002081830001897X

<sup>34</sup> Young, Oran. "International Regimes: Toward a New Theory of Institutions". *World Politics*, 39(1), 104-122, 1986. doi:10.2307/2010300

<sup>35</sup> Haggard, S., & Simmons, B. "Theories of international regimes". *International Organization*, 41(3), 491-517, 1987. doi:10.1017/S0020818300027569

that they create the conditions for states to behave and solve disputes peacefully through the implementation of international accords and arbitration.<sup>36</sup>

The third major type of intervening players in the international arena are non-state actors, which traditionally encompass non-governmental organizations (NGOs) and multinational corporations (MNCs), as well as individuals. The scholar debate around NGOs is divided between a liberal camp that sees these organizations as essential in forging connections across borders, fostering shared understandings and values, and creating an environment where countries can cooperate on a number of policy issues, while the realist camp interprets their actions as a subversion of the role of the state in crafting policy.<sup>37</sup> Theoretical matters aside, the literature as a whole argues that NGOs have become an integral part of international and national policymaking, pressuring countries to adopt or reject certain positions by lobbying interest groups, raising public awareness on issues, and conducting research that informs official policy.<sup>38</sup> While the importance of NGOs lies in their advocacy and agenda-setting power, MNCs often conduct similar policy intervening actions by leveraging their economic might. Large corporations, in particular banks, traditionally served as vehicles for the implementation of a state's foreign policy, such as by enforcing an economic embargo or sanctions; however, they have recently started acting as decision-makers themselves in an effort to further their own policy preferences around the globe.<sup>39</sup> The actions of MNCs in these cases stem from either consumer pressure or corporate ideology, which has led them to engage to varying degrees of success in several policy-focused actions, from

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<sup>36</sup> Dorussen, H., & Ward, H. "Intergovernmental Organizations and the Kantian Peace: A Network Perspective". *Journal of Conflict Resolution*, 52(2), 189–212, 2008. <https://doi.org/10.1177/0022002707313688>

<sup>37</sup> Josselin D., Wallace W. "Non-state Actors in World Politics: a Framework. In: Josselin D., Wallace W. (eds) *Non-state Actors in World Politics*. Palgrave Macmillan, London, 2001

<sup>38</sup> Ataman, Muhittin. "The Impact of Non-State Actors on World Politics: A Challenge to Nation-States". *Alternatives: Turkish Journal of International Relations*, Vol.2, No.1, Fall 2003

<sup>39</sup> Ibid.

the popular apartheid divestment movement against South Africa that took hold in the 1980s to the modern-day boycott, divestment, and sanctions (BDS) movement against Israeli policies against Palestine. In both cases, as in several others, corporations and business leaders held an active role in supporting or opposing these movements and effectively acted as foreign policy influencers (Bueckert, 2020).<sup>40</sup> As a whole, research tends to agree that non-state actors serve a myriad of roles in influencing national policy, but success in shaping a political outcome seldom stems from the actions of one single organization or a single category of actors.

### **International influence on Brazilian environmental policy**

The main focus of this thesis, international action around conservation issues in Brazil, has been widely studied by both Brazilian and foreign scholars given global concern over policies and actions that have worldwide consequences. The world's eyes have been on Brazil for a long time: since the 1980's there has been significant concern from the international community, prompted by campaigns by activists and NGOs, over deforestation in the Amazon and the implications of forest management for global climate management.<sup>41</sup> This phenomenon, along with international mistrust about Brazil's commitment to and efficacy in protecting the environment, led to the rise of an ultimately unsuccessful movement for the symbolic internationalization of the Amazon, meaning that it should be cared for by people from around the globe given its importance to the environment.<sup>42</sup> Since then, Brazil has been the subject and stage of global conversations around

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<sup>40</sup> Bueckert, Michael. "Boycotts and Backlash: Canadian Opposition to Boycott, Divestment, and Sanctions (BDS) Movements from South Africa to Israel". Carleton University, 2020, [https://www.academia.edu/41640988/Boycotts\\_and\\_Backlash\\_Canadian\\_Opposition\\_to\\_Boycott\\_Divestment\\_and\\_Sanctions\\_BDS\\_Movements\\_from\\_South\\_Africa\\_to\\_Israel](https://www.academia.edu/41640988/Boycotts_and_Backlash_Canadian_Opposition_to_Boycott_Divestment_and_Sanctions_BDS_Movements_from_South_Africa_to_Israel).

<sup>41</sup> Kolk, Ann. "From conflict to cooperation: International policies to protect the Brazilian Amazon". *World Development* 26, no. 8 (1998): 1481-1493.

<sup>42</sup> Sonnenfeld, David, & Arthur Mol. "Globalization and the Transformation of Environmental Governance: An Introduction." *American Behavioral Scientist* 45(9): 1318-1339, May 2002. Accessed 14 Nov. 2020.

climate and conservation policies which prominently figure in an international North-South debate where developed countries attempt to force developing nations to implement certain measures to limit environmental degradation. Kolk (1998) provides a brief historical analysis of the forces at play between Brazil and the international community surrounding the environment: she points out how international action to preserve the Amazon was first met by resistance from the Brazilian government, who accused rich nations of hypocrisy, infringement of sovereignty, and impediments to development.<sup>43</sup> In the early 1990's, though, Brazil changed its hostile rhetoric toward foreign environmental interest as well as some of its environmentally harmful policies in an effort to attract green investment from international actors including the World Bank. She highlights a main outcome of this new stance: the International Program to conserve the Brazilian rainforest (PP-G7), a funding partnership established in 1990 in which G-7 countries would essentially give Brazil grants to limit its carbon emissions, which despite being a groundbreaking development, did not imply the end of conflicts of interest between the parties over the following decades.<sup>44</sup>

Most of the literature surrounding the influence of international actors in shaping Brazilian and global environmental policy has focused on the role of non-state actors, which is a logical development given that historically international organizations — both IGOs and NGOs — were the champions of green policies, and it was only recently that it became standard procedure for countries to incorporate an environmental agenda to their official foreign policy. Weiss (2019) analyzed how non-state actors shaped the UN's and nation-state's environmental policies, arguing that a more active role by MNCs over NGOs in collaborating with the UN in the first years of the new millennium led to a deprioritization of non-binding international accords in favor of voluntary

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<sup>43</sup> Kolk, Ann. "From conflict to cooperation: International policies to protect the Brazilian Amazon"

<sup>44</sup> Barbosa, Luiz. C. "The Brazilian Amazon Rainforest: Global Ecopolitics, Development, and Democracy". Lanham, MD: University Press of America, 2000.

global guidelines which can be more easily enacted.<sup>45</sup> The rise of corporations has not of course brought about the irrelevance of non-governmental organizations and activists, however. For instance, Uhr et al. (2012) conducted a research study based on an empirical analysis model to assess the impact of different actors, including NGOs, the media, and the agricultural lobby shaping Brazil's National Environmental Crimes Act, concluding that NGOs significantly impact public policy by stimulating the public's critical consciousness and sharing mass informational campaigns, as well as directly pressuring policymakers.<sup>46</sup> This position is echoed by Raustiala (2002), who argued that NGOs contribute to states' regulatory abilities and that their collaboration with other institutional powers provided support to countries and the international community in addressing environmental problems.<sup>47</sup>

Scholarship on this subject has mostly argued that intergovernmental organizations and international regimes are effective in creating institutional norms and best practices to guide countries' own independent actions on these topics, since they are under a domestic domain despite being of global importance.<sup>48</sup> Underdal (1994) stated that while international regimes such as the United Nations place great emphasis on the importance of taking environmental action, they lack the enforcing mechanisms that make sovereign states actually comply with any norms they impose, functioning mostly as arenas instead of actors.<sup>50</sup> This is a point of view shared by Ivanova (2007),

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<sup>45</sup> Weiss, Joseph S. "Política Ambiental Da ONU Atores Não-Estatais, Tendências e o Papel Regulatório Do Estado". 2019. [www.academia.edu](http://www.academia.edu), doi:10.37682/xapbk.msoc-ed1-005.

<sup>46</sup> Uhr, Daniel A.P., et al.. "Como as ONGS ambientais Influenciam a Política Ambiental Brasileira?"

<sup>47</sup> Raustiala, Kal. "States, NGOs, and international environmental institutions". *International Studies Quarterly* 41, no. 4 (1997): 719-740.

<sup>48</sup> Tosun, B. J.. & Peters, G., "Intergovernmental organizations' normative commitments to policy integration: The dominance of environmental goals", *Environmental Science & Policy*, Volume 82, 2018, Pages 90-99, ISSN 1462-9011, <https://doi.org/10.1016/j.envsci.2018.01.014>.

<sup>49</sup> Shafer, S. & Murphy, A. "The Territorial Strategies of IGOs: Implications for Environment and Development". 4 *Global Governance* 257, 1998

<sup>50</sup> Underdal A. "The Roles of IGOs in International Environmental Management: Arena or Actor?". In: *Glantz M.H. (eds) The Role of Regional Organizations in the Context of Climate Change*". *NATO ASI Series (Series I: Global Environmental Change)*, vol 14. Springer, Berlin, Heidelberg, 1994

who traces the history of the UNDP and assesses that it has provided a helpful framework to guide countries in implementing their own programmes.<sup>51</sup> Scholars mostly agree on the view that IGOs provide crucial knowledge and are effective allies in environmental practices, but they depend on the state's willingness to effectuate any programs and therefore better serve as logistical, financial, and planning partners for countries' own programs.<sup>52</sup><sup>53</sup> On the topic of regional organizations, Campos (2015) surveyed the formation process of the Union of South American Nations (UNASUL) and its role in determining national policies in regards to the Amazon rainforest, a natural resource shared by many of its member-states. He similarly concluded that the UNASUL provided an institutional environment for countries to issue joint environmental policies, but its results were mostly symbolic.<sup>54</sup> One interesting example of multilateral influence, Van der Heijden (2006) analyzes international political opportunity structures, specific features of the political system that can influence policy decisions in a country.<sup>55</sup> He focuses on transnational environmentalism, concluding that the UN and the EU provoke the action of a large number of actors whose contributions are somewhat limited, while the World Bank and the WTO harness less traditional, but more impactful actions since they involve implementation mechanisms which imply financial considerations.

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<sup>51</sup> Ivanova, M. "Designing the United Nations Environment Programme: a story of compromise and confrontation". *Int Environ Agreements* 7, 337–361 (2007). <https://doi.org/10.1007/s10784-007-9052-4>

<sup>52</sup> Erturk, Esref. "Intergovernmental Organizations (Igos) And Their Roles And Activities In Security, Economy, Health, And Environment". *Journal of International Social Research*. Apr 2015, Vol. 8 Issue 37, p333-340. 8p.

<sup>53</sup> Spector BI, Sjoestedt G, & Zartman IW. "Negotiating International Regimes: Lessons Learned from the United Nations Conference on Environment and Development (UNCED)". Graham & Trotman/Martinus Nijhoff. 1994 ISBN 1-85966-077-0

<sup>54</sup> Campos, Rogério Pereira de. "Amazônia, UNASUL e desenvolvimento sustentável: o papel do Brasil (2003-2010)". 2015. 159 f. *Tese (Doutorado) - Universidade Estadual Paulista Júlio de Mesquita Filho, Faculdade de Ciências e Letras (Campus de Araraquara)*, 2015.

<sup>55</sup> Van der Heijden, Hein-Anton. "Globalization, Environmental Movements, and International Political Opportunity Structures." *Organization & Environment* 19, no. 1 (2006): 28-45. Accessed February 18, 2020. [www.jstor.org/stable/26162370](http://www.jstor.org/stable/26162370).

These market-based policymaking instruments constitute another locus of scholarly research given their high rate of success in forcing states to adopt certain policy positions.<sup>56</sup> Particular attention has been given to the role of the World Bank and other international financial institutions, with research pointing out how their requirements for lenders to incorporate environmental auditing and considerations in projects led to an increase in sustainable development projects in Brazil in the 1980's and 90's.<sup>57</sup> Authors also look at how the World Bank's continued mandating of environmental practices in the 2000's — by adopting the Global Alliance for Forests recommendations — led to an institutionalization of "green" funding.<sup>58</sup> However, while both articles agree that international financial institutions are effective in mandating localized environmental considerations in specific projects as well as broader policy reforms in order to access funds, they point out that this effectiveness is dependent on the cooperation of national elements that shape and agree on the terms of lending and aid policies. As another mechanism, debt-for-nature swaps, in which Brazil has conceded to stronger environmental protection policies in exchange for the forgiveness or renegotiation of sovereign debt with other nations or institutions, have been successfully employed since the 1990's and well into the 2010's.<sup>59</sup>

Additionally, another market-based mechanism that has centered scholarly research in recent years is sustainable trade deals and investment, practices whose widespread adoption results from increased public acceptance of the causal relationship between international trade, emissions,

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<sup>56</sup> Reisman, David Allen. "Debt-for-Nature Swaps in Brazil: Response to World Pressure to Protect the Amazon". *J. Nat. Resources & Envtl. L.* 8 (1992): 397.

<sup>57</sup> Kolk, Ann. "From conflict to cooperation: International policies to protect the Brazilian Amazon".

<sup>58</sup> Zhouri, Andreareism. "O Ativismo Transnacional pela Amazônia: Entre a Ecologia Política e o Ambientalismo de Resultados". *Horizontes Antropológicos*, Porto Alegre, ano 12, n. 25, p. 139-169, jan./jun. 2006

<sup>59</sup> Reisman, David Allen. "Debt-for-Nature Swaps in Brazil: Response to World Pressure to Protect the Amazon".

and climate change.<sup>60</sup> Morin & Bialais (2018) write on the intersection of bilateral trade deals and multilateral environmental governance, arguing that the former helps bolster the latter since international environmental agreements are increasingly referred to in bilateral trade deals in an effort to promote their ratification and implementation, creating a political and legal capacity to enhance their effectiveness.<sup>61</sup> On top of enforcing existing environmental standards, trade deals can conflict with environmental policies due to rules that impose several restrictions on commercial activities or can impose new rules and restrictions themselves, although the latter practice only became mainstream in the 21st Century.<sup>62</sup> However, Brazil has mostly been excluded from preferential trade agreements and other major trade deals in the past decades, meaning that historically they have not affected national environmental policies — that is, until the ongoing EU- MERCOSUL free-trade deal of 2019.<sup>63</sup> Additionally, in regards to the role of investment, research has proved that foreign direct investment can indirectly lead to an increase in developing nation’s CO2 emissions.<sup>64</sup> It has also shown that investors are increasingly aware of this impact

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<sup>60</sup> Chen, X., Woodland, A. “International trade and climate change”. *Int Tax Public Finance* 20, 381–413 (2013). <https://doi.org/10.1007/s10797-012-9244-x>

<sup>61</sup> Morin, J.F. & Bialais, C.. “Strengthening Multilateral Environmental Governance through Bilateral Trade Deals”. Feb. 2018. [www.cigionline.org](http://www.cigionline.org).

<sup>62</sup> Amaral Jr, Alberto. “A Integração Entre O Comércio Internacional E A Proteção Do Meio Ambiente”. *Revista de Derecho Económico Internacional*, Vol. 1 No. 1, 2010.

<sup>63</sup> Thorstensen, Vera, & Lucas Ferraz. “O Isolamento do Brasil em relação aos acordos e mega-acordos comerciais.” <http://www.ipea.gov.br>, Instituto de Pesquisa Econômica Aplicada (Ipea), Apr. 2014. [repositorio.ipea.gov.br](http://repositorio.ipea.gov.br), <http://repositorio.ipea.gov.br/handle/11058/3762>.

<sup>64</sup> Soares, Thiago, et al. “Investimento Estrangeiro Direto E Emissão De Co2 Em Países Em Desenvolvimento.” *Revista de Desenvolvimento Econômico –RDE -Ano XXI –V. 3 -N. 44- Dezembro de 2019 -Salvador, BA –p. 10–32*. [core.ac.uk](http://core.ac.uk), <https://core.ac.uk/reader/327145400>. Accessed 15 Nov. 2020.

and direct funding to sustainable initiatives in Brazil and abroad; however, this practice has led to mixed consequences to environmental impact and policy.<sup>6566</sup>

Finally, the last instrument of global environmental governance I assess are multilateral agreements, which have been the subject of research since their widespread proliferation in the early 1990's. Despite individual accords having limited scope, as a whole they provide a successful institutional and legal basis for the advancement of climate policy by incorporating environmental thinking in multiple international and national institutions devoted to other issues.<sup>67</sup> Some of the seminal global environmental accords, such as the Eco-92 Agenda (1992), the Kyoto Protocol (1997), and the Paris Agreement (2015) have been the subject of more specialized discussions, but the literature around these accords suggests that they are effective in gathering global support for climate reform, setting national policy goals, and outlining the directions for which they can be achieved, but their shortcomings include their being voluntary and lacking implementation or enforcement mechanisms.<sup>68</sup>

### **Trends and gaps in the literature**

While there has been considerable research on the role of international actors in pushing for environmental progress in foreign countries, most of the literature consists of in-depth studies

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<sup>65</sup> Telli, I. P. "Investimento estrangeiro e meio ambiente: uma análise sobre o tratamento das questões ambientais suscitadas nos casos decididos pelo ICSID entre 2000-2013". *Dissertação de Mestrado, Faculdade de Direito, Universidade de São Paulo*, São Paulo, 2015. doi:10.11606/D.2.2015.tde-08122015-144246. Recuperado em 2020-11-16, de [www.teses.usp.br](http://www.teses.usp.br)

<sup>66</sup> Belchior, G., & Mesquita, A. "Investimento Estrangeiro E Meio Ambiente: Análise Dos Acordos Brasileiros De Cooperação E Facilitação De Investimentos". *Amazon's Research and Environmental Law*, 5(2), 2017. <https://doi.org/10.14690/2317-8442.2017v52246>

<sup>67</sup> Théry, H., & de Mello, N. A. . "Mecanismos Globais Na construção Das políticas Ambientais, GEF E MAB". *Revista Cronos*, Vol. 10, n° 2, janeiro de 2013, <https://periodicos.ufrn.br/cronos/article/view/3286>.

<sup>68</sup> Souza, Maria Cristina Oliveira, & Rosana Icassatti Corazza. "Do Protocolo Kyoto ao Acordo de Paris: uma análise das mudanças no regime climático global a partir do estudo da evolução de perfis de emissões de gases de efeito estufa." *Desenvolvimento e Meio Ambiente*, vol. 42, no. 0, 0, Dec. 2017. [revistas.ufpr.br](http://revistas.ufpr.br), doi:10.5380/dma.v42i0.51298.

of one instrument or case, or theoretical work that does not delve into the general environmental governance landscape of one single region. First, when examining the methodological focus of research pertaining to this topic, most of the literature employs qualitative approaches based on historical surveys and case studies, while some studies incorporate quantitative methods and create model analyses. Second, on a substantive level most recent work on environmentalism, especially as it relates to international action and political pressure, has been compartmentalized into one type of intervention mechanism. The literature also siloes discussion of different types of intervening actors, which provides a limitation both in a methodological sense (as they overlook the whole picture) and a topical sense, as it often leads to inconclusive results. For instance, many scholars assume that corporations have to be coerced by institutional forces into acting sustainably and ignore the instances on which these private actors actually influence policy decisions toward a more conservational approach, something that has been increasingly taking place in Brazil.

Additionally, there are two conclusions that the literature supports and my thesis builds on: first, that the distinctions between types of intervening actors, their categories, and instruments employed are often blurry, as international engagement often takes multiple forms and operates on a systemic level; and second, that the more successful policy interventions are the ones in which international actors directly engage their local counterparts and collaborate to reach a common goal. Finally, the literature often focuses on either the intervention level of the question or on the environmental policy level, with few studies connecting the broad international forces at play in Brazilian environmental governance. As a whole, an analysis of the scholarship shows there is a gap in understanding both in a formulaic and in a subject level. This thesis fits in with other works by providing a broad analysis of how international influence, considered as a diverse set of institutional actors, shaped Brazilian environmental policy over time, focusing on the types of

partnerships that led to successful policy implementations and providing insights into the region and topic as a whole.

## Research Design

As stated in the introduction, the goal of this thesis is to answer how international events and actors have attempted to influence Brazilian environmental policy in the past two decades. This question intends to trace significant recent developments in Brazil's environmental policymaking as well as analyze how policies made at the federal level have trickled down to actually sustainable actions. In dealing with an environmental topic, it is important to note that it is not the purpose of this thesis to analyze the devastating effects of human action on the environment and its causal links to climate change and natural disasters. Nor does it explore why this is an issue that necessitates urgent coordinated international action on several fronts; rather, these are the foundational assumptions that underpin the logical basis of my research. This thesis builds upon knowledge previously established by disciplines including Environmental Science in order to take the climate action debate to an international policy level, adding to the growing scholarship surrounding international environmental politics.

However, while it is true that conservationist and climate issues have reached almost mainstream status within International Relations in recent years, most of the subfield has focused on joint international actions, that is to say, on the efforts by the international community to devise and implement accords to tackle climate change. This research question adds to that line of thought by exploring political activity in the global arena but diverges from it by focusing on its national outcomes, i.e. the intersection of international action and domestic policy. The effect of international action in determining national policies has traditionally been an object of interest for IR, meaning that there already exists a fundamental framework to understand the ways in which international actions affect local ones. Finally, my regional focus on Brazil is noteworthy given the country's strategic importance in regards to two important issues. First, its role in international

policymaking, where Brazil maintains an established tradition of diplomatic leadership among developing nations in global arenas, and in second place its role in sustainability, where the country's vast natural resources — chiefly the Amazon rainforest — and importance for global climate control make it a key player in conversations about environmental action. Furthermore, while IR scholarship has given significant focus to the rise of previously underdeveloped nations as powerful geopolitical players, the bulk of this research has focused on China and a handful of other countries while Brazil remains an overlooked topic in traditional North American academic work. My research question, in turn, explores Brazil's role not only as a major regional player but also as a global actor, delving into the particularities of its significant political and economic ties to the US, the EU, and others. Overall, my research question provides meaningful insight into the overlapping issues of cross-border political influences, environmental action, and Brazil's place in the global stage.

Considering the large number of actors who have stakes on Brazil's environmental policies — as commodities buyers, political partners, strategic investors, and as players responding to concerns about climate change — this thesis lays bare a clear pattern that has arisen over the past 20 years: in instances where the main interests of the Brazilian government and international actors are aligned policies are better shaped by multilateral norm-setting, but whenever a global actor seeks to coerce the Brazilian government into action, economic pressure yields better results. This statement encapsulates the central argument presented in this thesis, seeing that instances of cooperation between national and foreign stakeholders can lead to successful policy changes without the use of rewards or compensations only when their interests are aligned. On the other hand, economic action through the politicization of buyer power can push national and corporate policies in a more sustainable direction even if Brazilian actors did not want so in the first place.

Since the nature of this research is fundamentally ambiguous and social, considering its focus on complex interactions between actors and their consequences, it is hard to quantify variables or outcomes in a way that would facilitate a quantitative analysis. This means the thesis follows a qualitative research method, which entails a study in natural settings that tracks how humans understand a specific process and how social elements shape this process, exploring the beliefs and values that create meaningful social phenomena.<sup>69</sup> It is clear from the type of question asked and the answers expected that the most appropriate method to conduct this research is qualitative. This is primarily due to the difficulty in translating complex interactions between different categories of actors and ambiguous, sometimes inconclusive results into numerical data, even if I were to create a variable specific to my research. Additionally, a qualitative approach is more appropriate here because the sources I use are mostly elaborate textual evidence from past instances of international action regarding Brazilian environmental policy, a type of data source that is better understood by a qualitative analysis that explores the myriad connections between diverse actors. Overall, a qualitative study requires attention to individual variables over a pattern as well as a careful selection of cases instead of a look at an overall picture, which make it more appropriate for this thesis.<sup>70</sup>

The research is structured around a case study approach, which involves a detailed analysis of one — or in this case, two — occurrences of a specific social phenomena, allowing the researcher to learn about the category by examining one example.<sup>71</sup> Case study-based research methods are particularly suited to examining issues in the political domain given their prioritization

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<sup>69</sup> Mahoney, James, and Gary Goetz. "A Tale of Two Cultures: Contrasting Quantitative and Qualitative Research." *Political Analysis*, vol. 14, no. 3, 2006, pp. 227–249. JSTOR, [www.jstor.org/stable/25791851](http://www.jstor.org/stable/25791851). Accessed 15 Dec. 2020.

<sup>70</sup> Ibid.

<sup>71</sup> Collier, David. "The Comparative Method". In Ada W. Finifter, ed. (1993) *Political Science, the State of Discipline II*. Washington, DC. American Political Science Association

of detailed information collection over sweeping analysis, although it is noted that case studies do not contribute to building theory around phenomena as a whole but merely explain why and how specific events happen.<sup>72</sup> Additionally, case studies are useful for mapping out subjects that have not been sufficiently explored and point new avenues for future research given their pointed nature that does not allow for generalizations.<sup>73</sup> These points underscore the suitability of a case study approach for this thesis since its goals are not to create an overarching theory about how countries influence each other's environmental policy-making but rather dive deeply into this issue as it has played out in Brazil in recent decades, a phenomenon that both requires more scholarly attention and demands a thorough understanding of the processes that led to it and stem from it.

This thesis is structured around a small number of representative case studies, a method that allows me to focus on a few instances of environmental policymaking in Brazil in order to carefully analyze how international actors played a part in molding this policy, which in turn can provide insights into similar phenomena. Representative case studies are those that focus on a typical or standard occurrence of a broader category, that is an event which is significant due to its causes or consequences and represents a broader trend of similar events.<sup>74</sup> This research design allows for the thorough analysis of a single type of phenomena while also stressing the differences between cases, which leads to discoveries around the similarities and differences of the category. Representative case studies with a small number of observations are appropriate for this thesis since this approach allows me to focus on different moments of Brazilian policy-making and stress the differences in types of policies, types of involved actors, goal of policy, and its consequences.

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<sup>72</sup> Ibid.

<sup>73</sup> Simon, J. & Burstein, P. "Research Methods in Social Science." Random House USA Inc; 3rd edition (5 May 1988)

<sup>74</sup> Ibid.

This means that I am able to isolate different particularities of each case as they pertain to a specific issue and a specific time in the political landscape, while still representing the broader phenomena of international influence in environmental policy.

The first case study in this thesis spans the first four years of the Lula administration, from 2003 to 2007, which encompasses major environmental legislation such as the 2005 Biosecurity Law (Lei 11.105/2005) and the 2006 Forest Code (Lei 11.284/2006). This is a formative time period for Brazilian environmental policy given the emergence of conservation as a national priority alongside development, which had maintained solo predominance during previous decades. It is also a time period informed by the fallout of the global ecological conferences of the 1990's and the rise of international covenants on environmental issues, from the Rio Declaration on the Environment and Sustainability to the Agenda 21.<sup>75</sup> Brazilian environmental policy at this time was initially marked by a disconnection between international discourse and national measures, epitomized by the events of a single week in 2007 when the Lula government pledged to reduce illegal deforestation in the Amazon by 40% at the Conference of Parties in Bali and a few days later granted amnesty to loggers by freezing federal deforestation fines for a year.<sup>76</sup> Despite the contradictions between foreign and domestic policy, the early Lula years represented an advance of ecological concern in Brazil compared to previous administrations, marked by actions, ideology, and rhetoric. A noteworthy aspect of this period though is the passive role of international actors in influencing Brazilian environmental policy. Despite numerous conferences and accords, global players were still primarily concerned with trade and investment and therefore did little to systematically lobby for specific environmental actions in Brazil. Rather, the legal and

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<sup>75</sup> Bezerra, Joana Carlos. "O papel do meio ambiente na política externa brasileira". *Revista Ideias*, v. 4, n. 1 (6) (2013). <http://www.ifch.unicamp.br/ojs/index.php/ideias/article/view/1396>. Accessed 15 Dec. 2020.

<sup>76</sup> *Ibid.*

administrative advancements that happened at this time were only indirectly influenced by foreign actors, as the conventions and norms set internationally in previous years informed and pushed national actors such as NGOs, activists, and sectors of politicians.<sup>77</sup> This scenario is therefore an interesting case study on how international regimes and global norm-setting initiatives acted as a "soft" influence on Brazilian policy, through international covenants, agreements, and normative resolutions that defined environmental best-practices and shaped the policies set forth by national actors, from landmark legislative achievements to technocratic advancements in public bureaucracy.

The second case study in this thesis explores the period from 2016 to the present, under the Temer government and the first years of the Bolsonaro administration. This was a period marked by an abrupt divergence of environmental concern in Brazil from the international community. Especially under Bolsonaro, Brazil began to disregard the need for environmental action while the international community put the issue in the forefront of global agenda-setting. From the offset of the Bolsonaro presidency the government made it clear that it saw environmental regulations as an impediment to economic progress, allying itself with the agroindustrial lobby and completely undermining the need for sustainable legislation and business practices. At the same time, the global discourse around climate change went in the other direction, as the leading actors in the global arena set emissions targets and took environmental control more seriously, a change of mindset that permeated both the public and governments in the era of the Paris Agreement. Amid this context, the case study explores how the European Union has instrumentalized its landmark agreement with MERCOSUL, which spent twenty years in the negotiation table, to push the

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<sup>77</sup> Dourado, I. P.; Marques, A. O. (2019). "Influência dos eventos internacionais nas políticas ambientais brasileiras: recuperação histórico-conceitual da definição de desenvolvimento". *Revista Ibero Americana de Ciências Ambientais*, v.10, n.2, p.254-270, 2019. DOI: <http://doi.org/10.6008/CBPC2179-6858.2019.002.0022>

Brazilian government to take measures to protect the environment against its will. By including environmental safeguards in the agreement and making its approval contingent on an improvement of environmental metrics in Brazil, the EU has attempted to sway the Bolsonaro government by force. The case study also analyzes how private actors, chiefly multinational corporations and institutional investors, have used economic measures to push for an environmental agenda in Brazil, threatening and sometimes following through on divesting from or dropping contracts with Brazilian companies. Overall, the chapter looks at how the international community has responded to the attacks on Brazil's environmental governance by its own government. This case study therefore analyzes how the European Union, its member states, global companies and investors, as well as other South American nations have acted in tandem with each other to increase pressure on Brazil, often relying on economic bargaining chips. The years since 2016 lay bare a scenario where international public and private institutions leverage their economic might in order to pressure Brazil into adopting certain environmental measures, being a prime example of the subject of this thesis.

Throughout the two case studies I center my analysis around my independent variables — the nature of international influence — according to the criteria of my dependent variable — the environmental policy itself and its outcome. The independent variables I assess in each case include: (1) the type of international actors involved, i.e. if they are mostly a state, IGO, NGO, corporation, activists, and so on; (2) the nature of the action, i.e. if it involved norm-setting, economic constraints, activism, etc.; (3) the degree of cooperation between the international actors and their national partners, and how their relationship was structured; (4) the time period of the action, including particularities of the national and international political landscape at the time; (5) the main subject or goal of the intervention, e.g. halting deforestation, approving new legislation,

enforcing regulations, or implementing an environmental program. Subdividing my independent variable allows me to measure how each factor influenced the substance and outcome of the international influence, which is captured by my dependent variable. The dependent variable therefore encompasses the following measures: (1) the outcome and consequences of this influence, i.e. meaning how successfully it achieved its goals; (2) whether the domestic and international actors had to make concessions or how far they strayed from their initial interests; (3) the actual policy that came to exist as a result of this influence; (4) how this influence and ultimate policy impacted local communities, national democratic institutions, public perception, and the overall relationship between the two actors.

The methods employed in this thesis to assess the case studies and answer the research question are based around process tracing, a technique that is particularly suited to analyzing causal relations between events in the social sciences. Process tracing involves the systematic use of real-world evidence from within a particular case to conceptualize explanations for the observed phenomena, employing both inductive and deductive thinking to trace connections between the independent and dependent variables.<sup>78</sup> In practice, this works by following the sequence of events that led to a certain outcome, focusing on a temporal process where diverse factors lead to an observed phenomenon. In this thesis, process tracing allows me to qualitative measure the impact of civil society, corporations, activists, and governmental actors in the long and complex process of policy formation, isolating their actions to measure how this policy outcome came to be. By using process tracing I can infer the impact that my independent variable had on my dependent

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<sup>78</sup> Bennett, A, & Checkel, J.T.. "Process Tracing." *Process Tracing: From Metaphor to Analytic Tool*, edited by Andrew Bennett and Jeffrey T. Checkel, Cambridge University Press, Cambridge, 2014, pp. 3–38. Strategies for Social Inquiry.

variable in each case; that is, if and how international influence shaped Brazilian policy in that event.

Additionally, this analysis also relies on supplementary research methods that allow me to gather and analyze evidence that supports my tracking of the policymaking process, including document review and media analysis. These methods are operationalized in conjunction with each other as each provides me with evidence to build a sequential narrative in each case study, focusing on the different events that led to the formation of environmental policy. Qualitative document review comprises an exploration of existing themes in the sources under review, meaning they provide context for the type of phenomena being observed and why it happens.<sup>79</sup> In this thesis, document review involves an interpretation of secondary historical sources, including reports and analyses from research organizations and nonprofits, as well as existing academic research, industry reports and surveys, and media articles. The media provides valuable sources primarily for the second case study given the fact that the events it analyzes are fairly recent, so there is not a wealth of scholar research on them; however, news organizations covered them extensively. I also use primary sources, including text from Brazilian laws, international treaties, resolutions, and official reports and committee hearings from IGOs, NGOs, and individual governments.

In the next chapters I employ the various research methods to assess data for every case study, looking for trends and for connections between the dependent and independent variables. The following three chapters of this thesis are devoted to each of my case studies surrounding the environmental action of the early Lula years, the opposition movement to the Belo Monte dam, and the EU-MERCOSUL trade deal. Specifically, each chapter begins with a general contextual

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<sup>79</sup> Coffey, A. "Analysing Documents". In: *The SAGE Handbook of Qualitative Data Analysis*, edited by Uwe Flick. SAGE Publications Ltd, London, 2013, pp. 367-379 .

overview of the case, the national and international political context of the time, the main issue at hand, the involved players, as well as how and why international actors attempted to influence the policy at play. What follows is a systematic analysis of the events and processes that led to the final policy outcome, with a particular emphasis on the role of international actors in these, the mechanisms through which they exerted influence, and their partners in doing so. This section is structured around the links between the independent and dependent variables, which allows me to find specific moments that determine the key factors for international actors to influence environmental policy outcomes in Brazil for each given case. Finally, each chapter ends with an overview around the overarching theme of international participation in the political process at hand and a more specific discussion of the concrete contributions of these international players as well as the legacy that this interaction had for the relationships between the national and international stakeholders. Finally, the thesis is concluded by a chapter on results discussion that revisits the overarching principles of each case study to assess how the particularities of each international influence initiative and the subject matter of each environmental policy determined the outcome of this policy. This final chapter traces connections between each case study and Brazilian environmental and foreign policy overall to assess the nature of the intersectional relationships between foreign actors and the environment in Brazil. Specifically, it concludes that global normative initiatives lead to green policies when there is an alignment of interests between national and foreign actors, but in cases where the Brazilian government has no or little interest in creating a specific policy economic pressure from states and private actors can force its hand in a successful manner.

## **Early Lula Years and the Formation of a Federal Environmental Apparatus**

The first case study in this thesis analyses how the early 2000's were a defining moment in Brazilian environmental policymaking, as the international influences that had been shaping concerns and priorities in the environmental arena finally came into play nationally in the early Lula years. During his first term, President Luís Inácio Lula da Silva structured a federal environmental apparatus and formalized Brazilian domestic and foreign policy priorities in the environmental arena that, while being shaped by global forces, institutionalized national priorities. Lula rose to power as the head of the first leftist government in Brazil since redemocratization, after committing to a range of economic and social populist policies including fighting extreme poverty, decreasing inequality, and spurring economic development. While the national political scenario prioritized economic issues, though, the international landscape focused on security and the global fight on terrorism, meaning that environmental action was not at the forefront of either national or international priorities.<sup>80</sup> Even so, the early Lula years represented a landmark in Brazilian environmental policy-making, bringing with them advancements such as the professionalization of the federal environmental agencies, a sharp decrease in deforestation, and the signing of major environmental legislation. These events were a product of normative, positive, and structural changes that shaped the 1980's and 90's in and outside of Brazil, such as: the establishment of sustainable development as the key concept guiding global environmental governance, the signing of major treaties on climate change and emission reduction, and the creation of environmental agencies in the federal and state levels. This national and international context made it possible for Lula to be successful in pushing Brazilian environmental governance

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<sup>80</sup> Santos, Roberta. (2016). "Política externa ambiental brasileira : os governos FHC e Lula". *Universidade Federal do Rio Grande do Sul. Faculdade de Ciências Econômicas*. <http://hdl.handle.net/10183/166150>

further in his first mandate than perhaps at any other point in the history of the country, although this could not have been achieved without the influence of key international actors.

The main foreign players that set the stage for and worked with the Lula administration were international organizations, chiefly the UN and its many bodies, as well as international civil society organizations, such as Greenpeace and Conservation International, which provided the normative backdrop upon which Brazilian actors built their own environmental legal and administrative achievements. Global IGOs and NGOs therefore acted as a passive influencing force, creating standards, establishing best-practices, and giving national actors information in a process that both empowered their Brazilian counterparts to define national environmental governance rather than directly shaping the government's policy decisions.<sup>81</sup> In order to assess this claim, this chapter presents an analysis of how international civil society and IGOs shaped Brazil's understanding of environmentalism and its rudimentary framework to tackle climate change during and before the Lula years. It then tracks how from 2003-2007, national actors learned from and sometimes replaced foreign forces in shaping Brazilian environmental governance in four key topics. First, it analyzes how international organizations and conferences —mostly within the United Nations System — contributed to the conceptual and ideological creation of sustainable development, as well as how these resolutions are translated into action by national actors. The third and fourth subsections look at the role of civil society organizations, both at how they helped shape the professionalization of the Environment Ministry (MMA) and overall affected the environmental decision-making process.

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<sup>81</sup> Losekann, Cristiana. "Participação da sociedade civil na política ambiental do Governo Lula". *Ambiente & Sociedade*, 15(1), 179-200, 2012. <https://dx.doi.org/10.1590/S1414-753X2012000100012>

## **The UN and the creation of a sustainable development consensus**

While the concept of sustainable development is so widespread today that companies evoke it insincerely to promote "greenwashing", it was not always like this. Sustainable development, as an idea and as a practice, only rose to the mainstream dominance it enjoys today due to the pressure of intergovernmental and non-governmental organizations in the last decades of the 20th Century. It was a team of United Nations officials who funded the research that first proved the causal effect between human economic activity and climate change in the 1970's, through an initiative known as the Roma Club, and it was still the UN who promoted global dialogues that even made countries consider limiting their environmental impact in the first place.<sup>82</sup> The conferences and reports sponsored by the UN and other organizations from the 1970's to the 1990's highlighted the necessity for countries to implement comprehensive environmental management, helping spurring a call to action among nations. Meanwhile, NGOs around the globe conducted research, lobbied government officials, and implemented programs that not only got the population involved in a care for the natural environment but also effectively pressured states to heed the same call. This phenomenon played out in Brazil as it did throughout the rest of the world, as IGOs and NGOs laid the groundwork for states to conciliate economic and environmental interests which allowed for the rise of the concept of sustainable development. This idea, therefore, could only be translated into practice by states given the diligent advocacy of other actors, a long process which in the case of Brazil culminated in the turn of the millennium, when the new presidential administration built on the previous work of implementing environmental governance to bring this concern to a new level.

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<sup>82</sup> Dourado, I. P.; Marques, A. O. "Influência dos eventos internacionais nas políticas ambientais brasileiras: recuperação histórico-conceitual da definição de desenvolvimento". *Revista Ibero Americana de Ciências Ambientais*, v.10, n.2, p.254-270, 2019. DOI: <http://doi.org/10.6008/CBPC2179-6858.2019.002.0022>

The meaning of sustainable development championed by intergovernmental conferences was first introduced by the 1987 Brundtland Report, which conceptualized the idea that humans must live and operate our economies without compromising the ability of future generations to do the same — in short, by utilizing the Earth's resources responsibly.<sup>83</sup> This is the same idea that spurred one of the seminal international climate conferences, the Eco-92, which was held in Rio de Janeiro in 1992, and directly led to the Brazilian government's adoption of sustainable development as a guiding principle, both in its measure to prepare to host the conference and in its aftermath. The influence of the UN's advocacy for sustainability is reflected in the Brazilian Constitution, signed in 1988, and which not only devotes an entire chapter to the environment, but directly mimics the language and ideas of the Brundtland Report which states that, "All people have a right to an ecologically balanced environment, of common use by the people and essential to healthy quality of life, imposing to Public Power and to collectivity the duty of defending it and preserving it for present and future generations."<sup>84</sup>

As such, the UN was responsible for shaping the Brazilian approach to environmentalism on top of ensuring that environmental governance would be a topic of concern and discussion in the first place. The influence of the United Nations system was not limited by temporal or normative constraints, going far beyond the 1980's and establishing positive rules and guidelines. It continued to shape Brazil's commitment to sustainable development by introducing the idea of curbing carbon emissions, in a process that began with the Roma Club and was put in practice by the Kyoto Protocol in 2007, and the Paris Accord in 2015. While these UN-sponsored international accords are far from perfect and have not been put into practice to their fullest extent in almost any

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<sup>83</sup> Brundtland, G.H. (1987) *Our Common Future: Report of the World Commission on Environment and Development*. Geneva, UN-Dokument A/42/427.

<sup>84</sup> Constituição Federal, Cap. VI, Do Meio Ambiente, Art. 225, Brasília, 1988. Translated by Author.

nation — including Brazil — given their loopholes, lack of enforceability, and complexity, they still provide the best framework available for countries to push forward the idea of sustainable development.

Despite the disconnect between the theory and practice of sustainable development, theory has been paramount in articulating countries' unique set of environmental priorities. Brazil's interpretation of this idea started taking shape in the 1980's, through the set-up of national environmental policies that determined land use, indigenous people's rights, and state investment in different industries. In practice, this meant that Brazilian environmental governance concerned itself primarily with the measuring and containment of pollution as well as with the demarcation of natural protection areas.<sup>85</sup> An analysis of Lula's speeches and press releases points out how his government's conception of sustainable development differed from that of his predecessors, though his focus broadened to include, at least nominally, restricting logging and mining in the Amazon as well as implementing national policies to accelerate the adoption of clean energy sources, including subsidies for biofuels and the construction of hydroelectric power plants.<sup>86</sup>

In a conceptual and ideological level, Lula adopted the priorities set forth by the United Nations and the international community as a whole, adapting them to Brazil's reality and priorities. He not only embraced the rhetoric of climate change and sustainable development as a threat to society that needed to be addressed, but also explored this very concern by foreign actors to set forth his own foreign policy priorities on a global arena. Lula's utilization of environmental topics to expand Brazil's voice internationally is well-documented, including his efforts to lead other developing countries in calls for wealthy nations to contribute financially to their

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<sup>85</sup> Dourado & Marques. "Influência dos eventos internacionais nas políticas ambientais brasileiras"

<sup>86</sup>Ibid.

sustainability efforts, as well as his defense of sustainable energy alternatives that Brazil already had a competitive advantage in, including hydroelectric power and biofuels. Both the appropriation of ecological concern and the advocacy for biofuels can be seen in Lula's speech for the UN General Assembly in 2007, where he states that, "We must equally increase South-South cooperation [...] there will not be a solution to the terrible effects of climate change if humanity is not capable of altering its production and consumption patterns. The world urgently needs a new power grid, and biofuels are vital to building it."<sup>87</sup>

### **Translating international resolutions into national governance**

Aside from the conceptual advancements in regards to the idea of sustainable development, the United Nations system, and international conventions as a whole, helped define Brazilian environmental policy in the early 2000's by shaping the direction of legislative achievements and direct program actions. This means that resolutions and covenants established in various international arenas set forth expectations and defined directions in several issues of environmental relevance which, in turn, shaped the Brazilian government's actual policies in these areas. The process of translating the nonbinding guidelines and norms of international arenas into concrete domestic results was long and complicated, involving opposing interest groups, which meant that there was a temporal disconnect between the ratification of an international covenant, the establishment of national legislation, and the actions that lead to the expected policy results.<sup>88</sup> That is to say, the three moments of international-to-national policy transition — international agreements, national legislation, and policy actions — did not happen in a linear order, but rather

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<sup>87</sup> "Veja a Íntegra Do Discurso de Lula Na ONU." *GI*, 25/09/2007. Translated by Author.

<http://g1.globo.com/Noticias/Mundo/0,,MUL109864-5602,00-VEJA+A+INTEGRA+DO+DISCURSO+DE+LULA+NA+ONU.html>. Access 17 Feb. 2021.

<sup>88</sup> Kageyama, Paulo Y., Santos, João Dagoberto.. "Aspectos da política ambiental nos governos Lula." *Revista Faac*, Bauru, v. 1, n. 2, p. 179-192, out. 2011/mar. 2012.

all ended up influencing each other given the extremely long deliberation and implementation periods each required, which can take up to a decade. This is a phenomenon seen in different issues in Brazil, chiefly in regards to deforestation, biosecurity, and emissions reduction.

The sharp decrease of deforestation rates and the establishment of new forestry standards and legislation by the Brazilian government are one area in which the alignment of interests between national and international actors led to successful actions. International concern over deforestation worldwide, and specifically in the Amazon, had risen considerably throughout the 1990's, with global actors paying increased attention to the harmful effects of deforestation. This concern was translated to international forums and resolutions, as the Plan of Implementation of the World Summit on Sustainable Development presented in the 2002 COP called for countries to halt deforestation in five different articles.<sup>89</sup> Brazil, as a signatory and one of the most prominent defenders of this and other environmental declarations, felt the pressure to translate these ideals into practice, which the Lula administration did through organizational and legislative changes. First, in 2003 it established a Transversal Government Project that called on thirteen ministries that ranged from Regional Development, Agriculture, Economy, and Environment to form a working group to define joint actions to halt deforestation in the Amazon. This program, which carried on for 5 years, had a yearly budget of US\$ 50 million to implement programs to curb the use of forest land, monitor illegal activity in the area, and work with agriculture and mining companies to stop deforestation.<sup>90</sup> On top of this transversal federal planning, the government proposed a change in legislation that would allow the concession of public lands to private companies to implement sustainable forest management practices. This proposal, approved in

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<sup>89</sup> Johannesburg Declaration on Sustainable Development, A/CONF.199/20, Chapter 1, Resolution 1, Johannesburg, September 2002

<sup>90</sup> Kageyama, Paulo Y., Santos, João Dagoberto. "Aspectos da política ambiental nos governos Lula."

2006, also created the Brazilian Forestry Service to monitor the management of forests in federal lands, an organ that is still today important in combating illegal logging and land use practices.<sup>91</sup> A second legislative achievement that combated deforestation was the new Forest Code, which started being planned around this time but was only sanctioned in 2021. This code imposed tighter restrictions for preservation in private lands, determined expectations for reforestation, and altered the criminal code to include harsher sanctions and higher fines for people found in violation of its norms. Overall, the administrative and legislative changes brought about by Lula were highly effective in curbing deforestation, as rates fell 77% from 2003 to 2010 (although market factors as the low price of commodities also had an effect on these numbers).<sup>92</sup> The process in which lower deforestation was achieved though highlights how direct government action, as was the case with the Transversal Government Project, sometimes preceded legislative changes, even as both were continuously driven by the expectations and norms set forth in international arenas.

One other example that shows the difficulty of translating international commitments into domestic policies include the case of biosecurity provisions. The first of these, which concerns provisions to ensure that forest-based natural resources and knowledge benefits the indigenous people from which they come, combats both biopiracy and the appropriation of ancestral knowledge by corporations. Due to the Brazilian government's interest in preserving national biodiversity, it introduced in 2004 a proposed bill to regulate access to genetic material, traditional knowledge, and sharing of benefits, which nevertheless has been stalled for years and was only approved in 2015 due to opposition from industry-aligned political interests.<sup>93</sup> Meanwhile, Brazil also defended this principle in international arenas, with the Environment Ministry adding it to the

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<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

<sup>93</sup> LEI Nº 13.123, DE 20 DE MAIO DE 2015.

list of discussion issues in the 2006 Conference of Parties and ensuring that a proposal for an International Regime on the Access to Genetic Resources and Benefit Sharing was debated and approved in the 2010 COP.<sup>94</sup> This means that in the case of biodiversity and biosecurity, national and international legislative processes occurred concurrently and influenced each other throughout, although they moved at different speeds given the particularities of the domestic and international arenas.

Finally, the matter of emissions reductions followed a more traditional processual timeline, as the Brazilian government only created a National Climate Change Policy in 2009, responding to the model set forth by international conferences.<sup>95</sup> After previous COPs called on countries to set emissions targets and instituted guidelines on the policies that could achieve them, the Lula administration went through a long political process to conciliate environmentalist and developmental interests to create a comprehensive national policy, an operation which lasted years. What resulted was a law that expanded protected areas and set new guidelines to protect natural landmarks, incentivized the development of a Brazilian emissions-trading market, promoted scientific research, and established monetary incentives for emissions reductions. These financial incentives included credit lines and public-private partnerships for sustainable projects, which aimed to avoid punitive measures, and set a legal and institutional backdrop for the application of emission reduction schemes already accorded by international conventions.<sup>96</sup>

### **The professionalization of federal environmental agencies**

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<sup>94</sup> Kageyama, Paulo Y., Santos, João Dagoberto. "Aspectos da política ambiental nos governos Lula."

<sup>95</sup> Ansanelli, S., Nakano, P. (2017). "Política industrial e política ambiental no Brasil: Convergência ou divergência durante os governos Lula e Dilma?" *A Economia em Revista*, Volume 25, Número 1, Junho de 2017.

<sup>96</sup> Lei nº 12.897/2009.

One way in which the Lula government translated its conceptual concern for the environment into institutional practices was its focus on increasing the size and power of federal environmental agencies, which at the same time decreased dependence on international actors while enhancing commitment to environmental action. Before 2002 the Environment Ministry (*Ministério do Meio Ambiente*, MMA) had extremely limited personnel, with some accounts reporting half a dozen full-time employees.<sup>97</sup> Most of the Ministry's work, including demarcating lands, assessing fines, and implementing protection programs relied exclusively on project-based temporary hires, most of which were consultants and other contract-based employees in medium and long-term engagements. The consultants hired by the MMA were chiefly associated with civil society environmental organizations, including many international ones that were funders or partners in the project at hand, meaning that non-governmental organizations had an active role in implementing federal policies at this time. This was a consequence of a complete lack of institutional bureaucracy in charge of environmental policy, propped up by years of underfunding given the fact that outsourcing employees was a cheaper alternative for the federal government than creating and maintaining a full-time workforce. This phenomenon was widespread across federal agencies, as 92% of the technical personnel in charge of environmental licensing in the IBAMA was made up of consultants in 2002.<sup>98</sup> The Lula government put a stop to this reliance on contract-based, mostly private and foreign personnel, and set up the MMA as a stronger organization with independent functioning by opening space for career bureaucrats. Through a series of federal hiring processes the share of consultants in the IBAMA dropped to 11% in 2006,

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<sup>97</sup> Losekann, Cristiana. "Participação da sociedade civil na política ambiental do Governo Lula". *Ambiente & Sociedade*, 15(1), 179-200, 2012. <https://dx.doi.org/10.1590/S1414-753X2012000100012>

<sup>98</sup> Ibid.

while the number of employees in the area went from 6 to 120, while the MMA overall employed over 800 people by that time.<sup>99</sup>

The professionalization of the federal environmental capacity both strengthened the national conservation policies and limited the interactions between Brazil and foreign actors, giving space to the development of a national environmental plan with nationalist priorities. While before 2003, the MMA and its agencies relied on civil society partnerships, a considerable share of which included foreign organizations, the Lula government replaced these private workers with public ones. Consequently, on one hand, the new make-up of the federal environmental bodies decreased the direct participation of activists, scientists, and other NGO-affiliated people in its programming and decision-making processes, limiting also the amount of influence that international private actors could exert over Brazil's environmental practices.<sup>100</sup> However, while this change restricted the direct influence of foreign and domestic civil society organizations, it also opened space for deliberation between the public agencies and its private partners. Additionally, enshrining the MMA's functioning on career bureaucrats and public servants decreased the politicization of the organ, which in previous decades had been left to the whims of each administration that prioritized one set of programs over others, or none at all. This meant that the federal agencies were more independent not only from civil society but also from the political class, and in consequence the actual policies implemented by the organs were that much stronger.

One of the most visible changes to the federal environmental apparatus was Lula's appointment of Marina Silva, a long-time activist, as Environment Minister, something that highlighted the MMA's increased independence from political whims, as well as its alignment

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<sup>99</sup> Ibid.

<sup>100</sup> Ibid.

with international environmental concerns. Marina, as she is still known to most Brazilians, was responsible for steering the MMA away from the political interests of the political class and establishing the state as a true purveyor of environmental justice, increasing dialogues with indigenous communities, reinforcing requirements for environmental biddings, and opposing the expansion of agriculture in the Amazon.<sup>101</sup> Under her leadership, the MMA often clashed with other interests within the government, chiefly within the Agriculture Ministry and the powerful agroindustrial lobby, and even with Lula himself.

However, while during this 2003-2008 period the MMA became a more independent body, it also reinforced its ideological and normative connections to international environmental organizations, which had called for Marina's appointment in the first place. Her international recognition as an environmental leader (that went as far back as 1996, when she won the Goldman Environmental Award) and her longtime leadership in activist movements meant that the ideals of environmental civil society were enshrined in the federal environmental apparatus. One major example of the connections amongst the MMA under Marina, the federal government, and international civil society was the 2007 legislation that authorized the growing of GMO crops in Brazil. Marina Silva was one of the main opposition to the bill, and worked directly with Greenpeace to advocate against it in the media and with government officials, but the law eventually passed with support from Lula and agribusiness interests.<sup>102</sup>

### **Civil society, NGOs, and a new relationship with the federal government**

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<sup>101</sup> "PERFIL-Defensora Da Amazônia, Marina Blindou Pressão Mundial." *Reuters*, 13 May 2008. [www.reuters.com](http://www.reuters.com), <https://www.reuters.com/article/manchetes-politica-marina-perfil-pol-idBRN1342906720080513>.

<sup>102</sup> "Greenpeace pede ajuda da primeira-dama para barrar liberação do milho transgênico." *O Globo*, 27 Feb. 2007. [oglobo.globo.com](http://oglobo.globo.com), <https://oglobo.globo.com/sociedade/ciencia/greenpeace-pede-ajuda-da-primeira-dama-para-barrar-liberacao-do-milho-transgenico-4213585>.

A direct effect of the professionalization and enlargement of the federal environmental agencies was the greater participation of civil society — here understood as non-governmental organizations, research groups, and educational institutions — in the relevant governmental decision-making processes. As previously mentioned, much of the personnel that became full-time staffers of these government agencies migrated from roles in civil society dealing with the environment, which by itself increased the connections between these two arenas. The personal relationships between civil society and the federal government therefore played out in two different ways: the former both provided the latter with experience and intelligence in environmental governance, while the latter allowed the former an institutional platform to put their interests to practice. João Paulo Capobianco, a former executive secretary at the MMA until 2007, had previously founded the Network of Atlantic Forest NGOs and worked for the Socioenvironmental Institute, both prominent nonprofits in the field, explicitly discussed how his role in the government allowed the nonprofits he had worked for to directly influence the policy-making process at the environmental level.<sup>103</sup> He was far from the only person who connected these worlds, which created a scenario where civil society organizations went from an antagonistic position which aimed to influence government action through protests and activism to a collaborative one which leveraged personal connections and information flows to shape policy.

Another focus point of the influence exerted by civil society organizations, including international ones, in environmental policymaking during Lula's first term was the National Environmental Council (CONAMA). The CONAMA is a consultative, deliberative, and normative federal organ created in 1981, in order to join governmental and civil society representatives to issue resolutions and recommendations on matters of environmental policy and

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<sup>103</sup> Losekann, Cristiana. "Participação da sociedade civil na política ambiental do Governo Lula".

decide on the application of environmental fines issued by the IBAMA.<sup>104</sup> The Council is composed of representatives from the federal, state, and local governments (elected officials); the private sector (business leaders); and workers' and civil society entities (environmental technocrats and activists), whose deliberations make up one of the most important decision-making arenas within the federal environmental apparatus. Regarding who gets to become a representative of civil society, the CONAMA is considerably democratic since it represents diverse populations and interests, including indigenous peoples, the scientific community, and labor unions. The Lula government increased the leverage of civil society organization within the CONAMA, in detriment of business and some government interests, by tipping the share of representatives in favor of the former group, which had direct influence on policy given the agency's role in enforcing environmental provisions and fines. Other reasons that explain why civil society's participation in the CONAMA and in the federal government as a whole increased at that time include the longtime commitment from labor unions and activist movements with the Workers' Party, which was now in power for the first time, the government's direct funding of nonprofit organizations including the National Environment Fund, and the overall closeness between the environmental movement and the leftist ideology espoused by Lula.<sup>105</sup>

Because this scenario presented an alignment between national civil society organizations and the federal government that had never before been seen in Brazil, at least in regards to the environment, much of the criticism and activism traditionally led by these organizations slowed down, which opened up space for foreign actors to take their place. Personal accounts from

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<sup>104</sup> Jacobi, Pedro Roberto. "Espaços públicos e práticas participativas na gestão do meio ambiente no Brasil". *Revista Sociedade e Estado*, Brasília, v. 18, n. 1-2, Dec. 2003.

<sup>105</sup> Losekann, Cristiana. "Quem é a sociedade civil? Diferentes perspectivas na visão de organizações ambientalistas e de atores estatais no governo Lula". *Horizonte*, Belo Horizonte, v. 6, n. 11, p.109-126, dez. 2007.

nonprofit leaders and government employees at the time recount a partial softening of the environmental movement starting in 2003, given an hesitancy to criticize their old friends, who are now part of the establishment.<sup>106</sup> Aside from personal and ideological affinity, a reliance on the government for funding and for the structuring of programs made some organizations tone down their activist practices, opening space among civil society for those institutions that maintained independence from the government to take a more active role in pushing for a combative agenda. This means that at that time, most of the opposition that the Lula government saw from environmental civil society did not come from Brazilian organizations but rather international ones, that due to their distance from the government enjoyed more freedom to criticize it. This is a period of time that saw some organizations, in special Greenpeace and the Rainforest Alliance, to enter the Brazilian activist landscape and expand their operations on the ground that remain active until today.

### **The UN System, civil society, and Lula's sovereign environmental legacy**

As this chapter shows, the first years of the millennium were a time which altered the way in which Brazil did environmental policy in conceptual, organizational, and practical levels. This was a period in which foreign and domestic factors, including an increased international concern for environmentalism and the rise to power of a leftist government with a longstanding connection to activist social movements, aligned to create a scenario where great development in environmental policymaking happened very quickly. However, while international actors played an important role in setting the stage for the changes the Lula administration brought about, their involvement was still somewhat passive compared to the levels of interest and engagement we see

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<sup>106</sup> Ibid.

today. Global conferences as well as the charters and information that arose from them, were the primary foreign forces in shaping Brazil's environmental actions at that time, hence the great prominence the United Nations System played in real life and therefore in this chapter. Other powerful international players, including states, corporations, and multilateral organizations, were too preoccupied with economic growth and the newly instituted concern for terrorism to actively incorporate environmental concerns in their policy priorities and attempt to persuade Brazil one way or another regarding its domestic environmental policies. Also, while the UN and its agencies shaped Brazil's understanding of environmental policymaking abroad, at home this role was taken up by civil society organizations, which helped the government structure its priorities and programs during Lula's first term. This means that the legal, administrative, and practical achievements of those years were in large part only indirectly influenced by international actors, as the normative resolutions that came from abroad shaped the actions of national actors both within and outside the federal government.

As a whole, the way in which the UN and civil society organizations exerted their influence differed; while the former influence government actors directly, both by creating arenas that force certain types of environmental decision making, the latter produce information and create standards for behavior that the government through knowledge sharing as well as direct personnel exchange and direct programs. General environmental actions by international IGOs and NGOs started in the 1970's, but became so prevalent around the turn of the Century that they empowered national actors to be less reliant on international ones by the early 2000s. International actors successfully pressured and directed the Brazilian government to adopt environmental discourse, set priorities, and create agencies, all of which successfully led to a drop in deforestation and the passing of strict environmental legislation. This international influence fundamentally changed

how Brazilian actors see and engage with environmental policy, creating a long-term effect in the country regardless of political currents. However, while the actual impact of environmental policy is limited to the constraints of governmental oversight and the whims of each new presidential administration, the institutional and ideological effects of the transformations ushered in during the Lula years are longstanding.

This chapter tracked how the development of a national narrative around climate change and sustainable development stemmed from global discussions around the topic, even if Brazil's conception of the term is adapted to the country's strategic priorities. It also analyzed how international conventions and resolutions helped guide legislative, organizational, and program-related priorities for the federal government. Additionally, it saw how Lula established a stronger environmental apparatus than any of his predecessors, and how these federal agencies were influenced by its relationships with civil society organizations both within and outside Brazil. As a whole, the chapter shows the effects of normative, non-coercive pressure from international non-state actors in defining a set of environmental guidelines that, in partnership with a Lula's predisposition to welcome both activists and environmentalists, led to the development of key achievements in Brazilian environmental policy. However, the next chapters see how the relationship between foreign and national forces is not always so smooth or yields so many results, as in recent years international forces started taking a more forceful stance towards environmentalism and in opposition to the Brazilian government.

## **Bolsonaro, Salles, and Brazil as an International Pariah**

While my first case study focused on how the alignment of interests between national and international actors led to great advancements in environmental policymaking in Brazil, this second chapter analyses an almost reversed situation. The late 2010's marked a sharp split between the international community and the Brazilian government, as the visibility of the climate crisis made the former by and large more keen to act on climate change, while the change of administrations made the latter relegate environmental concerns to the bottom of its priorities. On one hand, global private and public actors became generally more interested in protecting the environment as a response to a change in public perception and demand around the subject, while countries' own actions were boosted by the 2015 Paris Climate Agreement. On the other hand, Jair Bolsonaro's election in 2018 marked a definite change in Brazilian domestic politics, raising to power an ideology that prioritizes economic development over environmental interests. While Bolsonaro sometimes maintained a defensive rhetoric that recognized the preservation of the environment as a positive action, his actions in support of agribusiness and his inaction to halt the negative effects of human activity made it clear to Brazilians and foreigners where his government's priorities laid.

Specifically, environmental policy in Brazil from 2018 to the present involved the loosening of restrictions on land use, a decrease in funding for government watchdogs, and fewer fines applied to actors that cause deforestation, all of which amounted to exactly the opposite measures that environmentally-minded international actors pushed for.<sup>107</sup> This scenario therefore offers a compelling case study because it explores a moment when national and international

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<sup>107</sup> Observatório Do Clima. *"Passando a Boiada", O Segundo Ano De Desmonte Ambiental Sob Jair Bolsonaro*. Rep. Jan 2021. Print.

interests — as well as action — greatly diverged, exposing several situations in which actors attempted to influence each other. During years when environmental topics were at the forefront of leaders' minds across the globe — albeit with different goals — analyzing how Brazilian environmental governance responded to global influence proves to be a rich subject of study. This chapter looks over instances of interaction between Brazil and foreign players, ultimately concluding that when interests are opposed the primary way of shaping national policy is through economic pressure.

The predominance of economic measures to shape policy, determined by the divergence of environmental interests between Brazil and the international community, makes it so that two types of influencing actors take center stage in this process: foreign national governments and private institutions. First, countries — along with the supranational institutions that represent them — became more forceful in guiding global environmental governance given their own national commitments as well as their position as the key economic players in the international arena. Because trade, investment, and economic relations as a whole are mostly dictated by countries, a scenario that relies heavily on economic mechanisms invariably leads to countries' protagonism. Specifically, it is European countries and the European Union who push conversations around global environmental policy at this moment, given the international political context in which the United States under President Trump mostly ignored multilateralism as well as environmentalism, and Europe's leaders used these issues as drivers of their foreign policy. Second, private actors, including multinational corporations and investors, also play a role in guiding global environmental efforts and attempting to influence Brazilian policy given their role within the global political economic system and their responsibility in creating the climate crisis. Large companies, banks, and investment funds have always been aware of political and ecological

consequences of their activities (even if they blatantly ignored them), but the climate in Brazil and around the world over the past four years has pushed them to act upon these considerations in order to limit their environmental impact. These private decisions have elicited a flurry of response from Brazilian actors, both private and public, as the intricate relationships between a range of economic institutions has been connected to environmental policy.

In simple terms, the scenario from 2018 to 2021 strays Brazilian actors from the environmental causes championed by global powers, with economic interests becoming a mechanism of influence and interaction between the two. This offers a compelling case study on the ways in which Brazil's environmental policy has become less "green" under its most recent presidential administration, and how global players have responded to that amid a scenario of ecological crisis. In order to highlight some of the key issues in the complex, long-standing interactions between Brazilian policymakers and international stakeholders, this chapter focuses on some key examples. First, it surveys the process started by President Temer and later championed by Bolsonaro to liberalize and dismantle the federal government's environmental policies, before analyzing key international responses to this new domestic landscape. They are: the controversies around the environmental provisions of the EU-MERCOSUR free-trade agreement; the range of new investment decisions, import restrictions, and oversight actions by private economic players; and the ways in which diplomatic relations between Brazil and its partners have been shaped by recent environmental issues.

### **Intentional dismantling of federal environmental governance**

One of the key issues surrounding the formation and enforcement of environmental governance in Brazil is its correlation with agricultural policy, as the agroindustrial lobby has

always held outsize influence within government. Even during the most environmentally friendly moments of the Lula administration, politicians had to strike a balance between economic and ecological concerns in Congress, as the former usually overruling the latter. This conflict of interests lost ground following Dilma Rousseff's impeachment in 2016, as Temer and later Bolsonaro promoted themselves as allies of the business class and decidedly resolved any qualms in favor of economic interests. The shift in priorities brought about as a result of the new administration resulted in a range of legislative and administrative changes to previous environmental policies, as the government strived to ease restrictions on all sorts of business activities. One of the first ways in which this new balance of power played out was through the initial approval of the MP 759 in a Congressional commission in December of 2016, which edited previous legislation on land use, agrarian reform, and regularization of land titles in protection areas.<sup>108</sup> The changes instituted a more lenient process to grant land titles to people who had illegally occupied state-owned protected forest areas in the Amazon, easing the requirements that restricted titles to families engaged in small-holding agriculture to include those who used land for mining or logging. Finally, the government also started reformulating the structure of the Environment Ministry (MMA) and replacing career environmentalists with political appointees, especially people with connections to the Federal Police.<sup>109</sup> While these changes were instituted during the Temer government, they make it clear that agricultural policy was the priority for the government as the environment took backstage — a scenario that would only worsen with Bolsonaro's election in 2018.

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<sup>108</sup> Mattei, Lauro. "A política agrária e os retrocessos do Governo Temer". *OKARA: Geografia em debate*, v.12, n.2, p. 293-307, 2018.

<sup>109</sup> *Ibid*

The restructuring of the federal environmental mechanisms was championed by Bolsonaro's environment minister, Ricardo Salles. His appointment marked a symbolic shift in the MMA both in terms of ideology and personnel, as the ministerial administration became composed of civilians and military personnel with little experience in the environmental arena but significant ties to industry and agriculture. There are three main ways in which the MMA under Salles contributed to weaker environmental governance and an increase in deforestation rates: a reduction in monitoring, the creation of conciliation alternatives, and an administrative change in the fining procedure.<sup>110</sup> Regarding the first matter, one of the key actions by the government to decrease auditing of illegal deforestation was a decrease in the budget of IBAMA, the agency responsible for monitoring land use in Brazil. The MMA budget overall decreased from R\$6,81 billion in 2013 to R\$3,64 billion in 2017, now to the proposed R\$1,72 for 2021, while the specific budget for combating wildfires and environmental monitoring in 2021 is 34% smaller than the amount allocated in 2019.<sup>111</sup> This incurs a loss of personnel and capacity to effectively monitor the entire national territory, pointing to a systematic effort to weaken auditing. It was not only IBAMA's budget that changed, but also its composition, as Salles oversaw a mass personnel replacement within the agency, filling it with ideologues with little environmental experience. Additionally, in May 2020 Bolsonaro issued an executive order mandating all auditing actions by the IBAMA in the Amazon to be coordinated by the Defense Ministry, institutionalizing military control over environmental actions.<sup>112</sup> The second change worth highlighting is the creation of conciliatory circles that allow for the resolution of deforestation actions without the payment of fines or even

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<sup>110</sup> Observatório Do Clima. *"Passando a Boiada", O Segundo Ano De Desmonte Ambiental Sob Jair Bolsonaro*. Rep. Jan 2021. Print.

<sup>111</sup> Menegassi, Duda. "Ministério do Meio Ambiente Tem Menor Orçamento Das últimas Duas Décadas." 09 Mar. 2021. Web. 17 Mar. 2021.

<sup>112</sup> Observatório Do Clima. *"Passando a Boiada", O Segundo Ano De Desmonte Ambiental Sob Jair Bolsonaro*. Rep. Jan 2021. Print.

any legal procedures. Before Bolsonaro and Salles, those found guilty of deforestation by the IBAMA were issued a fine and had to hire a lawyer to legally challenge this fine, but this process is no longer necessary. Under the new ruling, challenges can be made within the conciliatory circles, which make it easier for violators to escape any punishment and add more unnecessary bureaucratic work to the agency staff. Finally, the third administrative change in the fining process relates to the need for fines to be approved by a judge. Before, any career judicial officer could analyze these processes and authorize the fines, but under new guidance only special officers appointed by Salles have the power to decide on fines, which makes the process slower and often unfinished. These three measures allow us to attribute the high increase in deforestation rates in Brazil to intentional action by the Bolsonaro administration, as the government acts to undo federal enforcement mechanisms.<sup>113</sup>

One other area in which Bolsonaro has laid bare his commitment to protecting agribusiness interests over environmental ones is federal regulations on agriculture, including zoning and the use of pesticides. The liberalization of chemicals in agricultural production in particular has been one of the hallmarks of the government, which has approved since 2019 967 pesticide products — meaning that almost one third of all such products currently circulating in Brazil have been authorized under Bolsonaro.<sup>114</sup> Furthermore, the Agriculture Ministry issued a decree in 2020 changing the process for approving pesticides, restricting the time for consideration to 60 days and granting automatic approval after this deadline.<sup>115</sup> The measure was eventually struck down by a Supreme Court judge, but it showed the administration's commitment to the industry over the

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<sup>113</sup> Ibid.

<sup>114</sup> Grigori, Pedro. "Bolsonaro Bate O Próprio Recorde: 2020 é O Ano Com Maior Aprovação De Agrotóxicos Da História." *Repórter Brasil*. 18 Jan. 2021. Web. 17 Mar. 2021.

<sup>115</sup> Ibid.

interests of the population. The use of pesticides and other chemical products in agriculture poses not only a threat to the health of consumers but also a grave environmental risk since these products can contaminate soil and waterways. This is an especially important issue for the areas surrounding indigenous communities, who rely on the land for their survival and who are directly threatened by aggressive agribusiness practices. Overall, the government's commitment to making life easier for large agriculture leaves a deep mark in its environmental governance.

One final aspect of Bolsonaro's approach to environmental governance that is worth mentioning is his attempt to review guidelines around federal protection areas, both modifying the parameters surrounding what qualifies as an area of permanent protection (APP) and the regulations on land use in these areas. Since many of these regulations are enshrined in major legislation such as the 2008 Forest Code and in biome-specific legislation — which creates a regulatory landscape that is often confusing or contradictory — the government is able to influence policy by issuing guidelines to resolve these legislative conflicts. The actions usually occur through the MMA's council, the CONAMA, which in April of 2020 determined that deforestation that occurred in the Mata Atlântica forest before 2008 would be forgiven or be punished according to more lenient guidance. The government did so by establishing that deforestation cases within this biome should follow the Forest Code instead of the more strict Mata Atlântica Law, which would have considered any area within the biome under permanent protection.<sup>116</sup> Another high-profile case of government interference on protection land was the CONAMA guidance of September 2020 repealing the 2002 landmark resolution that set the national standard for APPs. In this instance, Salles argued for the repeal by justifying that guidelines on protected land were

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<sup>116</sup> Bragança, Danielle. "Salles Ignora Lei Da Mata Atlântica E Flexibiliza Proteção." *((o))eco*. 21 Apr. 2020. Web. 18 Mar. 2021.

already established by the Forest Code, which in reality set lower standards than the 2002 resolution. In reality, under this repeal coastal areas and mangroves would effectively lose APP status and be open for commercial development, amounting to enormous environmental degradation to important ecosystems.<sup>117</sup> Ultimately, the legality of the CONAMA repeal was challenged by federal prosecutors and did not go into effect, but its promulgation is proof of the government's commitment to dismantling federal protection standards.

The results of Bolsonaro and Salles' campaign to dismantle environmental protection in Brazil, briefly mentioned in the literature review, are clear: from 2019 to 2020 deforestation in the Amazon rose 25%, reaching historical heights.<sup>118</sup> These figures and the intense media coverage around them help shine light on the actual policies that have shocked the world. From land protection regulations to the application of fines, Bolsonaro and Salles' policies amount to a standard of environmental governance that is ideologically and practically different from that espoused by most countries around the world, and diametrically opposite to the ideal of environmental preservation defended by international ecologic standards. This means that when it comes to environmental management, Brazil stands virtually alone in its opposition to regulation — especially since Donald Trump's exit from office — which sets the country on a collision course with its global partners. In a moment when the international community recognizes the human and economic value of preserving the environment and even the most liberal economists defend regulations, Bolsonaro's singular denial of environmental control creates fractures in Brazil's foreign relations. As many countries purchase Brazilian commodities which contribute to

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<sup>117</sup> Andrade, Maria Aparecida U. De, and Fonseca, W. C.. "Brazil's Areas of Not-so-permanent Preservation." *Science*. American Association for the Advancement of Science, 11 Dec. 2020. Web. 18 Mar. 2021.

<sup>118</sup> Londoño, Ernesto, and Leticia Casado. "Under Pressure, Brazil's Bolsonaro Forced to Fight Deforestation." *The New York Times*. The New York Times, 01 Aug. 2020. Web. 22 Mar. 2021.

environmental degradation, Brazil's direct environmental policies become their indirect impact and serve as justification for foreign governments as well as private business partners to minimize or alter their stakes in this chain.

### **The EU-MERCOSUR Free Trade Agreement**

In June of 2019 the European Union and Mercosur — a trade block composed of Brazil, Argentina, Uruguay, and Paraguay — announced they had reached a deal to establish a free trade zone between the two groups, zeroing importation taxes on products and services that could impact their combined population of 780 million people. The deal, which was negotiated over a period of 20 years, would eliminate 91% of all taxes applied on trade from MERCOSUR to the EU and 92% of trade in the other direction, with a gradual implementation period of up until 2035.<sup>119</sup> Additionally, the agreement also prescribes import quotas for certain goods, including automobiles and agricultural products, in order to limit internal markets to extreme competition and protect national industries. While the free trade agreement was initially announced as a major achievement for governments on both sides of the Atlantic, it has come under fire from different sectors of society due to both its economic and environmental impact. Before being ratified, the deal still needs to be approved by the national parliaments of all 32 signatories as well as the European Parliament, incurring a long period in which the base text will be up for debate. Already it has suffered from fierce criticism by those worried about its economic and labor impact to national industries, although the bulk of concern surrounding the trade agreement surrounds its climate and ecological impact, with critics noting it would inevitably lead to more environmental degradation, particularly in Brazil.

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<sup>119</sup> Vaudano, Maxime. "Tout Comprendre à L'accord De Libre-échange Entre L'UE Et Le Mercosur." *Le Monde.fr*. Le Monde, 04 July 2019. Web. 18 Mar. 2021.

In order to dispel doubts about its environmental impact and inspire confidence that it will lead to sustainable trading practices, the agreement establishes a range of environmental actions, guidance, and mechanisms to be followed by both parties. These dispositions are enshrined in the text, as the agreement's fourteenth chapter is dedicated exclusively to Trade and Sustainable Development. One of the hallmarks of the deal is its provision that all signatories "reaffirms its commitments to promote and effectively implement multilateral environmental agreements" including the CITES Convention on Wildlife and the Paris Climate Agreement.<sup>120</sup> It affirms that parties should work together to reach the targets set by these agreements and be transparent in their progress towards implementation, effectively binding signatories to other agreements. Additionally, the EU-MERCOSUR deal includes articles regulating specific natural resources such as fisheries and forests, with language that prescribes actions to combat illegal logging and fishing.<sup>121</sup> It also applies certain EU laws to imported products, which forbid the commercialization of illegally-sourced timber and restricts the use of a range of pesticides and other chemical products.<sup>122</sup>

Another point of the agreement is its provisions on the operations of private companies, which commits them to promote sustainable corporate practices and adhere to international labor and environmental standards, by for example not sourcing meat from farms in recently deforested areas.<sup>123</sup> Finally, the agreement also provides some enforcement mechanisms for its environmental provisions, creating a specific dispute resolution mechanism for noncompliance with Chapter

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<sup>120</sup> "New EU-Mercosur trade agreement, The agreement in principle". *The European Commission*, Brussels, 1 July 2019.

<sup>121</sup> "EU-Mercosur Trade Agreement - Trade and Sustainable Development Factsheet." *The European Commission*, Brussels.

<sup>122</sup> *Ibid.*

<sup>123</sup> "Trade part of the EU-Mercosur Association Agreement Without Prejudice." *The European Commission*, Brussels, 1 July 2019.

Fourteen. The mechanism creates a Subcommittee on Trade and Sustainable Development as well as an independent panel of experts that can be requested to analyze claims and make recommendations in a process that must be public.<sup>124</sup> However, this dispute resolution mechanism fails to prescribe sanctions for actors found guilty of noncompliance, nor does it establish any form of enforcing recommendations once the agreement is ratified by all parties, meaning that these environmental commitments amount to little more than guidelines.

It is clear that one of the primary reasons why the agreement includes so many environmental provisions, and the main target of these resolutions, is Brazil. In the official factsheet about the agreement's focus on sustainable development issued by the European Commission, Brazil is the only country out of 32 signatories to be mentioned by name, as the document highlights how the deal would force Brazil to reduce emissions and halt deforestation.<sup>125</sup> The reasons why Brazil's involvement in a large-scale free trade agreement worries environmentalists are many, but chiefly among them are the fact that a boom in agricultural exports would invariably lead to higher production, which would in turn necessitate more extensive land use, particularly in threatened biomes such as the Amazon. An aggravating factor to this natural concern is Brazil's systemic lax enforcement of environmental protection and the notorious diffusion of illegal deforestation in the country. However, Bolsonaro's rise to the presidency and his staunch opposition to environmental regulation as well as recent well-publicized massive wildfires in the Amazon and the Pantanal have exacerbated pre-existing worries. One additional reason that raises concerns is the fact that Brazil has already breached several of the agreement's

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<sup>124</sup> "New EU-Mercosur trade agreement, The agreement in principle". *The European Commission*, Brussels, 28 July 2019.

<sup>125</sup> "EU-Mercosur Trade Agreement - Trade and Sustainable Development Factsheet." *The European Commission*, Brussels.

terms, including its failure to meet its own targets under the Paris Agreement.<sup>126</sup> Overall, these issues prove why the long and intricate environmental provisions of the agreement relate specifically to Brazil and demonstrate why the country is at the center of the controversy surrounding the deal's approval. While some actors defend the agreement by claiming its many provisions will force the Brazilian government to strengthen its environmental actions, others point to the deal's stimulus of agribusiness and its lack of an enforcement mechanism to argue that it will actually worsen Brazil's environmental impact. Regardless of position, though, it is clear that the EU-MERCOSUR agreement has been instrumentalized by many foreign actors so as to define Brazilian environmental action.

European leaders' response to the deal has varied greatly, with some predominant voices strongly opposing it on the grounds of environmental protection given Brazil's track record and current policymaking trends. The strategy behind this opposition movement basically hangs the potential ratification of the agreement exclusively on Bolsonaro's willingness to bolster environmental protections, hoping that the economic benefits from the deal and the diplomatic pressure applied on Brazil will be enough to alter the government's actions. This movement also started as soon as the deal was announced, with president Macron of France threatening to block the agreement during a G7 conference in August 2019.<sup>127</sup> Although Macron was initially the most vocal skeptic voice on the deal, other European countries shared his view, as Ireland and Slovakia both expressed concerns on the agreement's environmental impact and Angela Merkel's spokesperson said it was unlikely it could be approved "given current developments and the

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<sup>126</sup> Deutsche Welle. "Ex-potência Climática, Brasil Se Afasta Cada Vez Mais De Metas Do Acordo De Paris: DW: 12.12.2020." *DW.COM*. Web. 18 Mar. 2021.

<sup>127</sup> Medrado, Bárbara. "President Macron Threatens to Block EU-Mercosur Deal Over Brazil's Failure to Address Amazon Fires." *JD Supra*. 26 Sept. 2019. Web. 19 Mar. 2021.

terrible loss of forests.”<sup>128</sup><sup>129</sup> This wave of opposition is also fueled by activist and academic pressure; one French study in particular concluded that the deal’s ratification would lead to a 25% increase in deforestation in the Amazon, helping establish a consensus around its environmentally negative impact.<sup>130</sup> Mistrust in the Brazilian government is so ingrained in Europe that EU executive vice-president Valdis Dombrovskis said that “unless we re-establish trust in the Brazilian government on that point, it’s going to be very difficult to move forward.”<sup>131</sup> Furthermore, it is not only European countries that have pressured Bolsonaro on environmental issues in order to push for the deal, as other MERCOSUR countries have joined in on calls for Brazil to enhance protections. The trade deal has been a topic of discussion during every meeting of the block since its announcement, with diplomatic officials from the other three countries making it clear that the responsibility for non-ratification lies with Brazil. Overall, European and South American officials have established bilateral talks with Brazilians to secure compromises on environmental action that would lead to the deal’s approval, although the threat of non-ratification is by itself the biggest leverage that countries have to impact Bolsonaro’s policies.

So far, however, all this international pressure has done little to change environmental governance in Brazil. Bolsonaro has responded to the criticism and skepticism related to the EU agreement with hostility, calling out European leaders’ hesitancy as a hypocritical and unfounded attempt to delegitimize his government.<sup>132</sup> He and his officials have pointed out that most of Brazil’s lands are protected and that the country has one of the cleanest energy matrices in the

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<sup>128</sup> Ibid.

<sup>129</sup> Reay, David. "Business Puts Pressure on Merkel to Back Controversial EU-Mercosur Pact." *Clean Energy Wire*. 25 Aug. 2020. Web. 19 Mar. 2021.

<sup>130</sup> Gotev, Georgi. "'Distrust' of Brazil Stalling EU-Mercosur Trade Deal: Official." *Www.euractiv.com*. EURACTIV.com, 14 Dec. 2020. Web. 19 Mar. 2021.

<sup>131</sup> Ibid.

<sup>132</sup> Passarinho, Nathalia. "Acordo Mercosul-UE: Bolsonaro Critica 'psicose Ambientalista' E Diz Que 'no Momento' Brasil Está No Acordo De Paris." *BBC News Brasil*. BBC, 28 June 2019. Web. 20 Mar. 2021.

world — which are true facts — to justify that there is no need for concern around the deal's impact on the environment.<sup>133</sup> In reality, the government's main response to the pressure has been a mix of feeble attempts to downplay critics as extremist and convince them that Brazil is already doing enough with very few actual changes to his proposed environmental agenda. For example, Bolsonaro held bilateral meetings with President Macron and Chancellor Merkel during the 2019 G20 conference where he defended Brazil's commitments to the environment to the Europeans. Similarly, in 2020 he led a delegation of European officials on a trip to the Amazon where he showed them the federal government's efforts to combat deforestation, but did not pledge to do anything more than has already been done.<sup>134</sup> On the other hand, following massive global and domestic outcry over the wildfires raging in the Amazon in 2019, he increased the number of workers dedicated to combating them and created a permanent body of 3,600 armed forces personnel dedicated to aiding in monitoring and combating threats to the rainforest.<sup>135</sup> This amounted to an improvement of his previous position regarding fire protection even if this action cannot be attributed solely to international pressure.

One significant national change that took place in response to the EU-MERCOSUR deal however was its impact on the conversations around climate change within Congress, which was a lot more responsive to the possibility of the deal's non-ratification than the government. Eurodeputies sent a letter to Brazilian legislators in June 2020 urging them to increase environmental safeguards and calling out some legislative proposals that they found harmful to the environment. While the proposal at hand — which would regularize mining in protected lands

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<sup>133</sup> Ibid.

<sup>134</sup> Ibid.

<sup>135</sup> Londoño, Ernesto, and Leticia Casado. "Under Pressure, Brazil's Bolsonaro Forced to Fight Deforestation." *The New York Times*. The New York Times, 01 Aug. 2020. Web. 22 Mar. 2021.

— has not been voted on, some Congresspeople have expressed that Europe's focus on it raises the stakes and makes it more likely that the measure will not pass.<sup>136</sup> Overall, though, it is fair to say that the actual impact of Europe's hanging the EU-MERCOSUR trade deal on the balance has been limited in regards to the Brazilian government's handling of environmental matters, outside of making sure the conversation is at the center of national interest. This by itself is a significant achievement, though, since without the constant reminders of the potential harmful economic impacts of Bolsonaro's policies and Brazil's constant positioning as an international pariah, there would be less pressure on lawmakers and government officials to change policy.

Additionally, there is still the possibility that if passed, the agreement will ensure that Brazil redoubles its environmental efforts – especially if the original text is reformulated to include stronger enforcement mechanisms, which seems likely given EU officials' commitment to upgrading the deal. The European demands being currently renegotiated and included in a new version of the deal focus on three main points: curbing deforestation, ensuring compliance with the Paris Agreement, and applying EU sanitary and environmental restrictions to imported products. In order to enshrine these ideals in the new text, some of the proposed changes include a consideration of the European Commission's ban on "imported deforestation", an establishment of moratoriums on sugarcane and soybean production in the Amazon, and the creation of an independent regulatory body to monitor and enforce instances of environmental noncompliance.<sup>137</sup> A second attempt at reformulating the agreement was proposed by a group of Brazilian civil society organizations, which includes measures mandating the reporting of commitments around

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<sup>136</sup> Pontes, Nadia. "Eurodeputados Pedem Ação Do Congresso Brasileiro Para Proteger a Amazônia: DW: 19.06.2020." *Deutsche Welle*. 19 June 2020. Web. 20 Mar. 2021.

<sup>137</sup> "França Reitera Exigências Para Suspende Veto Ao Acordo UE-Mercosul: DW: 03.02.2021." *DW.COM*. 03 Feb. 2021. Web. 19 Mar. 2021.

emissions reductions and deforestation as well as a stronger enforcement power shared by the two blocks.<sup>138</sup> If incorporated, these two proposals would ensure that the deal's power to shape Brazilian environmental governance would be greatly enhanced. As it stands, though, the agreement's lack of mechanisms to enforce its environmental commitments means that its main power lies in the threat of its non-implementation rather than the provisions included in it — and even so this has proved to have limited effect in influencing Bolsonaro.

### **Private business and investment as mechanisms of international pressure**

Another way concerned international actors have found to influence environmental impact in Brazil has been to sidestep the government entirely, focusing on the private actors that actually engage in environmentally harmful activities. Several international corporations and investors have come to recognize their responsibility in much of the environmental harm that happens in Brazil — including deforestation linked to agricultural and mining activities — given their role in funding and buying products from the companies that are directly responsible for these actions. As such, multinational corporations and institutional investors — notably from Europe and North America — have taken significant steps in the last few years to increase their oversight of environmentally harmful activities in Brazil and instituted policies that exclude or limit dealings with actors found to be involved in environmental degradation.<sup>139</sup> The criteria for excluding an actor and the commitment to this exclusion, as well as the methods in which this takes place, vary greatly from corporation to corporation, but the message sent to Brazilian private actors is clear: foreign firms do not want stakes in highly unsustainable business. While these interactions occur

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<sup>138</sup> Neher, Clarissa. ""Se Acordo UE-Mercosul Fosse Bom, Desmatamento Já Teria Caído": DW: 18.02.2021." *Deutsche Welle*. 18 Feb. 2021. Web. 20 Mar. 2021.

<sup>139</sup> Sørensen, O.B. and Pfeifer, S. (2011), Climate change issues in fund investment practices. *International Social Security Review*, 64: 57-71. <https://doi.org/10.1111/j.1468-246X.2011.01411.x>

primarily between private economic entities, they can affect environmental governance as a whole by changing the incentive structure that leads to environmental harm in the first place. This is because literature has proven that strict environmental standards in procurement and investment practices by large global economic players does lead to better environmental outcomes in their target region.<sup>140</sup>

While environmental considerations within business decisions have existed for decades, in the past years they have become more strict, intentional, and wide-ranging at the same time that they have targeted Brazil more directly. One of the primary examples of this type of practice happened in September 2019, when two hundred and thirty institutional investors from around the world, representing over US \$16 trillion in assets under management, signed a letter strongly condemning the environmental degradation in the Amazon and warning companies that failing to meet strict supply chain deforestation commitments would incur economic consequences.<sup>141</sup> In a similar vein, a group of seven major European asset managers warned in June 2020 that they would divest from Brazilian beef, grain, and government bonds if the government did not increase protection of the rainforest.<sup>142</sup> Both of these statements expressed concern over the government's poor handling of the environmental crisis and its unwillingness to enforce safeguards against illegal activity in the Amazon as well as over private companies' unsustainable sourcing practices and noncompliance with environmental standards. While these are significant warnings by major players, real divestment has also occurred in recent years. For example, in July 2020 Nordea, a major European asset management company, announced that it would completely divest from

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<sup>140</sup> Ibid.

<sup>141</sup> Branford, Sue. "Prompted by Amazon Fires, 230 Investors Warn Firms Linked to Deforestation." *Mongabay Environmental News*. 01 Oct. 2019. Web. 22 Mar. 2021.

<sup>142</sup> Spring, Jake. "Exclusive: European Investors Threaten Brazil Divestment over Deforestation." *Reuters*. Thomson Reuters, 19 June 2020. Web. 22 Mar. 2021.

Brazilian meatpacker JBS, one of the world's largest players in the meat industry.<sup>143</sup> According to the investment firm, one of the reasons for this decision was the continued allegations that JBS contributed to deforestation in the Amazon by purchasing cattle from illegal ranchers, a telling sign of the escalating economic consequences of unsustainability.

On top of investment and divestment decisions, global business leaders have started utilizing trade agreements and import orders as ways to distance themselves from environmental degradation in Brazil. This trend, pushed in part by consumer consciousness mostly in Europe and North America, means that large multinational corporations have been rethinking their purchase of Brazilian goods linked to deforestation, increasing international economic pressure on Brazil's private sector. The links between climate awareness, consumer preferences and company action are striking; for example, in 2019, VF Corporation, a major US-based apparel company that owns multiple international brands, announced it had completely stopped buying leather from Brazilian suppliers following intense pressure from consumers.<sup>144</sup> Such decisions have become more common recently, with the French government announcing in December 2020 intentions to greatly reduce the amount of soy and other soybean products purchased from Brazil, citing concerns over "importing deforestation".<sup>145</sup> This decision underscores how international business dealings often blur the lines between private and public actors, as the decisions made by the French government must be carried out by private corporations, which affects both the public and private domains in Brazil. Ultimately, rhetoric around halting purchasing products from Brazilian companies has

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<sup>143</sup> Holger, Dieter, and Paulo Trevisani. "Nordea Asset Management Drops JBS Over Deforestation, Corruption, Worker Health." *The Wall Street Journal*. Dow Jones & Company, 28 July 2020. Web. 22 Mar. 2021.

<sup>144</sup> Branford, Sue. "Prompted by Amazon Fires, 230 Investors Warn Firms Linked to Deforestation." *Mongabay Environmental News*. 01 Oct. 2019. Web. 22 Mar. 2021.

<sup>145</sup> Gonzalez, Jenny. "As Amazon Deforestation Hits 12 Year High, France Rejects Brazilian Soy." *Mongabay Environmental News*. 04 Dec. 2020. Web. 22 Mar. 2021.

increased and actions on this are now becoming more common, fueling a very real fear by Brazilian politicians and businessmen that a massive boycott movement will happen.<sup>146</sup>

While divestment and purchasing policies target mostly private actors within Brazil, foreign economic actors manage to influence environmental governance as a whole since their economic choices impact political will at the federal level. First, global companies have attempted to express their concerns over environmental management directly to the Brazilian government. In 2020 for example a group of twenty-nine European investment companies sent a letter to Brazil's Ambassadors in five EU countries as well as the US and the UK, warning that the dismantling of environmental safeguards in the country create an unattractive scenario for investment, and mentioning the proposed legislation that would grant land titles to illegal developers in the Amazon as a worrying sign.<sup>147</sup> The influence of foreign commerce within the political level happens not only directly, as in this case, but mostly indirectly, by shaping the preferences of national actors. Responding to pressure from abroad, Brazil's three largest banks announced a joint commitment to fund sustainable development projects, while a group of former finance ministers issued a statement arguing that the country's economic future depended on containing deforestation, ending fuel subsidies, and investing in green technology.<sup>148</sup> Overall, this scenario shows how economic decisions made abroad change not only the actions of Brazilian companies but also impact the preferences of society and particularly the agricultural lobby, which in turn shape federal environmental governance.

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<sup>146</sup> Ibid.

<sup>147</sup> Biller, David. "Investors Warn Brazil Ambassadors about Amazon Deforestation." *AP NEWS*. Associated Press, 23 June 2020. Web. 22 Mar. 2021.

<sup>148</sup> Londoño, Ernesto, and Leticia Casado. "Under Pressure, Brazil's Bolsonaro Forced to Fight Deforestation." *The New York Times*. The New York Times, 01 Aug. 2020. Web. 22 Mar. 2021.

## **Green diplomacy: what comes next for Brazil?**

Despite the recent trend to use economic measures to counter and direct the Brazilian government's environmental actions, there is still significant support for countries and other actors to pursue diplomatic avenues, as well as engage in relationships that mix diplomatic and economic incentives. This much is clear from the predominance of climate- and environment-related topics in Brazil's conversations within international arenas as well as in its bilateral talks to other nations. Two instances help illustrate how much Brazil's foreign relations now depend on its environmental governance. During the 2020 United Nations General Assembly, Bolsonaro dedicated a majority of his speech to defend Brazil's environmental track record, acknowledging the role negative media coverage has played in determining the country's foreign relations, but referring to this phenomenon as fake news.<sup>149</sup> He also repeated claims that most of the energy generated in Brazil comes from renewable sources and shrugged off criticism around the country's climate goals. Speaking from a different perspective, President Biden made several claims in early 2021 expressing concern over Bolsonaro's handling of deforestation, wildfires, and indigenous rights, saying that all interactions between the US and Brazil would be considered under an environmental lens.<sup>150</sup> These examples show just how impactful global conversations around Brazil's environmental mismanagement have been, and the diplomatic importance these considerations have taken.

One of the main consequences of how climate diplomacy has been detrimental to Brazil's interests has been the likely failure in the country's application to join the Organization for

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<sup>149</sup> "Em Discurso Na ONU, Jair Bolsonaro Pedu Combate à "crisofobia" | ONU News." *United Nations*. United Nations, 22 Sept. 2020. Web. 22 Mar. 2021.

<sup>150</sup> "Joe Biden and Jair Bolsonaro Square off over the Amazon." *The Economist*. The Economist Newspaper, 20 Mar. 2021. Web. 22 Mar. 2021.

Economic Cooperation and Development (OECD). Brazil formally expressed interest in becoming a member of the OECD in 2017, triggering a long review process on a range of economic, political, social and environmental factors to assess its entry into the developed-country group. Recently though, negotiations have stalled over concern about Brazil's capacity to implement environmental safeguards and halt deforestation, which the OECD claims decreases confidence in the country's economic outlook.<sup>151</sup> This concern prompted the group to cancel a planned discussion to consider Brazil's application of membership, a move that undoubtedly raises questions about the country's standing in international arenas. Further evidence of the decreasing international confidence in Brazil — and especially its treatment of environmental matters — is the changing landscape of donations to programs dedicated to protecting the Amazon. In 2019, the governments of Norway and Germany responded to rising deforestation indicators in Brazil by freezing their donations to the Amazon Fund, a scheme set up by the Brazilian government in 2008 to funnel international donations to fund sustainability projects in the rainforest.<sup>152</sup> Both countries halted their annual contributions, which totaled over US \$70 million, arguing that the money would not be well spent by the government, prompting a diplomatic crisis between them and Brazil. Meanwhile, the Inter-American Development Bank set up a fund to direct money to sustainable development projects in countries that harbor the Amazon, betting on developed countries preferring to give their donation dollars to a more trusted source than the Brazilian government.<sup>153</sup>

This diplomatic scenario, as well as the aforementioned economic considerations, shows how states and their representatives have taken a more active role in addressing Brazil's

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<sup>151</sup> Freelon, Kiratiana. "Environmental Risk of The Bolsonaro Government Halts Brazil's Entry into The OECD." *Folha De S.Paulo*. 08 Feb. 2021. Web. 22 Mar. 2021.

<sup>152</sup> Karagiannopoulos, Lefteris. "Norway Stops Amazon Fund Contribution in Dispute with Brazil." *Reuters*. Thomson Reuters, 15 Aug. 2019. Web. 22 Mar. 2021.

<sup>153</sup> Griffin, Olivier. "New IDB Fund to Protect Amazon May Receive up to \$1 Billion in Donations." *Reuters*. Thomson Reuters, 18 Mar. 2021. Web. 22 Mar. 2021.

environmental policies since 2016, and especially after 2019. By looking at the international response to the rollback of environmental norms, the rise in deforestation and wildfires, and Bolsonaro's anti-conservation rhetoric, this chapter makes it clear that it is not only foreign governments that have attempted to pressure Brazil into changing course, but also private economic actors. The hesitancy to approve the EU-MERCOSUR trade deal demonstrates how European leaders mistrust Brazil's environmental governance, while the investment and procurement decisions that have led multinational corporations to distance themselves from Brazilian products underscores how international audiences now see Brazil as inherently unsustainable. Finally, the predominance of environmental topics in Brazilian diplomatic dealings causes the country to be regarded as an international pariah. All of these examples illustrate how under recent years international actors have instrumentalized economic relations to pressure Brazil into enforcing more strict environmental safeguards. This has happened and continues to happen by conditioning economic benefits — such as the EU trade agreement or OECD membership — on improvement of environmental standards. Actors also employ cautionary and punitive measures such as the threatening — and sometimes implementation — of divestment and boycotts of Brazilian assets. Additionally, international actor's linking of economic and environmental policies has shaped domestic matters in Brazil, increasing the stakes of national sustainability debates, forcing private firms to adopt more sustainable practices, and pushing the preferences of economic actors within the country towards a greener direction.

Given the fact that these trends and events have taken place within the last five years, it is still too early to accurately determine how they will impact Brazilian environmental governance in the long term. The years this case study analyzes are remarkable for many reasons, one of which being just how far the goals of domestic and international actors strayed, as Bolsonaro stands

opposite from the global rhetorical consensus of sustainable development. The Brazilian government's political and ideological commitment to economic development and independent decision-making above all else means that almost no actions, from domestic or international players, could have made Bolsonaro drastically change course. Regardless, the involvement of foreign governments and corporations has so far achieved modest successes in improving Brazilian environmental policy. Modest examples of this success include the delay in approving legislation that would legitimize illegal occupation in the Amazon as well as the upgrade of initiatives to combat deforestation and wildfires.<sup>154</sup> More so than changing the course of the Brazilian government, the actions of international players have been instrumental in shaping the decisions and preferences of the private actors that actually cause environmental degradation. It is clear that the alignment of economic and environmental interests has created a type of voluntary coercion that has been instrumental in achieving these goals, becoming a key mechanism to exert influence over policy in an incredibly short time frame.

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<sup>154</sup> Londoño, Ernesto, and Leticia Casado. "Under Pressure, Brazil's Bolsonaro Forced to Fight Deforestation." *The New York Times*. The New York Times, 01 Aug. 2020. Web. 22 Mar. 2021.

## Conclusion

"Is the Amazon still on fire?" This question was not only one of the top-searched inquiries on Google in 2019, but also the guiding force behind a number of global initiatives to check on Brazil's environmental health recently.<sup>155</sup> Two years after Bolsonaro's inauguration, the world is paying more attention today to what happens in Brazil's forests than at any point before. There are two main reasons why international concern is still rising: the growing visibility of large-scale environmental-related disasters and the mounting interconnectedness of the global economy, as countries become more conscious of their role in funding deforestation abroad. The media maintains an important role in keeping this issue relevant, as reports on both the environmental challenges in Brazil and on how global leaders are responding to them continue to be published in major outlets. Even though Brazilian environmental governance has held global relevance for decades, the events of recent years show that it is now — and will continue to be for the foreseeable future — on the very top of the international agenda.

This thesis has investigated key developments in Brazilian environmental policymaking over the past two decades and their relation to international events, surveying both how these policies were a result of global trends and how foreign actors have responded to them. My analysis, focused on two representative case studies, first studied the key moments and actions in the formation of environmental policy in each case. It tracked how Lula partnered the government with civil society organizations to professionalize and expand the reach of federal environmental agencies, as well as how Bolsonaro did quite the opposite, restricting funding and personnel to these very agencies in an attempt to ease environmental safeguards nationwide.

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<sup>155</sup> Google, *Google Trends 2019*. Web. 22 Mar. 2021.

While both case studies analyzed the connections between national policies and international actors and events, the main focus of this analysis different somewhat between the two. In the first one, my main objective was to trace how Lula's policies were — at least partially — a consequence of international events, or indirectly influenced by international actors. This chapter saw how the global effort to define sustainable development as a tripartite concept including economic, social, and environmental aspects contributed to Brazil's interpretation of environmental action. It also saw how civil society played a greater role in shaping Lula's policies, which created opportunity for knowledge-sharing between domestic and foreign institutions that in turn influenced governmental action. If the first case study focused on how international forces indirectly contributed to Brazilian governance, the second one flipped the narrative, focusing on how domestic environmental policies since 2016 elicited a direct response from international actors. This chapter discussed some of the key instances in which foreign interests have tried to change the course of policies within Brazil, the most significant of which being the major free trade agreement signed between the EU and MERCOSUR. On top of the environmental constraints in the deal and the threat of non-ratification, the chapter also covers attempts by multinational corporations and institutional investors to stop fueling money into unsustainable economic activities in Brazil.

The two case studies share many similar aspects, as they both attest to the difficulties of international forces in shaping national policies given the lack of enforcement mechanisms in many of the instruments favored by the international community, such as climate agreements and trade deals. They also serve as evidence to the fact that environmental policy in Brazil is ultimately created in a top-down approach by the federal government, meaning that whoever holds the presidency has far-reaching power in shaping environmental governance. Despite the existence of

competent federal and state bureaucracies and many environmental agencies that act throughout the country, the government still holds sway in deciding what actions they should take and how this should be done. Therefore, the ideological current of the government matters a great deal in setting priorities and defining policy, which in turn determines how the world will respond to them. Overall, though, the greatest lesson that both chapters give concerns the difficulty in aligning national and international priorities, even if they have similar goals. Both Lula and Bolsonaro defended a sovereign approach to governance that emphasized the role of the federal government in setting policies, which underscored the preexisting complications in incorporating decisions made in the international level to national mechanisms. Signing a treaty or agreeing to reduce deforestation can only be translated into actions through intricate administrative and legislative processes that take an incredible amount of time and effort by national actors to come to fruition. Perhaps the biggest lesson of these studies is that regardless of how invested foreign players can be in Brazilian policies, they are still entirely dependent on national actors to carry them out.

Even if the case studies offer some similar conclusions, they differ significantly in some key aspects. First, their temporal aspect is widely different, as the Lula case focuses on a long process of actions that played out over years to influence action that happened almost two decades ago, while the events pertaining to Bolsonaro's case are both shorter and more recent. This means that there are far more academic sources covering the events of the early 2000's, which, along with the time passed, allows for a more comprehensive analysis of the real outcomes of those policies. In comparison, environmental policy since 2016 has been intensely covered by the media, but since these events are still ongoing, by and large there has not been enough time to see systemic consequences of these policies or reactions to them. Second, the type of relationship analyzed between the international and national actors is slightly different in the two case studies. The first

case pertains to long-term, passive influence in which international actors created the standards and expectations of Brazilian policy, which were then put in place by the Lula administration in partnership with domestic nongovernmental institutions. This is an instance of normative influence, whose goal is to push national actors in a direction that they were already moving towards, given the growing concern for environmental matters in Brazil even before Lula. The second case, though, offers a perspective on short-term, coercive influence — or rather attempts to influence — where global leaders actively tried to change the very nature of Brazilian environmental governance. Given the complete divergence of priorities between Brazil and international players in this case, the type of influence analyzed is a lot more immediate and active, whose main objective is to change the status quo. These differences highlight how the way in which influence crosses borders depends on its goal, i.e. on whether it aims to invigorate existing trends or completely reverse them.

It is important to note that while this thesis focused on intentional action by international players, inaction can be equally as important. Some of the most prominent actors who have influenced Brazilian environmental governance or at least responded to it have included international organizations such as the UN as well as some countries and their institutions, most of which being in Europe. Most rich countries, especially those with significant economic ties to Brazil, have in some way attempted to influence Brazil's environmental administration or made some sort of announcement in response to Bolsonaro, with one notable exception: China. Even though China is Brazil's largest trade partner and the biggest buyer of Brazilian soybean, neither its government nor its companies have attempted to do what their European counterparts have done

and enforce stricter environmental safeguards.<sup>156</sup> The absence of Chinese pressure allows Brazilian corporations and government officials significant leeway in creating and enforcing environmental protections, which underscored the importance of collective action in the international sphere. It is possible to affirm that one of the limitations of global attempts to pressure Brazil on environmental matters has been their one-sidedness, meaning that efforts involving all of the country's partners would have been more successful than efforts led by a handful of actors.

In researching the particularities of how international actors shape and respond to domestic policies, this thesis offers insight into topics far wider than environmental protection. Its main conclusions are two: first, that the interests of both parties matter, given that the relatively more arduous task of completely altering domestic policy often requires coercive measures, and second, that the national actor matters, given that the structuring and implementation of policies is almost entirely under its prerogative. Both of these statements help to shed light on many instances of cross-border influence that are also relevant today, such as the protection of human rights and minority groups as well as the respect of democratic norms. Matters of social, political, and environmental importance increasingly determine the foreign relations between countries, especially as they influence economic considerations. Therefore, understanding how internal environmental issues affect Brazil's global standing, and how international players can leverage their position to push for greener policies in Brazil, sheds light on the very nature of international relations. Given the current debate around what countries can and should do to align other state's actions to global norms, this thesis shows that international influence can have a positive impact,

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<sup>156</sup> The Brazilian Report. "Pandemic Makes Brazil Even More Reliant on China." *Wilson Center*. 4 Sept. 2020. Web. 26 Mar. 2021.

so long as it either builds an environment where the desired behavior is expected or utilizes economic means to force this behavior.

Finally, this thesis also offers important policy implications for Brazil and its global partners. On the matter of environmental policy, it suggests that the key issue in ensuring that environmental protections are respected lies not in funding or legislation, as it has often been argued, but rather on the commitment of the national government. The Bolsonaro administration is proof that commitment to enforce existing legislation, implement programs, and apply force — i.e. acting on policies — can be far more consequential than the written-down policies themselves. Despite many attempts and some successes to alter environmental legislation and enact new liberalizations, as well as a decidedly sharp decline in funding for agencies, his government did not do much to alter the legislative and institutional basis of environmental governance. Instead, it was the rhetoric of government officials and their hesitancy to enforce rules that sent a clear message to perpetrators of environmental crimes. That does not mean to say that laws or policies do not matter, as they provide the basic understanding of which actions should or should not take place, but rather that the crux of the matter lies in the government's commitment to enforcing them.

If international actors are to influence policy enforceability rather than policy itself, there are a number of considerations they should consider. This thesis analyzed the mechanisms and instruments in which countries and private actors exert their influence, finding that the most efficient in ensuring actual sustainable action are ones that involve economic considerations. Making investment and purchasing decisions contingent on strict environmental standards has had a positive impact on the actions of the actors responsible for degradation in Brazil, while other instruments have seen less encouraging results. International agreements — both on trade and on the environment — are often unbinding and leave implementation up to the signatories, meaning

that their lack of an enforcement mechanism is a major obstacle in aligning commitments, policies, and actions. Institutional influence, by creating and sharing knowledge as well as setting expected standards for action, can also be effective in shaping environmental action although it requires a longer time frame than other mechanisms.

Ultimately, the environment is one of many areas in which national actions have global implications. As Brazil continues to become more integrated in the international economy, its actions on the environment will only rise in relevance, as the recent surge in public interest on the topic suggests. Additionally, even if Bolsonaro made it impossible to ignore Brazilian environmental governance, the issues that underpin environmental inaction and mismanagement in the country transcend political affiliation and time period. The structuring of environmental policy in Brazil under Lula and Bolsonaro sheds light on the key role of civil society, the third sector, and the political establishment to ensure that proper environmental protection is enforced, and how international action has a crucial role in making the world more sustainable.

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