



FORESTS AND PARADIPLMACY

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ABSTRACT

This article seeks to analyze the challenges associated to the preservation of forests and the actions of subnational governments through paradiplomacy. Forests are intricately linked to the conservation and use of biodiversity and climate change. Deforestation, fires, and land use have repercussions within and outside national borders and in the relations among States. This topic is of great importance and sensitivity to Brazil, especially in the Amazon. Multilateral organizations play an important role in the discussions and in the coordination of efforts. Paradiplomacy is a valuable instrument to enable subnational governments to increase international cooperation, raise financing for sustainability projects, and attract investments. The effectiveness of public policies creates opportunities to inhibit predatory practices and gain support for the sustainability agenda, with positive influences in governmental discourse and in the image of the State/Province, the Municipality and Brazil.

Keywords: Forest Preservation; Subnational Governments; Amazon Region; Paradiplomacy; International Cooperation; Sustainability Agenda; Public Policies; Governmental Discourse; Image.

FLORESTAS E PARADIPLMACIA

RESUMO

O presente artigo pretende analisar os desafios associados à preservação das florestas e à atuação dos governos subnacionais por meio da paradiplomacia. As florestas têm vinculação intrínseca com a conservação e o uso da biodiversidade e a mudança do clima; o desmatamento, as queimadas e os usos da terra reduzem a cobertura florestal, diminuem a biodiversidade e incrementam as emissões de gases de efeito estufa, com repercussões dentro e fora das fronteiras nacionais e nas relações entre os Estados. O tema tem grande importância e sensibilidade para o Brasil, sobretudo na Amazônia. As organizações multilaterais desempenham papel importante na discussão e na coordenação de esforços. A paradiplomacia é ferramenta valiosa para os governos subnacionais incrementarem a cooperação internacional, aumentarem financiamentos a projetos de sustentabilidade e



atraírem investimentos. A eficácia das políticas públicas abre oportunidades para coibir práticas predatórias e lograr apoios em favor da agenda de sustentabilidade, com influências positivas no discurso governamental e na imagem do Estado/Província, do Município e do País.

Palavras-chave: Preservação Das Florestas; Governos Subnacionais; Amazônia; Paradiplomacia; Cooperação Internacional; Agenda De Sustentabilidade; Políticas Públicas; Discurso Governamental; Imagem.

1 INTRODUCTION

The United Nations Conference on Environment and Development (UNCED), held in Rio de Janeiro in 1992, opened a new chapter in the treatment of environmental and development issues. The structured approach throughout the preparatory process — and agreed upon by consensus at the Conference — went beyond the diagnosis: it also included the notion that sustainability requires a combination of technical analysis and solutions, mobilization of different actors and political determination. Uniting knowledge and action is an essential condition for the decisions adopted to make sense on the ground and in the communities and nations involved, as stated in Principle 10 of the Rio Declaration on Environment and Development:

Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. [...]

The program of action – Agenda 21 – approved by consensus by the Conference highlighted the importance of implementing actions at different levels of governance: “[...]. Enabling actions will be necessary at the national and international levels taking full account of regional and subregional conditions to support a locally driven and country-specific approach.” (Paragraph 3.5). The commitment to sustainability goes beyond the national States, recognized as subjects of international law, to include other actors, like local community groups that should be empowered “[...] through the principle of delegating authority, accountability and resources to the



most appropriate level to ensure that the program will be geographically and ecologically specific; [...]”. (Paragraph 3.5.a)

The sections of Agenda 21 thus emphasize that the great transformation sought by the negotiators and the more than one hundred Heads of State and Government who attended the Rio Conference should be translated into initiatives, programs, projects, and objectives at the various levels of public administration. And the latter should rely on civil society as an instrument for raising awareness and mobilizing citizenship.

The national state was preserved as the central actor in international relations and as an essential part of the international decision-making process. At the same time, public opinion support to the imperative of pursuing the adoption of sustainable production and consumption patterns has led to the acceptance of a dimension of value in environment preservation. The understanding that promoting sustainable development would require mobilization of various social and political agents has led to the understanding that global measures would have to rely on the involvement of subnational actors for their effective implementation.

The global nature of environmental hazards and the recognition, also by the Rio Declaration, of the right to development (Principles 3 and 4), together with the enshrinement of the principle of common but differentiated responsibilities (Principle 7) and of the interdependence and indivisibility of peace, development and environmental protection led to a cross-sectoral view of the major challenges posed by the environmental protection agendas and by the qualitative change in policies to enhance economic development, with emphasis on poverty eradication.

Three areas were highlighted in the Conference, without prejudice to the treatment of others: climate change, conservation and sustainable use of biological diversity, and protecting forests and combating deforestation and forest fires. The latter was addressed in the Declaration of Principles on Forests¹ and in a specific section of Agenda 21.2

The importance of climate change and the conservation and sustainable use of biological diversity, consolidated in the conventions adopted on these issues, during

¹ Formally known as “Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests”.

² Section II: Conservation and Management of Development Resources.



the Rio Conference on Environment and Development in 1992, has also put forest protection and combating deforestation, illegal logging, timber smuggling and forest fires at the center of the global agenda for the past thirty years.

Historically, forests have been considered an economic resource with multiple uses since the beginning of human life on Earth. Thanks to the use of wood, for example, it has been possible to improve the quality of human life and reach unknown places inhabited by other civilizations. Forests were, therefore, a central resource in the stabilization of human life and were critical in the development of a first wave of globalization through trade. Forests were, therefore, instrumental in the objectivity of the world resulting from human work, as pointed out by Hannah Arendt (2007).

A brief reading of the history of the Amazon region will remind us how forests inspired fascination, myths, conquests, and intensive exploration by the region's first trailblazers. To be sure, confrontation with that universe contributed to the consolidation of the idea of an unlimited and inexhaustible nature in the minds of Brazilians. The same can be said for other areas of Brazilian territory, such as the Atlantic Forest.

2 THE ISSUE OF FORESTS

Since the end of the 1980s, with the observation of the high rates of deforestation in the world and the prospect of increased concentrations of greenhouse gases in the atmosphere, especially carbon dioxide, the situation of forests has received special attention from governments, civil society, the scientific community, and international organizations. Two consequences strongly associated to forest loss gave rise to this concern: the accelerated disappearance of plant and animal species; and the rise in temperature of the planet, modifying rainfall patterns, with important repercussions not only for the climate regime, but also for economic activities and for maintaining sea levels.

Deforestation is a complex issue, which is not new, and whose solution cannot be reduced to a single answer. As noted by the United Nations Intergovernmental Panel on Forests, in a 1997 report, "it is important to consider historical dimensions



and to learn from experience. Many of the factors causing deforestation are social and economic in character.” Among the potential causes of deforestation, the Panel has also included current production and consumption patterns, land tenure issues, illegal logging and trading, converting forest areas for pastures, unsustainable agricultural practices, demand for fuelwood for energy needs, mining, oil exploitation, climate events and fires, trade discrimination and distorted trade practices, lack of appropriate policies for investments, non-remunerative prices for forest products and services as well as agricultural products, poverty, and demographic pressures (doc. E/CN.17/IFF/1998/10).

In countries with large areas, like Brazil, the management of forests cannot be centralized. Rather, it requires the participation of other levels of governance, such as states and municipalities. The challenge goes beyond defining policies. It involves recognizing which forests are under the jurisdiction of the central government, and which are under state or local jurisdiction. Budget appropriations at each government level, robustness of concerned institutions, law enforcement, access to technology and technical expertise are critical. Countries, in particular developing ones, face enormous shortcomings to implement effective responses for conserving and developing their forests, since social conditions and political power may neutralize or jeopardize the positive effects of adopted policies.

Combating deforestation requires coordinated national action, involving government, civil society, and the private sector, to implement measures that reverse the increasing loss of forest heritage. There are, also, aspects of a global nature in which national action, although necessary, is not enough to correct the causes of deforestation. The role of markets in inducing change is a case in point. The latter includes actions whose cumulative effects at the domestic level of each State may change patterns of behavior, use or exploitation of forest resources and of the associated goods or services. The former includes measures that fall under the internal jurisdiction of the State, and their effects are only felt within it; sometimes, however, the shortage requires the support of international cooperation programs. Diplomatic efforts to mobilize such cooperation require not only the engagement of the nation-state, but increasingly that of state and local governments.



Poverty, uncontrolled exploitation, occupation of the territory, development of agriculture and livestock, extractivism, mining, infrastructure, cities, among other impacts, contributed to change the appearance of the forest even before global concerns related to the warming of the atmosphere and the progressive loss of the fauna and flora responsible for maintaining equilibrium among the species.

The COVID-19 pandemic has intensified poverty and deepened inequality due to the serious health crisis that has claimed millions of lives and forced millions of hospital admissions worldwide. It has also jeopardized the economy, particularly in regions where the labor market is more restricted and the population lives with extremely low wages, or even at subsistence level, mitigated in some countries by social assistance programs. In Brazil, this situation became even more dramatic given the historical structural inequality that is at the basis of its development process. The weakening of the institutions in charge of forest protection and in repressing environmental crimes have also played a role together with the rollback, during the pandemic, of tougher existing rules. The situation tends to worsen because of the shortage and precariousness of good jobs, automation of activities, technological changes that are not complementary to workers' skills (Rodrik, 2021), and the obsolescence of professional qualifications.

When Agenda 21 was adopted in 1992, several of these trends were foreseen. However, the concrete economic and social challenges to be faced by societies were not clear yet. In Chapter 3 — Combating Poverty — the document states “eradication of poverty and hunger, greater equity in income distribution and human resource” must be universally comprehensive. Combating poverty was seen as the “shared responsibility of all countries” (Paragraph 3.1). Sustainable management of natural resources was emphasized as a requirement for combating poverty as well as for the long-term conservation of these resources and the environment (Paragraph 3.2).

The focus adopted under the Activities section of Chapter 3 had as its corollary the progressive interaction between subnational actors with governments, cooperation agencies, banks, and other foreign and multilateral institutions. The basis for cooperation is supported by agreements between national States or by larger-scale projects.



3 INTERCONNECTED CHALLENGES: FORESTS, BIODIVERSITY AND CLIMATE CHANGE

Another important term of the forestry equation is biological resources. Conservation of these resources is closely related to combating deforestation and the predatory practices of the exploitation of forest resources. The size and biophysical conditions of the Brazilian rainforest make it a habitat for a unique wealth of biodiversity, with a high degree of endemism. Caring for these resources is strategic for a wide range of industries with a high multiplying effect in terms of use and production of high-tech processes and goods, as well as to ensure the survival of ecosystems. Recent scientific studies have shown that forest and biodiversity protection are threatened by extreme drought spells and the consequent inability of the forest to sustain its water recycling ecosystem (Harris, 2021). On the other hand, Brazil is faced with responsibilities and challenges, unmatched by other regions of the world, regarding policies for conserving and using those resources, as well as reconciling the interests that move international cooperation with its national interests.

One must also look at other resources that compete for exploitation within forested areas, such as minerals, timber, agriculture, and cattle raising. Technology has intensified their economic dividends generating sometimes negative side effects for the ecosystems and adjacent populations. This point was clearly stated by Lélé, one of the first experts to establish the meaning of the concept of sustainability by emphasizing “the understanding that in addition to or together with ecological conditions, there are social contexts that influence the ecological sustainability or unsustainability of the interaction between man and nature” (Lélé, 1991).

Uneven access to and distribution of political power have, consequently, important repercussions on the quality and management of critical public policies, such as education, health, science and technology, innovation, water, and environment. The lack of an objective understanding about the sources of inequality erodes the political and social scaffolding that sustains aspirations, ambitions, and actions of society. Addressing poverty and inequality is key to creating a culture to implement sustainable patterns for exploitation and use of forests, biodiversity, and freshwater. Inequality is



at the source of society's lack of opportunities. Inequality has a negative impact on the exploitation of natural capital, aggravating not only the loss of forests and biodiversity, pollution of rivers, lakes and other waterways, but also the lack of conditions for improving the lot of the most vulnerable groups, in particular that of indigenous groups and traditional communities.

Pressures exerted by other sectors may, on the other hand, compete favorably, as an economic opportunity, with the sustainable management of forests. Hence the importance of "a set of measures and actions by the Government at all levels and by society that lead to a change in the prevailing pattern of exploitation of these resources", as recommended in the 1996 Report of the Secretariat for Strategic Affairs (SAE), on logging in the Amazon. The SAE Report pointed to the lack of a management model for the Amazon. Given that the Amazon rainforest is extremely diverse in typologies, in species and in volume, it is necessary to establish different management models. A related issue is the diversity of tenure regimes, due to the existence of lands of varying sizes belonging to Federal and State Governments, often disputed by squatters with contested deeds.

Two decades ago, studies pointed to the possible loss of competitiveness in the most modern – and expanding – segments of the timber industry, based on reforestation, the result of the largest supply of timber, at more competitive prices, being placed in the market by companies located, for example, in other Mercosur countries (Tomaselli and Garcia, 1998). Equally relevant are the pressures generated outside the forestry sector, such as the agricultural subsidies practiced by the European Union. In September 2020, the European Commission opened public consultation to promote the fight against deforestation and the restoration of forests, focusing on tropical countries' agriculture. According to the Commission, around 80% of global deforestation is caused by the expansion of land used by agriculture. A standard is expected to enter into force in the bloc in 2023, most likely with unilateral trade-restrictive measures based on environmental issues, such as ecolabelling, environmental certification, and due diligence in imports (Assis Moreira, 2020).

4 THE BRAZILIAN CASE: MULTILATERALISM, GOVERNMENT ACTION AND OTHER ENTITIES



The strengthening of institutions and the production of up-to-date data are essential for an effective forest policy in the Amazon. The SAE document advocated “urgent, necessary and adequate coordination among Federal, State and Local Governments to promote harmony and effectiveness in surveillance and monitoring of actions adopted to ensure the sustainability of the exploitation of forest resources” (SAE, 1996).

This call for integration between the three levels of government took place in a context of strengthening national institutions, to counter the acceleration of deforestation rates. A few years after Rio-92, Brazil was in danger of losing the political investment it had made in hosting the successful Conference.

In the context of Brazilian foreign policy, this meant strengthening technical contributions for the guidelines to delegations participating in multilateral discussions, as well as to embassies, especially in countries where criticism of the measures adopted to curb deforestation was strong. The aim was to show the size of the challenge, explain policies adopted by the Government and that it was open to opportunities for international cooperation. At the same time, the relevance of the contributions of states and municipalities to the formulation of the country's international positions were recognized, as were their efforts to engage in a closer and more intense dialog with Itamaraty³ and the Ministry of the Environment.

Diplomacy is a constitutive element of the long-term national economic and social development project aimed at reducing disparities and neutralizing the country's vulnerabilities. It is the main instrument for its external projection and international insertion. Issues such as climate change, conservation and sustainable use of forests, biodiversity and water resources require decisions among States, starting with those that share a vast and complex region such as the Amazon.

To allow or facilitate the predatory use of forest resources and their devastation through clearance or burning has consequences beyond national borders due to their potential to affect various societies. Individual and isolated actions to contain emissions, deforestation and burning will be useless. Hence the global nature of the problems.

³ Itamaraty is the name of the building that served as the seat of the Ministry of External Relations since the beginning of the Republic in Brazil (1889). The name was kept when the Ministry was transferred to the new capital – Brasília – in 1970.



Addressing them, however, in a country of continental dimensions rife with inequalities, requires reconciling local, regional, and national perspectives, without neglecting that, by their very nature and size, the agenda associated with these issues will necessarily attract attention in international bodies and public opinion. Political negotiation is, therefore, inevitable. For this, national delegations need technical inputs and contributions from local communities and regions, as well as from civil society. Inaction will cause irreversible consequences if the causes of degradation or increased emissions are not addressed with determination. By adopting a strategy of acting rigorously, economic growth may, for example, slow down a few percentage points. In any case, the actions will be politically difficult. On the other hand, addressing the challenges of climate change and the conservation and sustainable use of forests and biodiversity also opens opportunities for economic and social development, as well as for the diffusion of new technologies. The strategy to be implemented will have to reconcile four ingredients: expectations, experiences, leadership, and boldness.

How can the interests of promoting sustainable development be reconciled with the need to reform public policies and the actions of political and economic agents?

How can we reduce deforestation and forest fires, minimize biodiversity losses and water pollution, reduce greenhouse gas emissions, and mitigate the impacts of the emissions that have already occurred?

How can we coordinate the cooperation between States when the international macrostructure, which has been stratified according to outdated criteria, removes the effectiveness of international institutions?

International law, customs, and non-legally binding norms are resources that discipline the behavior of States and function as the framework of the international system: they are, thus, an important factor in maintaining order. The order in modern international society is precarious and imperfect (Bull, 2002). However, order is not impervious to change, and this does not mean anarchy. Change results from the altering perceptions of what are the common interests to achieve the objectives considered primary or elementary for social life.

The Amazon Cooperation Treaty (1978) establishes rules for cooperation between the eight countries that share the Amazon basin and have borders with each



other. The notion of borders in the Amazon allows for various interpretations, in addition to determining the limits of national sovereignty. As Becker (2009) said, there are different borders in the Amazon, permeated by economic, political, and social changes that impact not only the central governments of the Parties to the Treaty, but also the border communities. It is a politically sensitive area for each country under a territorial dynamic undergoing great transformation with tangible effects on the demands of those populations and of the neighboring geographic areas. Challenges at the borders of the Amazon region are a case in point. They are not restricted to ecological issues, but also involve important economic and security aspects, such as smuggling of drugs and timber, biopiracy, illegal logging and illegal mining, among others. Some of these challenges were exacerbated years after the treaty's entry into force.

Change in the international system is a function of the accumulation and exercise of power. Asymmetries – highlighted in economic, social, and political disparities and vulnerabilities within nations as well as among them – act to undermine the goal of establishing a more inclusive international order.

The growing polarization of the international political arena, reflecting the advance of political radicalism and nationalism in societies, undermines the dialog between nations. In the case of Brazil, this polarization not only stifles and distorts internal discussion of the challenges, but also hampers law enforcement, as well as the country's openness to international cooperation.

Multilateralism is a preferential instrument for disciplining the relations among States by coordinating national policies with respect to three major issues: ensuring property rights, coordinating the responses to problems and challenges, and cooperation for resolving these problems and challenges. Multilateral rules result from the consolidation of prior political and legal processes. Two aspects are important in this process from the point of view of a country such as Brazil: preventing this development from being at the expense of its national interests; and avoiding processes that reinforce the asymmetries among nations or those that may affect national decision-making autonomy.

Hence the importance of the concepts. Multilateralism is essentially a political activity. One could say, based on Chilcote (1994), that sometimes the thinking of those



involved in the negotiation process seems to be guided by a paradigm or by a basic notion of order about the fundamental nature of reality. This effort, however, can be misleading, as focusing on routine, processes, techniques, and methodology may privilege efficiency in detriment of reality. International organizations have gained a leading role in addressing global issues, particularly those requiring a collective response and subjected to legally binding instruments and regimes. They are political structures that help States to reach at least a lowest common denominator, since international bodies have no will of their own. Their margin of action derives from the latitude given to them by the Member States and reflects the uneven distribution of power within multilateral organizations and among member states.

Nevertheless, the coexistence between international organizations and states is delicate. Established goals, bureaucratic interests and pressures that grow within the institutions generate tensions that not rarely inhibit their efficient functioning. Competition among the most powerful member to control the institutions or some of their fora and the selection of their personnel also compromise the dynamic expected from these agencies (Mazower, 2012).

Power and hegemony of some states vis-à-vis others have opened the way for unilateral action or for a breach of decisions adopted collectively. The end of the Cold War and the transformations it brought about in international relations and alliances put into question not only the efficiency of international organizations, but also their legitimacy. This led many people to speak about a crisis of multilateralism. Power, however, is not the sole source acting to defy multilateralism. Part of the problems stems from what is seem as a legitimacy crisis derived from a lack of domestic political consensus that, in turn, competes with a crisis of the state (Newman et al, 2006). Consequently, multilateral organizations face a deficit in political trust from societies and national institutions that hinder their ability to be effective in fulfilling their mandates. Brazil has always called attention to the need to enhance the effectiveness of international institutions through a comprehensive reform process.

Such challenges may be considered inherent to international organizations in view of the countries' sovereignty and their power. As Newman (2007) argues,

[t]his is a world where notions of inviolable and equal state sovereignty [...] are breaking down; where states are no longer the sole or even the most



important actors in certain areas of international politics; where 'national interest' cannot be defined in one-dimensional terms; where power takes many different forms, both soft and hard; and where the distinction between 'domestic' and 'international' politics is irreversibly blurred.

This clouded perspective has strengthened efforts to influence discussions and decisions in international fora, particularly by groups that did not feel "adequately represented" by positions taken by their national governments. Environment was an area where pressure was strongly felt during the negotiations that led to the United Nations Conference on Environment and Development (UNCED). At the organizational session of the Preparatory Committee of the Conference, in March 1990, a specific decision was adopted to enlarge the participation of non-state actors whose contribution was encouraged in Resolution A/44/228 that convened the Conference.

This was a precedent that was soon incorporated not only in the UN practice, but also adopted by almost all multilateral institutions. It was not easy to reach consensus on the rules that would guide the activities of these entities, but the decision represented more democratic discussions and decision-making on issues of global concern. Consequently, closer follow-up of discussions, decision-making and monitoring of the countries' voting patterns and behavior of their delegations was made possible. Although initially this was largely a civil society movement, soon the opportunity was also seized by subnational entities, like states/provinces and cities, to advance their agendas. The emphasis was not in criticizing or in contesting national policies abroad, but to harness support for their ideas and to insert certain specific topics into the discussions.

The sense of crisis and the need for more legitimacy in global multilateral institutions led to the formation of associations, alliances and consortia among subnational entities to address shared challenges. In countries with long borders and numerous neighbors, such as Brazil, the enhancement of governance of certain regional multilateral agreements is a valuable option to coordinate measures and actions.

A case in point is the Amazon Treaty Cooperation Organization (Acto), created in 1995 and established in Brasília in 2002, to facilitate the exchange, knowledge, cooperation and joint projection among its Member Countries to fulfill the mandates of the Amazon Cooperation Treaty. However, the organization needs further



strengthening to better act as a forum for cooperation, exchange and knowledge to reduce asymmetries among Member Countries; to support economic and social progress in national processes allowing the gradual incorporation of these territories into national economies; to improve of the quality of life of the populations of the Amazon under the principle of sustainable development and sustainable ways of life, as stated in its Strategic Agenda approved in 2010. It should, moreover, be bolstered to serve as the locus for effective coordination of joint actions by member states to enforce law and order in the respective side of the border

The idea of reform is inherent to the imperative of abandoning a predatory culture of exploitation and use of the environment and natural capital, as well as of unsustainable patterns of production and consumption. It is also critical to overcome the challenge of inequality. The emphasis on reforms shows dissatisfaction with prevailing standards and practices. Social reform is necessary when it comes to a paradigm shift. Problems with global impacts, such as climate change, require changing society's culture for their resolution. The stress on society raises the question about the capacity of central government to be an effective source of transformation. Reforms will only succeed if there is a genuine partnership between State and society. Norberto Bobbio notes that man "does not believe anymore that in order to change society, it is enough to change the political system, as it was possible to believe when the State was everything and society outside the State was nothing" (Bobbio and Bovero, 2000). Good government, therefore, is not enough; it is also essential to have a society wherein the policies and measures needed to correct the directions are effective.

The intensification of activities and the increased influence of social actors in the discussion and engagement in processes that once were the concern of state institutions have forced their adaptation to better respond to the demands of society. The growing openness of political systems welcomes new actors who seize banners or take on roles previously restricted to national government agencies. Some see in these trends a weakening of institutions that would lead to a crisis of confidence in the political system. Greater inclusion, however, lends greater legitimacy to adopted actions and measures, especially in dealing with issues that affect society in different



ways. Transparency strengthens the political system through greater public control of the actions of government agents.

5 PARADIPLOMACY

The importance of the activities of the subnational actors – states, provinces, regions, cities, state, and city consortia – through paradiplomacy increases in that context. As Junqueira (2018) indicates, this “represents a subnational policy of public dimension (...) [and] corresponds minimally to the international insertion of subnational actors or direct international action by subnational actors that complement and/or challenge the central policies of the State”. Lecours (2002, 2008) considers it “a multifunctional means for the promotion of subnational interests and identities”. It is a diffuse, imprecise concept that requires further empirical studies and that certainly faces difficulties in countries whose national unity faces centrifugal pressures.

The structuring of the international system based on state sovereignty requires an adjustment that will enable us to accept the legitimacy of paradiplomacy as a complementary exercise and not as a challenge to the central role of the nation-state and its diplomacy. National governments continue to be essential. The transformations we are experiencing are beginning to be incorporated into the diplomatic efforts of States to strengthen their political weight and their influence in international decision-making processes. (JUNQUEIRA, 2018)

Notwithstanding interdependency, globalization and growing multilateral and bilateral cooperation, one must be aware that asymmetries project themselves onto the dialog between donor and recipient countries, particularly on the subnational entities of the latter. Countries with a well-articulated policy on international cooperation are often at an advantage when discussing initiatives, planning, projects, and funding with those entities. Institutional and financial imbalances among the parties and the lack of human resources on the recipient side strongly favor donors advancing their perceptions, methodologies, and project management practices that are not necessarily shared by the central government.



On the other hand, one should not forget that even in democratic developing countries like Brazil, Argentina or India, subnational governments may act as partners of the central government in the implementation of its foreign policy agenda. This is particularly relevant in those entities situated at international borders. In countries where the central government has a tighter grip on the conduct of subnational jurisdictions, like China, the external links forged by provinces or cities with partners abroad facilitates promoting its interests. (LIU and SONG, 2020)

In Brazil, the political organization enshrined in the 1988 Constitution determines that it is the responsibility of the Federal Government to maintain relations with foreign states and participate in international organizations (Art. 21, I). The interest of subnational governments in maintaining cooperative ties with foreign entities has led to the adoption of the expression federative diplomacy to mean the actions of states, municipalities and, more recently, of consortia of these entities in the international sphere.

The Ministry of Foreign Affairs has a specific administrative unit under the Office of the Foreign Minister – the Federative and Parliamentary Affairs Office (AFEPA) – to maintain links with state and municipal governments. This innovation in the structure of the Itamaraty over twenty years ago is in tune with the mission of the Ministry as a “permanent institution of the nation” to represent and defend its interests abroad (Lafer, 2014), particularly those relating to sovereignty over the “national space, on which the international projection of Brazil was consolidated” (MERKE, 2008) (KIESSLING, 2018).

A concrete example of this scenario is the access of subnational governments to the financial resources made available by international financial bodies, donor countries or private investors or funds established and administered by national institutions. In this case, one can imagine that the issue of external debt of states and municipalities in Brazil requires monitoring by the financial authorities of the Federal Government and by the Federal Senate and the Federal and State Courts of Accounts as well. International cooperation is generally framed by agreements negotiated by the Federal Government but a considerable part of initiatives and projects in areas such as technical, scientific, technological, and capacity-building programs are deployed by provinces or municipalities.



Since 2019, deforestation and forest fires in the Amazon and Pantanal regions have increased the concern of state and municipal governments with the harmful consequences of these events as well as their determination to address them. At its regular meeting in March 2020, the Consortium of Governors of the Legal Amazon adopted The Belém Charter, in which they declared:

[...] we affirm the importance of the Amazonian States to take the leading role in the implementation of land regularization for the effective land-use planning of the Amazon. We advocate a public policy designed to ensure social and environmental justice and to promote the economic development of the Legal Amazon, especially as a strategy for integrated and cooperative combat of illegal forest fires and deforestation. [...] integrated and cooperative action will only take hold with new resources to enable the forest to become an economic asset of the States. In this sense, in addition to reestablishing the flow of the Amazon Fund, we have called for priority for the Project for Sustainable Development and Combating Deforestation to be submitted to the Green Climate Fund. Priority should also be afforded to the 2020 Integrated Forest Fire Prevention and Combat Plan for the Amazon, under the Pró-Amazônia guidelines, a program that provides for the consolidation of common agendas for preventing and combating illegal deforestation, protecting, and enhancing the value of the biome. Furthermore, it is essential to regulate Article 41 of the Forestry Code and Article 6 of the Paris Agreement, so that there is legal certainty for payments for environmental services. We advocate the establishment of CONAREDD+, with the guarantee of the representativeness of the States of the Legal Amazon, through nomination by the States (REDEPARA (2020)).

In the production sector, agribusiness and investors come under pressure from the market and shareholders who increasingly want products that do not originate in deforested areas and advocate that investments should incorporate risks associated to climate change. Such pressures are increased by external perceptions of the denialist discourse used by certain officials of the Federal Government on climate change or by those promoting the easing of Brazilian legislation to provide greater leniency for land grabbers or illegal loggers. More than a strategy to respond to the multiple constraints of different parts of society, the emphasis on sustainability reflects a cultural and civilizing change. Sustainability attains levels of value that are to be preserved and disseminated by public policies implemented by the various levels of government.

In a recent “Letter to the Governors and Members of the Consortium of Governors of the Legal Amazon”, representatives of five major business associations emphasized that “they are closely following and are genuinely concerned with the



impact on business of the current negative perception of the Brazilian image abroad in relation to the socio-environmental issues in the Amazon. This negative perception has a huge potential for damaging Brazil, not only in its reputation, but concretely in developing business and projects that are essential for the country”.⁴

Both statements reflect the updating of historical values, caused by the most incisive action of citizenship, which historically have shaped the understanding of the national interest in relation to the Amazon. (Becker, 2009)

The concerns of the business community have emerged with the imposition of barriers to the entry of Brazilian soybean into international markets and with the announcement by international funds that they could stop investing in Brazil, with impacts on the economy and on the funding of companies and cooperation programs. As noted, “the myth of inexhaustible wealth” (Pádua, 2020) is one of the main challenges to the sustainable exploitation of forest resources in the Amazon – including biological diversity and genetic resources. The broad offer and ease of access distort the behavior of economic agents. Combating illegal predatory actions, illegal land occupation and biopiracy should be associated with the urgent strengthening of the institutional framework; with stimulus for local added value; promotion of innovation and productivity; coordination between companies and research and development (R&D) institutions; as well as searching for international cooperation. This assumes intertwining state public policies with measures and actions of the Federal Government and with the country's international commitments.

To achieve these objectives, state public policies to enhance the value of forests and promote sustainability in the Amazon should be guided by two aspects:

how to exploit without devastation, given that the idea of what constitutes devastation is very elastic. (Devastation goes beyond mere discussion of deforestation to also include conservation of water, biological and genetic resources, and soil).

regulate the exploitation of forests under state jurisdiction by strengthening sustainable areas and land tenure programs, ensuring – in the latter case – that regularization does not mean amnesty for the illegal occupation of land. (SAE, 1996)

⁴ The letter is signed by the Presidents of Brazilian Business Council for Sustainable Development (CEBDS), the Brazilian Agribusiness Association (ABAG), the Executive Presidents of Brazilian Trees Industry (Ibá) and Brazilian Association of Vegetable Oil Industries (ABIOVE), and the Executive Director of the Global-Network Pact Brazil.



The implementation of public policies for the exploitation of forest, agricultural, livestock, fishing, mineral resources, as well as extractivism, requires consideration of some premises:

how to regulate the economic exploitation of available resources to avoid worsening the distortions already present in the land structure of the State.

what measures are needed in the short term to reverse situations of predatory exploitation.

adoption of an integrated approach to the sustainable exploitation of natural resources that considers the social, economic, and ecological reality of each Amazonian state. (SAE,1996)

The suspension of the Amazon Fund in 2019 was a setback for the Amazonian states, which were suddenly deprived of one of their main sources for financing projects aimed at protecting the forest. The decision resulted from the increase in fires and deforestation, as well as from requirements of the current Federal Government to reformulate fund management that in its view gives too much influence to representatives of civil society. This Fund was established in 2008, with resources from Germany and Norway corresponding to 99% of the already committed R\$ 3.3 billion (Deutsche Welle, 2020). The donation of external resources to the Amazon Fund is conditional on the reduction of greenhouse gas emissions from deforestation and burning, calculated by a technical committee; that is, the reduction in deforestation in the Amazon must be verified to make it possible to have access to the funds.

To compensate the scarcity of financial resources due to the freezing of the Amazon Fund, the government of the State of Pará created, in October 2019, the Eastern Amazon Fund to be financed by private national or international resources and the dividends and income they generate. Still in the implementation phase, the Eastern Amazon Fund will represent an important instrument for the international action of Pará.

At the 25th Conference of the Parties to the United Nations Convention on Climate Change (COP-25, Madrid, December 2019), the State of Pará launched the Amazon Now State Plan, a public policy created to combat deforestation, reduce the impacts of climate change, promote local economic development by maintaining the



standing forest and reducing social inequalities. It will also be used as a baseline to monitor progress in implementing Agenda 2030 in the state.

Amazon Now will also be used as an instrument for achieving Sustainable Development Goals (SDGs) in the rural area, especially the following: Zero Hunger and Sustainable Agriculture; Gender Equality; Decent Work and Economic Growth; Reducing Inequality; Responsible Consumption and Production; Action to Combat Global Climate Change; Life on Earth; and Partnerships and Means of Implementation. The Plan will foster regional development, focusing on stimulating productivity accompanied by technical assistance, technological innovation combined with good socio-environmental practices and restructuring of state environmental management to contribute to the goals set out in international agreements. Its will be concentrated in three regions of the State – Tapajós, Xingu and Araguaia – where 69% of deforestation, 41% of land conflicts and 68% of the cases of slavery-like work are concentrated.

The State's adherence to the Voluntary Local Review movement helped design the government's efforts to engage in international events that make it possible to disseminate information about local policies for achieving the SDGs. Pará was the first federal state to join. Furthermore, the city of Barcarena, in Pará, was already part of the movement led by the New York City Hall, which had only had municipal governments until then. The first report from Pará was submitted in September 2020, in an event organized alongside the United Nations General Assembly.

Further initiatives also include dialog with foreign embassies accredited in Brasilia, foreign cooperation agencies, particularly those with representation in Brazil, multilateral organizations, and non-governmental organizations.

6 CONCLUSIONS

The subject of forests requires an integrated approach both internally and internationally. This approach should consider the interrelationships between capacity building, use of appropriate technologies, costs and waste reduction, access to markets, and uses of economic and financial instruments in order to provide



competitiveness for sustainable forest management. In the case of Brazil, the diversity of biomes is another factor to be considered.

The narrative about the challenges is influenced by endogenous and exogenous factors, as well as by the historic legacy of the colonial period in the Amazon. It often overlaps with the action: the diagnosis is discussed, often repeatedly, without going into the practical feasibility of the solutions, nor is it in tune with the international commitments undertaken by the country.

Brazil is a country under construction. The impact of the situation of forests and of internal actions on the international stage is a daily challenge. Assessment of facts requires reconciling the historic and political dimensions with the evolution of knowledge driven by the advancement of science. This requires a permanent adjustment of the discourse, incorporating external effects.

Forests are increasingly becoming a natural infrastructure: they have a role in the mitigation of climate change as well as in the reduction of inequalities. We still need, however, to enhance our knowledge about how forests and rivers perform, especially in view of the urbanization in the Amazon region. Cities in the Amazon were created due to a concept of development that privileged the growth of urban activities to support the expansion of an agriculture that replaced forested areas without taking into account the medium- and long-term consequences of forest destruction. As suggested by some scientific studies, deforestation may result in a savannization of the region, reducing the forest's ability to process solar radiation responsible for transforming the water absorbed by the soil into steam, which is critical for the level of rainfall in areas of high agricultural productivity, like the Midwest of Brazil. Warming in the Amazon could raise the temperature in the Cerrado leading to a longer dry season and enormous damage to Brazilian agricultural production (Nobre, 2020).

Cities are points of development diffusion due to direct investment in infrastructure to strengthen institutions geared towards the rural development process. The growing preoccupation of Brazilian society and external pressures may change this role of cities. They should be converted into poles of innovative solutions for infrastructure, highlighting the role of nature – in particular that of forests, rivers and biodiversity – in addressing the challenges of climate change and inequality reduction. As pointed out by Ricardo Abramovay, of the University of São Paulo, the value of



infrastructure in the 21st Century lies in its capacity to regenerate social and environmental tissues that up to now have been destroyed by conventional and often predatory forms of economic growth. The infrastructure of contemporary societies will be less the skeleton, and more the intelligence of economic growth. (Abramovay, 2021)

This is a major conceptual change with transformative consequences in a region where basic challenges demand political determination and a fresh appraisal about old prescriptions. The realization that a new approach is necessary to enhance the efforts to combat deforestation has led to a more frequent presence of states and municipalities in negotiations and cooperation projects related to forests, biodiversity, and climate. This is the result of closer work of these entities with the Federal Government and their interest in being included in Brazilian delegations to multilateral meetings more often – such as the Climate Change and Biodiversity Conferences – as well as in bilateral exercises. In the bilateral sphere, the participation of the State of Amapá in the meetings of the Committee on Cross-border Cooperation between Brazil and France is a case in point.

The external activity of the states of the Legal Amazon has been expanding and consolidating in recent years. This is partly due to the very sensitivity of foreign governments, multilateral agencies, as well as national development cooperation agencies, to act directly “on the ground”, experiencing the practical challenges of dealing with a complex reality like that of the Amazon. At the same time, these partners gain privileged access to decision makers in the areas where their projects are implemented. For the cooperating countries, whose operations are often financed with grants, their presence in the Amazon brings internal political dividends, by serving the interest groups most focused on environmental or human rights issues, especially indigenous peoples. Similarly, their dialog with the Brazilian government is placed on another level because they rely on first-hand information from project employees, often from the cooperating countries, hired to work with states and municipalities where the actions unfold.

Another relevant aspect is the advantage that partners of states and municipalities can convey their opinion about political issues that go beyond those strictly associated with projects and that do not always coincide with those advocated by the Brazilian Government. An example was viewing forest resources as a global



asset, justified on the grounds – defended especially by those who use them the most – that, despite being situated in the sphere of national jurisdiction, their importance for humanity would legitimize interference that would superimpose that jurisdiction, by means of international standards whose implementation would be ensured by institutions of universal scope. This argument was fashionable during the preparatory process and shortly after the Rio Conference and was refuted categorically by Brazil and other developing countries.

Paradiplomacy is a relatively new phenomenon that still requires adjustments, course corrections and adaptation of national state diplomacy, due to the emergence of new actors in the international system. This requires reflection on how to adapt internationally agreed standards, especially in the multilateral context, to implementation at local or state level. Paradiplomacy may also be a valuable tool for more dynamic action by governments and state institutions on issues of global interest. It will, however, require a more intensive dialogue between central governments and their subnational counterparts, together with innovative understanding about policy and decision making from decision makers and managers, as transparency and accountability are essential in cooperation projects.

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