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*“The earth will not continue to offer its harvest, except with faithful stewardship. We cannot say we love the land and then take steps to destroy it for use by future generations.”*

*-Pope Saint John Paul II*

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## Table of Contents

|   |    |
|---|----|
| Acknowledgements.....   | 3  |
| Abstract.....   | 6  |
| I - Introduction, Aim and Research Questions – Definition of the Topic..... | 8  |
| II - Literature Review, State of the Art, and Contribution.....             | 12 |
| Introduction .....  | 12 |
| EU’s external environmental policy .....                                    | 12 |
| European Companies.....   | 14 |
| Populism and Brazil.....  | 15 |
| The Amazon .....  | 17 |
| Conclusion.....   | 18 |
| III - Theoretical Framework & Methodology .....                             | 19 |
| Introduction .....  | 19 |
| Populism.....   | 19 |
| Sovereignty .....   | 21 |
| Nationalism & Imagined Communities .....                                    | 23 |
| IR Theories and Environmental Problems as Political Problems .....          | 24 |
| Conclusion.....   | 27 |
| Methodology.....  | 27 |
| IV – Actors and Stakeholders .....  | 28 |
| Great Power Competition.....  | 29 |
| Indigenous Peoples of the Brazilian Amazon.....                             | 31 |
| Civil, Incivil and Uncivil Society .....                                    | 32 |
| Brazilian Companies.....  | 37 |
| Brazilian Government .....  | 40 |
| European Union .....  | 43 |
| V -The Amazon under Lula (2003 –2010).....                                  | 45 |
| Introduction .....  | 45 |
| Lula’s Discourse on the Amazon .....  | 46 |
| Practice of the Brazilian Government.....                                   | 52 |
| European Discourse & Practice.....  | 60 |
| Civil Society & Corporations.....   | 64 |
| Facts and Figures – Results .....   | 66 |

|  |     |
|--|-----|
| Deforestation .....                        | 66  |
| Indigenous Peoples .....                   | 67  |
| Development.....                           | 68  |
| VI – From Dilma to Temer (2011 –2018)..... | 70  |
| Introduction .....                         | 70  |
| Dilma’s / Temer’s Discourse .....          | 70  |
| Practice of the Brazilian Government.....  | 73  |
| European Discourse and Practice .....      | 76  |
| Corporations & Civil Society.....          | 78  |
| Facts and Figures – Results .....          | 80  |
| Deforestation .....                        | 80  |
| Indigenous Peoples .....                   | 81  |
| Development.....                           | 81  |
| VII – Bolsonaro (2019 – 2022).....         | 84  |
| Introduction .....                         | 84  |
| Bolsonaro’s Discourse .....                | 84  |
| Practice of the Brazilian Government.....  | 88  |
| European Discourse and Practice .....      | 89  |
| Corporations & Civil Society.....          | 93  |
| Facts and Figures – Results .....          | 94  |
| Deforestation .....                        | 94  |
| Indigenous Peoples .....                   | 95  |
| Development.....                           | 97  |
| The Future Today – ‘Lula lá’ .....         | 97  |
| Conclusion.....                            | 98  |
| Bibliography .....                         | 102 |
| References Chapter I.....                  | 102 |
| References Chapter II.....                 | 103 |
| References Chapter III.....                | 104 |
| References Chapter IV .....                | 105 |
| References Chapter V .....                 | 110 |
| References Chapter VI .....                | 113 |
| References Chapter VII .....               | 116 |

## Abstract

This thesis delves into the policies and discourses surrounding the Amazon region in the last 20 years. Starting with the Presidency of Lula in 2003 and ending in his re-election for a third term, beginning in 2023. It aims to answer the question: *What are the policies and discourses in Europe and Brazil regarding the Amazon region and what have been their effects?* Chapter I Introduces the topic and the research questions. Chapter II is an analysis of existent literature on the subject and states the research's contribution. Chapter III provides the theoretical framework and the methodology. Subsequently, in Chapter IV the main Actors in the Brazilian Amazon are described. Afterwards, in Chapter V (Lula), Chapter VI (Dilma and Temer) and Chapter VII (Bolsonaro), the policies and discourse of the main actors on both sides of the Atlantic are tracked chronologically and compared against benchmarks for development, deforestation, and indigenous rights. Overall, this research work provides a compelling, even if necessarily partial, account and analysis of the last 20 years in this crucial region of the world that can constitute the basis for further research.

## Resumo

Esta tese investiga as políticas e os discursos em torno da região amazônica nos últimos 20 anos. Começando com a presidência de Lula em 2003 e terminando com sua reeleição para um terceiro mandato, iniciando em 2023. O objetivo é responder à pergunta: *Quais são as políticas e os discursos na Europa e no Brasil sobre a região amazônica e quais foram os seus efeitos?* O Capítulo I apresenta o tema e as questões de investigação. O Capítulo II faz uma análise da literatura existente sobre o assunto e apresenta a contribuição da investigação. O Capítulo III apresenta o referencial teórico e a metodologia. Posteriormente, no Capítulo IV, são descritos os

principais atores da Amazônia brasileira. Depois, no Capítulo V (Lula), Capítulo VI (Dilma e Temer) e Capítulo VII (Bolsonaro), as políticas e o discurso dos principais atores de ambos os lados do Atlântico são acompanhados cronologicamente e comparados com referências de desenvolvimento, desflorestação e direitos indígenas. Em geral, este trabalho de investigação fornece um relato e uma análise convincentes, mesmo que necessariamente parciais, dos últimos 20 anos nesta região crucial do mundo, que pode constituir a base para futuras investigações.

## Streszczenie

Niniejsza rozprawa zagłębia się w politykę i dyskursy otaczające region Amazonii w ciągu ostatnich 20 lat. Ocząwszy od prezydentury Luli w 2003 r., a skończywszy na jego reelekcji na trzecią kadencję, która rozpocznie się w 2023 r. Jej celem jest odpowiedź na pytanie: *Jakie są polityki i dyskursy w Europie i Brazylii dotyczące regionu Amazonii i jakie były ich skutki?* Rozdział I przedstawia temat i pytania badawcze. Rozdział II stanowi analizę istniejącej literatury przedmiotu i określa wkład badania. Rozdział III przedstawia ramy teoretyczne i metodologię. Następnie w rozdziale IV opisano głównych aktorów w brazylijskiej Amazonii. Następnie, w rozdziale V (Lula), rozdziale VI (Dilma i Temer) i rozdziale VII (Bolsonaro), polityka i dyskurs głównych aktorów po obu stronach Atlantyku są śledzone chronologicznie i porównywane z punktami odniesienia dla rozwoju, wylesiania i praw ludności tubylczej. Ogólnie rzecz biorąc, niniejsza praca badawcza zapewnia przekonujący, nawet jeśli z konieczności częściowy, opis i analizę ostatnich 20 lat w tym kluczowym regionie świata, który może stanowić podstawę do dalszych badań.

**Keywords:** Environmental policy; Environment; Amazon; Europe; Brazil; Brussels' effect, Mining; Indigenous Peoples, Sovereignty, Populism, Deforestation, Brazilianness, Civil Society.

## I - Introduction, Aim and Research Questions – Definition of the Topic

This thesis is about discourses and policies in Europe and Brazil regarding the Brazilian Amazon from Lula da Silva's election in 2003 to the present day. It analyses the policies and discourse of different actors in the Amazon on both sides of the Atlantic. In a world rife with problems from Democratic Backsliding to Great Power competition and the return of the brutality of war to European soil it is necessary not to lose sight of the greatest danger and challenge we face, the preservation of our common home – Planet Earth. The Amazon, “*the lungs of the world*”, is of paramount strategic importance. Humankind is being put to the test and our ability to cooperate, create solutions, and put aside our differences for the common project of avoiding climate disaster will likely determine our collective future.

Consequently, learning about Euro-Brazilian relations vis-à-vis the Amazon region is vital in this day and age. The Amazon region is indispensable and of global importance. People across the globe depend on it for basic necessities such as food, water, wood, and medicines and to stabilize the climate. (WWF, 2023) The Amazon rainforest is of strategic importance. There is a risk that the Amazon may release substantial amounts of carbon if deforestation advances (Dagicour, 2020 p.ii). Furthermore, the Amazon contains a plethora of mineral resources and a huge amount of land that is coveted for agricultural and industrial development (Dagicour 2020 p.ii).

The topic is relevant firstly because of the geographic focus. South America – a geographic region partially overlapping with Latin America - is often overlooked in international relations. The title of Michael Reid's (2017) book “*The Forgotten Continent: A History of the New Latin America*” is all but elucidative. Therefore, this thesis delves into overlooked, under-researched and uncharted ground.

Secondly, the environment has long been recognized as an important security issue and protecting the Amazon region is essential if humanity is to effectively fight climate change. Indeed, there are more than 150 billion tons of carbon locked away in the Amazon Rainforest which is equivalent to more than 10 years of global fossil fuel emissions. (Bryce, 2023) If the forest were to disappear it would put the Paris Agreement's targets in jeopardy (*idem*). It would also be a loss *per se* because 1 in every 10 species call the forest home (Terra, 2019) and because of the indigenous people of the Amazon who accumulated detailed knowledge of the region for thousands of years (WWF) and whose heritage, traditions and ways of life would be compromised.

Thirdly, it has been argued (Arana, 2017 p.8) that the EU has been uninterested in developing a strategy towards Mercosur – the regional organization Brazil is part of – which, given the importance of the Amazon as well as Europe's insistence on portraying itself as a climate leader, seems contradictory to say the least. Furthermore – and adding to the contradiction - roughly a decade before the smoke from Amazon fires blacked out the sun over the Southern Hemisphere's biggest metropolis of São Paulo in Brazil's Southeast region (Euronews, 2019), European companies were the second largest drivers of deforestation in Brazil (Angelim et al., 2021).

Moreover, the Amazon is very relevant because the climate regime is more and more important and all present and future environmental discussions go through the Amazon rainforest given its strategic importance for the entire planet (Bezerra, 2015, p.4). Indeed, the Amazon is one of the three largest stocks of nature in planet earth and plays a decisive role in climate stability (*idem*, p.1).

The analysis will encompass a time span of 20 years starting with the election of Luíz Inácio Lula da Silva in 2002. The aim is to understand what conditions are more favourable to protecting the Amazon's environment and its inhabitants.

To be sure, the timeframe of the thesis could have been set either earlier or later. The Amazon was part of the international political scene from the time Brazil was still a colony (Bezerra, 2015 p.106). Additionally, during Brazil's military regime (1964-1985) the Amazon gained space in foreign policy with '*Operation Amazon*' in 1966 (Bezerra, 2015 p.109).

The first outcry about the preservation of the Amazon happened in 1970s, namely as a result of the 1972 UN Conference on the Human Environment in Stockholm and warnings of the Club of Rome. (Dagicour, 2020 p. v) Indeed, "*Stockholm represents the beginning of the international environmental agenda*". (Bezerra, 2015, p.112) Moreover, already in 1987, environmental protection entered the European treaties through the Single European Act. (Awad, 2007, p.201).

The Amazon grew in prominence during the 1980s due to increased deforestation, concern for the rights of indigenous peoples and the murder of Chico Mendes in 1988 (Bezerra, 2015 p.114)

Notwithstanding the importance of historical context, it is necessary to limit the timeframe of analysis. The limited nature of the research project and the material scope of the research – including the analysis of Brazilian and European discourse and policies as well as their consequences on a 20-year timeline – is not compatible with a more extended timeframe of analysis. This thesis is thus a compromise between the depth and extent of the analysis. Even so, and in spite of the limits imposed, this thesis will refer to past events when necessary for context.

More to the point, the election of Lula in 2002 changed foreign policy in Brazil, namely in the way the global aspect of multilateralism was treated (Burgess, 2017). Moreover, the transition of power between Fernando Henrique Cardoso (1995-2002) and Luís Inácio Lula da Silva (2003-2007) was a show of institutional maturity for Brazil's democracy. It was the first time since 1961 that Brazil underwent a transition between two democratically elected Presidents and the first time in

history that a man from humble origins – [Lula was a metallurgy worker] - rose to the Presidency of Brazil (Guedes, 2021).

Moreover, it was during Lula's Presidency that the EU – Brazil Strategic Partnership agreement was established in 2007 (Gomes, 2018 p.41) which coincidentally falls on the same year the Treaty of Lisbon – which gave the EU its contemporary legal and institutional structure – was signed. It was also largely under the timeframe under analysis that the EU- Mercosur negotiations for a trade agreement took place. Indeed, even though the European Commission adopted the negotiation directives in 1999 – [still under the Presidency of Fernando Henriques Cardoso] - (Ghiotto & Echaide., 2020, p.20), the agreement was only signed in 2019 and is still to be ratified (Correa, 2023).

By examining how European and Brazilian policies and discourses towards the Amazon shifted during the 21<sup>st</sup> century this thesis will contribute to the existing knowledge. It aims to provide an account of European and Brazilian policies and discourse with regard to the Brazilian Amazon region and compare it to existing data for deforestation, development and indigenous rights. The main research question is: ***What are the policies and discourses in Europe and Brazil regarding the Amazon region and what have been their effects since 2003?***

The research does not give a full account of all the players in the Amazon forest nor every event but it contributes to existing knowledge by providing an unprecedented, combined European and Brazilian perspective on this often overlooked region and an analysis that includes many of the actors involved in the Amazon, including civil society, the corporate sector, the European Union and Brazilian Presidents thus opening the path for further, and more complete research on this critical region.

## II - Literature Review, State of the Art, and Contribution

### Introduction

To understand the politics and perspectives on the Amazon and Europe's relation with it is important to understand the different issues that tie into the subject. This is why the literature review investigates the Europe's external environmental policy, the populist phenomenon in Brazil and different perspectives regarding the Amazon. The contribution of this thesis is to analyse and explain Amazon's politics and discourse on both sides of the Atlantic as well as exploring two key dichotomies, discourse/practice and sanctuary/development. For this endeavour, it was necessary to map crucial actors that have impacted the Amazon in the 21<sup>st</sup> century, which is presented in Chapter IV.

### EU's external environmental policy

The European Union is claims to have a “*dedication to protect the global commons and willingness to promulgate stringent regulatory standards*” (Bradford, Anu. 2020 p.207). Indeed, Brussels's environmental law is quite prolific (*idem*). The inscription of environmental protection in the treaties came in 1987 with the Single European Act (*idem*, p 208). The treaty of Lisbon and the jurisprudence of the European Courts have expanded and strengthened this competency. (*idem*)

Moreover, the EU has led in a plethora of areas of environmental regulation such as the management of hazardous substances and electronic waste, animal welfare and climate change (Bradford, Anu, 2020 p.208 and 209). These standards are not only limited to Europe because they can be externalized through the Brussels Effect. (*idem*, p.210) This *Brussels Effect* is defined as

“the EU’s unilateral ability to regulate the global marketplace” (idem, p.1). As will be shown later, the Brussel’s effect did impact the Amazon region.

The literature has already addressed the EU’s external environmental policy (Adelle *et al.* 2018). It is highlighted in the literature (Adelle *et al.* 2018 p. 2) that in recent decades the EU developed into an important player in global environmental governance and that the EU’s environmental policy changed from being merely incidental to a system of environmental governance. The EU’s *external environmental policy* is defined as *the EU’s intentional attempts to transfer its environmental rules, regulations and objectives to third countries and international organizations* (Adelle *et al.* 2018 p. 3).

Additionally, the literature distinguishes three different governance mechanisms through which the EU pursues its external environmental policy – a) *manipulating utility calculations*, basically a carrot and stick approach; b) *capacity building*, including financial aid and other support to enable third countries to chase environmental goals; c) *dialogues and negotiation*, through which a country is incentivized to pursue environmental policy goals (Adelle *et al.* 2018 p.5).

Regarding the EU’s external environmental policy *vis-à-vis* Latin America – *ergo* also Brazil - the literature (Dominguez *in* Adelle *et al.* 2018 p. 210) finds that the transfer of EU environmental norms is limited due to four factors, namely: a) The EU’s modest economic and political leverage in the region.; b) The implementation of international environmental rules and norms in the region.; c) The transformation of society in Latin America contributing to internal demand for better environmental standards; d) Bilateral environmental cooperation with other actors, namely the US.

The literature draws attention to the biannual EU-Latin America summit – happening since 1999 – which has a broad agenda including environmental cooperation (Dominguez *in Adelle et al.* 2018 p. 214) Nevertheless, the environment was not high on the agenda (*idem*, p.215). Pertaining to Brazil, more specifically, since 2006, the annual EU – Brazil Dialogues on the Environmental Dimension of Sustainable Development, which reviews the state of bilateral cooperation, has taken place (*idem*). These dialogues can be a powerful source to understand the EU – Brazilian cooperation.

This thesis looks at Europe’s impact on the preservation of the Brazilian Amazon and not merely the EU’s external environmental policy impact, this is a key difference because it allows the research to capture a broader picture and permits the inclusion of non-EU European states such as Norway, and similarly does not dissociate the indigenous peoples from the preservation of the Brazilian Amazon.

### European Companies

Though the EU may want to portray the continent as being at the forefront of environmentalism, European companies have been contributing to deforestation in the Amazon. This highlights the important dichotomy between discourse and practice.

The literature (Angelim *et al.*, 2021) highlights the destructive role European companies have in the Amazon and Cerrado regions of Brazil by focusing on three industries, soy, meat, and mining. To be sure, Europe is not the only region in the globe that should shoulder the blame for deforestation in Brazil as, per the literature (*idem*, p.8) 50% of the deforestation risk associated with Brazilian soy is connected to Chinese imports. Nonetheless, the subject of this thesis is Euro-Brazilian relations in the Amazon and, as such, that is the object of analysis even though it does

not mean Europe should be singled out as the root of all evils in the Amazon while other culprits are left off the hook.

The cooperation between EU and Brazil under the Soy Moratorium yielded good results - between 2006 and 2016 deforestation was cut by 86% in the affected municipalities (*idem*). However, this was not to last. President Jair Bolsonaro (2019 – 2022) has been widely criticized for an increase in deforestation (Gabriel, 2022). Indeed, if one observes the Amazon PRODES deforestation analysis - a Satellite-based surveillance system for deforestation – one quickly learns that deforestation under Bolsonaro hit the highest numbers since 2008 (PRODES).

The EU imports 41% of its soy from Brazil (Angelim *et al.*, 2021 p.9). Illegal soy, responsible for deforestation and CO2 emissions also arrives in the European markets (*idem*). Indeed, 45% of rural properties in the Amazon were found not to respect the Brazilian forest code (*idem*). Mato Grosso – a state in Brazil’s Centre-West region – was responsible for 28% of soy production in the country in 2019 (*idem*, p.10) and more recent data (EMBRAPA, 2022) continues to indicate that it is the largest Brazilian producer of the cash-crop.

European corporations are involved in the soy business in the Amazon (Angelim *et al.*, 2021 p.12). Their *modus operandi* begins with land speculation (*idem*). Companies like Monsanto, Bayer, Syngenta and Dupont are implicated in soy production (*idem* p.10) as are pension funds from the United States and Europe as well as financial institutions (*idem* p.12).

To understand the politics of the Amazon region, the role of companies, engaged in its exploitation must be considered.

## Populism and Brazil

Paolo Ricci, Mauricio Izumi and Davi Moreira (2021) did an analysis of the populist discourse of Brazilian Presidents after Brazil's transition to democracy in the late 1980s. They found out that the least populist presidents were Michel Temer and Dilma Rousseff whereas the most populist ones were Collor, Lula and Bolsonaro, though in this latter case, only his first year in office was analysed. They employed Mudde's definition of populism in this analysis which this thesis will also discuss in the theoretical chapter and that in essence is anchored on the division of society between the 'pure people' and the 'corrupt elite'.

Ricci et al. (2021) also evidenced important differences between the populist styles of Lula and Bolsonaro.

In the discourse of Lula, the most distinctive feature is the opposition between the haves and the have-nots, the rich and the poor. Lula's discourse is typical of the common Latin American 'inclusive populism' which valorises the state's role in promoting the integration of excluded people (*idem*). Nevertheless, classifying Lula as a populist actor is dependent on whether one emphasises his discourse or his actual political actions as president (*idem*). Indeed, Lula's political actions were marked by fiscal and economic responsibility, the defence of democratic institutions and the dialogue with other representative institutions (*idem*.)

Bolsonaro's populism, on the other hand, is of an excluding strand. 'People' for Bolsonaro means Brazilians who defend the values of the traditional family and excludes certain groups (*idem*, p.10). Additionally, the nationalism of Bolsonaro is not identitarian or ethnic but rather underpinned by the lenses of Christianity due to Pentecostal influence. (*idem*)

The authors (*idem*) also mention that ‘coalition presidentialism’ acts as a check on Presidential power given that Presidents, to implement their agenda, must necessarily enter dialogue with a Congress that they do not fully control (*idem* p.13).

## The Amazon

The Amazon rainforest is the object of different and contradictory perspectives (Bezerra 2015, p. xxiii). Representations about the Amazon, however, are not innocuous, they hide economic and political interests that can be hard to notice with the naked eye (*idem*, p.1).

The Amazon’s soils have been represented in different ways and with different political and policy implications (Bezerra 2015, p. 25). In the Victorian age, the Amazon was portrayed as green and luxurious, *i.e.*, that the soils were fertile if the forest was cleared for agriculture (*idem*). Starting from the 1920s a second view, seeing the soils as infertile, appeared, gaining strength after failed attempts to settle the tropical forest and increase agricultural production (Bezerra 2015, p.26). The infertility of the soils would preclude the development of advanced civilisations (Bezerra 2015 p. 30). Nonetheless, by the 1980s, thanks to new scientific evidence, the Amazon began to be seen as the home of complex civilisations on par with Mesoamerica (Bezerra 2015, p.34).

The Amazon has been framed either as a ‘Jungle’, a ‘Wilderness’ or a ‘Green hell’ or ‘Pristine’ and the terms and representations made about the region have political consequences (Bezerra 2015 p. 46)

Internationally there is a contradiction between the ‘conservation discourse’ and the incentives for deforestation *via* the international market (Bezerra 2015, p 62). That is, there is a contradiction between a vision of the Amazon as a ‘*sanctuary*’ and another vision of the Amazon as a ‘*development frontier*’.

Within Brazil, Bezerra argues (2015, p.63) the dominant perspective *vis-à-vis* the Amazon is that which sees the forest as a ‘resource frontier’, a place to be used for settlement and explored for its natural resources (Bezerra, 2015 p. 63) This point-of-view works toward promoting deforestation (Bezerra 2015 p. 64).

Additionally, Bezerra (2015, pp. 6,7) underlines that indigenous knowledge is important to understand the potential of the Amazon and that to think about the future of the Amazon it is necessary to take into account its people. Indeed, socio-cultural perspectives and strategies that include the local population are a ‘*conditio sine qua none*’ for a consistent project in the Amazon (*idem*, pp. 7,8).

Brazilian government programmes from the ‘March to the West’ in the 1940s to the ‘Forward Brazil’ in the 1990s are examples of how the Amazon was constructed as an empty space, ready to be occupied as shown by the 1970s slogan “a land without men for men without land” (Sampaio, 2012, p.52).

The influence of a developmentalist perception of the Amazon seems to have endured into the 21<sup>st</sup> century. Indeed, in 2008, President Lula said that the Amazon cannot be seen as a sanctuary because therein live 20 million people that need to work and need to eat. (Sampaio, 2012, p.185). Of course, this developmentalist perspective needs to be seen in context. Indeed, there is a difference of viewpoints between the ‘global north’ and Brazil given that for the former, development and poverty eradication are far from being priorities whereas for the latter they are of vital concern (Borges, 2017, p.3). Furthermore, as it will be argued, development and preservation walk side by side.

## Conclusion

Despite the pro-environment discourse and image that both Brazil and Europe hope to pass, it seems that this is contradicted by some business practices that drive deforestation in the Amazon region. The behaviour and discourses of European and Brazilian actors do not seem to be aligned. As such it is worthwhile to further explore this puzzle and uncover the different practices and discourses that surround the Amazon region. By examining these 20 years of discourse and policy towards the Amazon this thesis will contribute to the existing literature on the subject.

### III - Theoretical Framework & Methodology

#### Introduction

This chapter aims to present the main theoretical underpinnings upon which this research is based. It is anchored on the notions of populism, sovereignty, sustainable development and imagined communities. These concepts will be used to examine the actions, policies, and discourse of actors towards the Amazon region and its people.

#### Populism

Populism is an important concept when analysing the politics pertaining to the Brazilian Amazon because there are several examples of populist rhetoric being employed in this context. For example, Jair Bolsonaro criticised environmental protection policy for not addressing the economic requirements of the people and thus portrayed himself as “*the leader who defends the interests of the people against threats from other countries, scientists and environmentalists*”. (Motta & Hauber, 2022, p.2)

Moreover, Populism is a concept ‘*en vogue*’. Former US President Donald Trump, Hungarian PM, Viktor Orban, India’s Modi, the Polish PiS party and Brexit were all often described as Populist.

But what exactly is populism? According to Mudde and Kaltwasser (2017, p.16) Populism is an essentially contested concept in that it is discussed not merely what populism is but whether it actually exists. Their definition (*idem*, p.18) is that Populism:

*“a thin-centered ideology that considers society to be ultimately separated into two homogeneous and antagonistic camps “the pure people” versus “the corrupt elite” and which argues that politics should be an expression of the volonté générale (general will) of the people.”*

The fact that populism in thin-centred means that it attaches itself to other ideologies and thus does not have a single form (Mudde & Kaltwasser, 2017, p.18). Populism is a shapeshifter.

*“The people”* in Populism is a concept used usually with three meanings, the people as sovereign, the common people and the nation (*idem* p.19). The concept of “sovereign people” is – according to Mudde and Kaltwasser (2017, p.19) - linked to the modern democratic idea that defines the people as the ultimate source of political power and as the rulers. The “common people” is a class concept combining socioeconomic status with cultural traditions and popular values (Mudde & Kaltwasser p.20) it *“vindicates the dignity and knowledge of groups who objectively or subjectively are being excluded from power due to their sociocultural or socioeconomic status”* Finally, “the people as the nation” refers to the national community defined in either civil or ethnic terms (Mudde & Kaltwasser, 2017, p.20)

The difference between the people and the elite in Populism is a moral one. The people are pure and the elite corrupt. (*idem*) They are framed as a *“homogenous corrupt group that works against the “general will” of the people.”* (Mudde & Kaltwasser, 2017, p.20) and who can be identified based on *power* (Mudde & Kaltwasser, 2017, p. 21).

The third core concept in the definition of Populism is the ‘General Will’ which links back to Jean Jacques Rousseau (Mudde & Kaltwasser, 2017, p.23). Populism reinforces the notion that the General Will exists because of its division of society into pure people and corrupt elite (Mudde & Kaltwasser, 2017, p.23). Many populists follow Rousseau’s criticism of representative government and support direct democracy through referenda and plebiscites, and they criticize the establishment for not responding to the will of the people, *e.g.*, in Latin America left populists criticize the elite for ignoring the real problems of the people (Mudde & Kaltwasser, 2017, pp. 23, 24)

So, taking Mude’s definition, if we see appeals to the people, against the elite and using the concepts of the general will while referring to the Amazon we are likely in the presence of an actor employing Populist strategies.

### Sovereignty

Why should Sovereignty be relevant when looking at the Amazon region? Sovereignty has been at the crux of the matter for a very long time. Indeed, it has been argued that, nationally, the dominant perception *vis-à-vis* the Amazon is that of a *resource frontier* to be exploited to fortify Brazilian sovereignty over it (Bezerra, 2015, p.63). Brazilian Presidents – regardless of political affiliation – often emphasize national sovereignty when discussing the Amazon.

The legacy of sovereignty is ambiguous. If it is celebrated as an expression of the right to self-determination it is also decried as an obstacle to values such as environmental justice (Lee,2021). Indeed, sovereignty has been used by Brexiteers, by the United States in relation to its withdrawal from the Paris Climate Accord, by independence movements and with regard to the environment,

e.g., when President Jair Bolsonaro reasserted Brazil's sovereignty in the Amazon *vis -à-vis* the international interest in protecting the forest (Lee, 2021, p.2).

Sovereignty is not however univocal. Different authors have different perspectives on the concept.

For some, sovereignty fundamentally is “*the authority of a state to rule over its territory and the people within its borders, without external interference*” (Storey, 2017, p.118) and, therefore sovereignty relates to the ways of conceiving territory (*idem*).

Morgenthau, (1948 p.243) claims that sovereignty, conceived as “supreme power” over a certain territory was a political fact after the Thirty Years War. Sovereignty represented the victory of princes over the emperor, the pope and feudal lords.

Hedley Bull, (1977, p.31) asserts that the basis of international relations is the existence of states which he defines as “*independent political communities each of which possesses a government and asserts sovereignty in relation to a particular portion of the earth's surface and a particular segment of the earth's population*” (*idem*). He subdivides sovereignty in *internal sovereignty* – meaning that the state is supreme over all authorities regarding its territory and population – and *external sovereignty, i.e.,* independence from outside authorities. (*idem*).

Yet another perspective is that of Carl Schmitt (1934, p.8), who argued that “*the Sovereign is he who decides on the exception*”. Schmitt believes that it is in the state of exception that it is made clear who really dominates the state because it is then and there that one discovers who can declare the exception and reinstate normality (Neto, 2010). Indeed, for Schmitt (1934 p.11) state sovereignty is a monopoly on the decision and, the exception reveals the essence of state authority because it does not need the law to create the law.

Moreover, sovereignty can also be adjectivized and thus can be linked to Nationalism. The Iberian experience itself pioneered the notion of popular sovereignty. Francisco Suarez (1548 –1617) already envisioned a form of democratic government wherein political authority is exercised by delegation from the people (Rahilly, 1918, p.11).

Jean Jacques Rousseau in the ‘Social Contract’ (pp. 205, 206) also speaks of the sovereign as something collective, meaning the citizens are all part of the sovereign. For Rousseau, the sovereign is the body politic formed by the individuals who compose it, i.e., the citizens (Rousseau, pp. 205, 206). Furthermore, Rousseau (p.203) understands the social contract and therefore the constitution of sovereignty as an act through which every associate alienates himself and his rights to the whole community, *ergo*, the sovereign<sup>1</sup>. Thus, the sovereign for Rousseau - as mentioned by Professor Espada, when contrasting the thought of Rousseau with that of Madison (2016, pp. 109 –117) - is a unitary political body, guided by the supreme power of the general will and without restraint or separation of powers.

This is linked to populism and its aversion to checks and balances that could impede the unfettered will of the majority as well as to sovereignty in the Schmidtian conception as a monopoly on decision.

### Nationalism & Imagined Communities

Nationalism is linked to the preceding concept of Sovereignty and to Populism.

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<sup>1</sup>« Ces clauses, bien entendues, se réduisent toutes à une seule savoir, l'aliénation totale de chaque associé avec tous ses droits à toute la communauté. Car premièrement, chacun se donnant tout entier, la condition est égale pour tous, & la condition étant égale pour tous, nul n'a intérêt de la rendre onéreuse aux autres. »

There are different schools of thought regarding the origin of nations. Anthony Smith (1986, pp. 6 et seq.) identifies two schools of thought, modernists and primordialists. Modernists consider that the nation is a modern phenomenon and a product of modern developments such as capitalism, secular utilitarianism, and bureaucracy. By contrast, primordialists hold that “*nations and ethnic communities are the natural units of history and integral elements of the human experience.*” (Smith, 1986 p. 8 et seq.)

Benedict Anderson (1983, p. 13 et seq.) defines the nation as “*an imagined political community – and imagined as both inherently limited and sovereign.*” What the author means by ‘imagined’ is that the members of a nation do not and will never know or meet most of the other members of that nation (*ibidem*). By ‘limited’ he means that all nations have borders, limits, *i.e.*, a nation’s boundaries are not extensible to all of humanity (*ibidem*). Additionally, the nation, Anderson argues, is ‘sovereign’ because the concept appeared during an age of Enlightenment and Revolution against the legitimacy of Kings who claimed to have a divine right to rule. Therefore, the free nation walks hand in hand with the sovereign state, the token of its liberty (*ibidem*). Finally, Anderson defines the nation as a ‘community’ given that, despite *de facto* inequality, “*the nation is always conceived as a deep, horizontal comradeship.*” (*ibidem*).

### IR Theories and Environmental Problems as Political Problems

Environmental problems are political problems (Stevenson, H. 2018, p.7) Such problems necessitate a political solution. An example of how different political leadership may affect environmental issues is the rate of deforestation in the Amazon. Under President Luíz Inácio Lula da Silva the rate of deforestation decreased only to rise again during the tenure of far-right President Jair Bolsonaro (Jones, Benji, *in Vox* 2022).

Environmental problems can be seen from a security perspective. Environmental Security's emergence as an important concept is due to four interconnected developments that started in the 1960s. Firstly, the growth of environmental consciousness in developed countries. Secondly, the scholarly critique of the orthodox security discourse and practice that put into evidence its inability to address environmental risks to national and international security. The third development is the shift in the strategic landscape after the end of the Cold War which rendered classical ways of thinking security less obviously relevant and opened the intellectual space for environmental security. The fourth contributing factor is the realization that environmental changes are not merely a risk to ecosystems but also to human beings (Barnett *in* Collins, 2016 p.191 - 194)

Environmental Security is a non-traditional security issue (*idem* p. 192). The environment can be defined as “*the external conditions that surround an entity, but it can be more accurately defined as the living organisms and the physical and chemical components of the total Earth system*” and security as “*the assurance people have that they will continue to enjoy those things that are most important to their survival and well-being*”. (*idem*, p.194)

Research on international politics and transboundary environmental problems started in the 1970s (O'Neill, 2017 p. 12). Realism, liberal institutionalism and constructivism are three classical international relations approaches that provide insights into international environmental politics (*idem*, p.13).

Realism believes in a world of unfettered anarchy wherein states have few or no incentives to cooperate. For realists, enduring cooperation is unlikely unless forced by a great power or a hegemon. Moreover, in realist theory, the only relevant actors are states given that they are the ones possessing military and economic power. (*idem*)

Liberalism, by contrast, affirms that because states are interdependent there is an incentive towards cooperation. Be that as it may, liberal theorists acknowledge the problem of anarchy in IR which can lead to states free riding on the efforts and commitments of others. This is why they emphasize the role of international institutions and non-state actors that can prevent cheating and render cooperation more probable. (*idem*, p.14 and 15).

Whereas both Realism and Liberalism assume states behave to maximize their utility and that their preferences are predetermined, Constructivism highlights the importance of ideas, knowledge and norms in fashioning the functioning of the global system. These ideas and norms may change states' cost-benefit calculus, change their perception of their interests and roles and even alter the international system. (*idem* p.15)

Classical theories of IR may however prove difficult to apply to Brazil (Burges, 2017) and by extension to the topic of this thesis. If one wants to know how Europe has cooperated or maybe even impeded efforts to save the Brazilian Amazon one must consider Brazilian policies towards the Amazon as well as European ones directed at the Amazon to then inquire into the reasons these took place.

Indeed, Latin America – ergo Brazil - challenges the theories we may use to study it because its political history is different from that of the West (Vanden & Prevost, 2015, p. xxi)

Some theories aim to explain why environmental degradation occurs (Stevenson, Hayley, 2018, p,11). Hardin's "The Tragedy of the Commons" is one such attempt. There, he gives the example of a pasture open to all in which each herdsman wants to maximize his own gain and thus add one more animal to the herd. The problem is that each herdsman thinks in this way and thus if human freedom is respected and the resources are freely available the ill-fated result is environmental

destruction (Stevenson, Hayley, 2018 p.20) Hardin put forward two solutions for the tragedy of the commons, privatization or socialization, both of which would limit people's access to the commons (Stevenson, Hayley, 2018 p.21).

Other reasons advanced as causes of environmental degradation include overpopulation, poverty, underdevelopment, capitalism, affluence and economic growth (idem, p 11).

## Conclusion

The present research bears in mind the theoretical bases discussed in this chapter even though, the main theoretical guideline that this thesis will follow is a syncretic one. The research will resort to different theories on a casuistic basis and when and where they are deemed more suitable to explain the events and policies.

Though there are guiding principles that inform the thesis' research, the thesis will remain open-minded to the empirical data and not constrained to a particular theoretical lens that may generate bias and prevent it from delivering an accurate picture of the reality under analysis. The research by its very nature must be open to different perspectives so that it may explain different discourses and policies regarding the subject under analysis.

Therefore, this thesis hopes to contribute to the literature by providing an empirically grounded and theoretically pluralistic analysis of European and Brazilian policies and different discourses surrounding environmental, developmental and indigenous issues in the Amazon.

## Methodology

This thesis works with a vast array of different data. As such the methodology used is eclectic in nature. To understand the discourse from a Brazilian perspective, several speeches were collected,

mainly from the Brazilian official record at ‘Biblioteca da Presidência’ website and they were subjected to theoretically informed qualitative analysis. Secondary scholarly sources were also used as well as relevant books throughout the research.

Additionally, many different Brazilian and international media sources were used, as were sources from official websites of the European Union and the Brazilian government. This methodology will include the analysis of secondary literature and of primary legal and media sources.

The research also made up of reports from important international NGOs and of publicly available and trusted databases on development, indigenous peoples, deforestation, and mining in the Amazon as well as graphics created for the purpose of this research based on those databases.

The thesis draws from this multiplicity of sources, both qualitative and quantitative to create a picture and establish relations between discourse, policy, and results in the Brazilian Amazon over a 20-year period while also exploring the crucial dichotomies of sanctuary/development and discourse/practice.

The non-comprehensive nature of this research limits the extent to which the conclusions can be generalised. Not every discourse was analysed for every relevant actor. For instance, in Brazil, it would be a fruitful avenue of future research to analyse the states’ discourse and practice.

Similarly, with respect to the policies and discourses analysed here on the European level, future research remains to be undertaken at state level.

## IV – Actors and Stakeholders

Multiple companies, civil society organizations, governmental actors and even criminal organisations are engaged in the Amazon region. This chapter maps the different players in the

Brazilian Amazon to provide a bird's eye view of the region. Because the number of actors is vast, our analysis will focus on most representative actors in the region, delving into a more thorough analysis as warranted.

### Great Power Competition

China and the US are arguably the world's two main Great Powers and their influence in the Amazon is far from negligible.

For example, according to the UN COMTRADE's International Trade Database Intelligence (Martín, 2023)<sup>2</sup> Brazilian exports in 2018 amounted to 231 890 million dollars while in 2022 that number rose to 334 463 million dollars. In 2022, trade with China alone amounted to 89 719 million dollars, dwarfing the second-largest importer of Brazilian products, the United States.

China is an impactful actor in the Amazon. It's GDP grew staggeringly since the beginning of the century from a mere 1.21 billion dollars in 2000 (IMF,2023<sup>3</sup>) to becoming the world's second-largest economy with a nominal GDP figure of 19.37 billion dollars in 2023 (idem). Since 2009 it is Brazil's largest trading partner (Ueta et al. 2023 p.102) as well as the main buyer of most states in the Legal Amazon (idem). The PRC made many investments in Brazil's Amazon region between 2010 and 2020 in a wide array of sectors from Energy, Infrastructure and Mining to Manufacturing Finance, Services and Agriculture (Ueta et al. 2023 p.105)

Furthermore, China's economic rise, its food-security strategy and its growing appetite for soya which it uses to feed its pigs has been linked to deforestation in Brazil's Amazon (Chan & Araujo,

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<sup>2</sup> available at : [International Trade Database Intelligence \(shinyapps.io\)](https://shinyapps.io)

<sup>3</sup> available at : [World Economic Outlook \(April 2023\) - GDP, current prices \(imf.org\)](https://www.imf.org)

2020) or, in the author's words, "[China's] growing hunger for soy has incentivized Brazilian prospectors to keep pace by razing pristine jungle, thereby accelerating deforestation." (idem)

US involvement in Latin America is known well enough. It is tainted by multiple coups and interventions, including in Brazil. Indeed, as early as 1850, the chief of the US Naval Observatory, Matthew Maury suggested that the United States could avoid a civil war by shifting the location of its slave-based cotton business to the Brazilian Amazon (Buarque, 2010) Indeed US influence on Brazil has been so significant that, according to Burges (2017 p.326) "*much of Brazil's foreign policy can be read as an explicit attempt to assert autonomy from the US*".

During the Trump Presidency, while the Amazon fires were raging in 2019 Trump supported Bolsonaro's management of the situation while the latter rejected an offer of 20 billion dollars to help fight the Amazon fires (Oprysko, 2019)

Nonetheless, still, in 2019, the US Agency for International Development Administrator and the Brazilian Secretary of the Office of International Relations with the Ministry of the Environment signed a letter of intent aimed at launching the first-ever biodiversity-focused impact-investment fund for Brazil's Amazon intended to leverage 100 million dollars in investments aimed at supporting the creation of successful businesses that align with forest and biodiversity conservation. (US Embassy and Consulates in Brazil, Press Release, 2019<sup>4</sup>).

American companies, however, have also been implicated in the Amazon region. According to Amazon Watch, (Poirier, 2020) US Companies contribute to the destruction of the Amazon including the financial giants, BlackRock, JPMorgan, Chase and Vanguard who have invested

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<sup>4</sup> available at: [United States and Brazil To Partner In Biodiversity-Focused Impact Investment Fund For The Brazilian Amazon - U.S. Embassy & Consulates in Brazil \(usembassy.gov\)](https://www.usembassy.gov/press-releases/2019/09/2019-09-10-us-embassy-and-consulates-in-brazil-launch-biodiversity-focused-impact-investment-fund-for-the-brazilian-amazon/)

more than 18 billion dollars in nine companies tied to conflicts on Indigenous lands. This is of course concerning and potentially damaging to the image of the United States. Indeed, Cargill, one of the United States' largest private companies owned by the Cargill-MacMillan family (Forbes<sup>5</sup>) has been the target of a formal complaint in the US over its alleged inadequate monitoring and laggard response to the decline of the Amazon.

On a more positive note, President Biden recently pledged 500 million dollars to the Amazon Fund in order to fight Amazon deforestation (Pozzebon, 2023)

The Amazon, therefore, is a region of the world where Great Powers are implicated and this, even though it falls outside the scope of the present research can be the object of further study to assess how Great Power's competition for resources is damaging the Amazon.

### Indigenous Peoples of the Brazilian Amazon

Almost everywhere in the Amazon, development projects underpinned by national security have caused irreparable damage to indigenous peoples, driving some to extinction. (Souza, 2015, p. 108). The aggression against indigenous peoples goes further back in time, however. For instance, the Marquis of Pombal employed the inquisition in the Grão-Pará where hundreds of indigenous people perished for using their knowledge of tribal medicine to aid the colonists (Souza, 2015, p.69)

It is important to note that the indigenous peoples in the Amazon are an essential player. Satellite data shows that indigenous lands help to deter deforestation given that only 1.6% of total deforestation happened there (Folha de São Paulo, 19 - 04 - 2022) Furthermore, the indigenous

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<sup>5</sup> available at: [Cargill-MacMillan family \(forbes.com\)](https://www.forbes.com)

peoples of the Brazilian Amazon organise and protest, which can put pressure on the Brazilian government and the international community to adopt different policies. In 2006 indigenous people closed the highway BR – 230 in the south of the state of Amazonas to pressure the Ministry of Justice to release one million reais to FUNAI<sup>6</sup> (Brianezi, 2006). In 2019, Raoni, leader of the Kayapó people marched with young people in Brussels for the protection of the Amazon and the environment. He also met with Pope Francis and French President Emmanuel Macron (DW, 17 – 05 –2019).

The indigenous peoples of the Amazon are organized under the umbrella organisation COIAB (Coordination of Indigenous Organization of the Brazilian Amazon) which was created in 1989 (COIAB, 29 – 05 –2023).

### Civil, Incivil and Uncivil Society

Brazilian civil society organizations are important actors in the Amazon context. Indeed Lula's speeches stress the important role of civil society. Civil Society is a contested concept and a plethora of different authors have addressed the subject.

Larry Diamond (1994) defined civil society as “*the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state and bound by a legal order or set of shared rules*” (idem, p.228) According to the author (Diamond, 1994, p. 228 –230) Civil society is not an amalgam of everything that is not the government but rather an “*intermediary entity, standing between the private sphere and the state.*”. Consequently, family life, individual life, group activity not concerned with public ends, for-profit enterprises and political parties do

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<sup>6</sup> Around 200 thousand euros

not fall under the scope of civil society. Additionally, for Diamond (1994) civil society must respect pluralism and reject the use of violence.

Bruce Sievers's (2009) definition of civil society is alike, for him, Civil Society is "*the arena outside family, government, and market where people voluntarily associate to advance common interests based on civility.*". Again, in this definition, private life, the government and for-profit activities are excluded and there is likewise an emphasis on voluntary association and civility, *i.e.*, a rejection of violence.

Some are critical of the concept of civil society. Jai Sen (2010) proposed a tripartite division into civil society, incivil society and uncivil society. Indeed, the author puts forward the term '*incivil society*' and '*uncivil society*' as analytical categories distinct from '*civil society*'. Civil Society would be constituted by the privileged members of the social mainstream The Incivil Society is, made of the lower classes, the outcasts, people of colour – black or indigenous – and those whose language, faith and preferences are not mainstream. The Uncivil, like the Incivil, resist Civil Society but do so to pursue limited, material, criminal and exploitative goals.

Though not fitting the definition of civil society, it is worth mentioning prominent individuals that act in society to advance causes they feel strongly for. They would not fit a traditional definition of civil society but if the terminology was refined as *the arena outside government market and family where people act individually or collectively to advance their interests and the causes they support* then individuals could be considered, *per se*, part of civil society.

Indeed, such definition would make sense in this research as "*the political power of celebrities is growing in International Relations and many of them are committed to environmental causes*" (Partzsch, 2018 p.229) One such example is the singer Sting who founded Rainforest Foundation

– an organization that works with indigenous people to protect the forests - more than 30 years ago. (Veja, 2019)

In a Brazilian context, one can find the Civil, the Incivil and the Uncivil. For instance, it is accurate to place Indigenous Organisations like the COIAB in the Incivil category because its members do not belong to the Brazilian mainstream, similarly, the MST, representing mostly the lower-class rural workers would fit into the category and associations that are linked to violence and crime like the UDR in the Uncivil grouping.

For instance, the MST (Movement of the rural workers without land), was founded on January 1984 in the southern state of Paraná (Carter, 2006, p.131). It is the main popular organization in Latin America and one of the most important social movements aiming towards land reform (idem, p.1). Carter (2006, p.132) states that MST activities in the Amazon region have been conducted mainly through regional rural unions and an array of locally organised movements including informal squatter groups. It has been stated that MST is a proponent of agroecology which aims to defend the environment and work as an alternative to rural capitalism in Brazil (Schlachta, 2008, p.30).

The UDR (União Democrática Ruralista) is another organization with relevance to the Amazon region and acts in opposition to MST. UDR was founded as an organized and violent reaction of large landowners against rural popular movements that defended agrarian reform in the 1960s (Campelo, 2018) and thus would be classified as part of '*uncivil society*'. It is known nationwide in Brazil for its lobbying during the national constituent assembly wherein the '*ruralistas*' were concerned about the land reform plans of then President José Sarney (Folha de São Paulo, 2003) Nabhan Garcia – land secretary during Bolsonaro's Presidency and former UDR leader - (Quadros, 2019), said in an interview to Folha de São Paulo (2003) that land reform should be done in '*virgin*

*frontiers'* - i.e., the Amazon region – and not in other parts of the country<sup>7</sup>. This is an indication that environmental concerns are absent in this movement and that it sees the Amazon as a region to be explored, not protected.

Many environmental NGOs are present in Brazil. The Alliance for the restoration in the Amazon<sup>8</sup> (ARA) was established in 2017 as a multi-sectoral and multi-institutional initiative with the goal of promoting, qualifying, and expanding the scale of restoration of forest landscapes in the Brazilian Amazon (Aliança pela Restauração na Amazônia, n.d).

Amazon Watch is another civil society organisation. According to its website<sup>9</sup> it was founded in 1996 as a 501(c)(3) nonprofit organisation to protect the rainforest and advance the rights of Indigenous peoples in the Amazon Basin. It collaborates with Indigenous and environmental organizations in campaigns for human rights, corporate accountability, and the preservation of the Amazon's ecological systems (Amazon Watch, 2023).

Other prominent civil society organizations include for example, the Fundação Amazônia Sustentável (Sustainable Amazon Foundation). The FAS is a non-profit civil society group that promotes the sustainable development of the Amazon through initiatives and projects in the fields of health, empowerment, research, and innovation, environmental preservation, community infrastructure, entrepreneurship, and income generation. Its stated mission is to contribute to the conservation of the Amazon biome by valuing the forest and its biodiversity and improving the quality of life of the region's population. (FAS, 2023).

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<sup>7</sup> «Depois, como o próprio presidente Lula afirma, o Brasil tem muita terra, então deveria ser implementada uma reforma agrária nas fronteiras virgens, não no Sul, Sudeste e Centro-Oeste, onde está dando tudo certo, com sucessivos avanços na produtividade.»

<sup>8</sup> Aliança pela Restauração na Amazônia

<sup>9</sup> <https://amazonwatch.org/about>

Another civil society organisation worth mentioning is the Associação de Defesa Etnoambiental Kanindé (Kanindé Ethno-Environmental Defence Association). According to their own website<sup>10</sup> they are a Public Interest Civil Society Organisation, headquartered in Porto Velho in the State of Rondonia. Founded in 1992, Kanindé's mission is twofold, to defend human rights and to defend the environment. It does so by proposing creative solutions to strengthen the identity, culture, economy, education and health of indigenous peoples in different region of Brazil (*Kanindé*, n.d). Instituto Socioambiental in action since 1994 - acts alongside indigenous communities, quilombos and extractivist communities – to develop solutions capable of protecting their territory, strengthen their traditional knowledge and culture, elevate their political profile, and develop sustainable economies. (ISA, n.d.)

Imazon is a Brazilian Public Interest Civil Society Organisation and a scientific institution that conducts research and projects to promote socio-environmental development and climate justice in the Amazon. Imazon has published approximately 800 scientific works that serve as support for decision making by the public, private and third sectors. The stated goal of this organisation is to create and employ solutions underpinned on forest conservation to ameliorate the quality of life of the people of the Amazon, Brazil and the world at large. (IMAZON, 2023)

Green Peace is a widely known environmental organisation. Its origins dates from 1971 when the group sailed to Amchitka Island to stop a US nuclear weapons test (Greenpeace UK, 2023). Greenpeace was initially a diverse group of Americans and Canadians that included both WW2 veterans, hippies and people fresh out of high school (Zelko, 2017) In just a decade it had become the world largest environmental NGO (*idem*). Greenpeace's strategy involved "*world civic*

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<sup>10</sup> <https://kaninde.eco.br/quem-somos/>

*politics*” or, *in casu*, the dissemination of ecological sensibility to shape behaviour at various scales with the intention of influencing opinion at different levels (idem). In this process, Greenpeace became, in the o words of Zelko (2017), “a multi-level NGO with local, regional, national and international offices, each with different priorities, strategies, tactics and degrees of authority”.

*Greenpeace Brazil* started its activities in 1992 during the ECO-92 Rio Conference and today its very active *inter alia*, *vis-à-vis* deforestation in the Amazon, Indigenous Rights, Ocean and Beach Pollution and Agroecology (Guitarrara, n.d).

The WWF is another prominent international NGO and Civil Society movement. The World Wildlife Fund opened its office in Brazil on the 30<sup>th</sup> of August 1996 even though it had worked in the country since 1971 (WWF, 2023<sup>11</sup>)

These are but a few examples of the richness of civil society in the Brazilian Amazon. Overall, there are many civil, incivil and uncivil society organisations that play a role in the Amazon either helping out indigenous communities and protecting the forest or advancing their own interest and agenda which may include the maintenance of the status quo and keeping the Amazon as an area open to exploitation. Sometimes the actions of some groups may even involve criminal activities.

### Brazilian Companies

Another set of important actors in the Brazilian Amazon are Brazilian Companies. How are companies understood in the Brazilian legal order? After it gained independence in 1822, Brazil kept previous Portuguese law in force, including the Ordinations. Likewise, it kept the tradition of

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<sup>11</sup> available at : [WWF Brazil office | WWF \(panda.org\)](https://www.panda.org/wwf/brazil/)

sending law students to Coimbra in Portugal thus assuring a closeness between Portuguese and Brazilian law (Menezes Cordeiro, 2004, p.115)

The Brazilian Civil Code of 2002 (CCBR) was developed because of increased urbanization and industrialization in Brazil. (Menezes Cordeiro, 2010) It was inspired in the Portuguese Civil Code of 1966 and on the German BGB (Bürgerliches Gesetzbuch) even though the Brazilian Code also includes Commercial Law (idem)

Article 44 of the CCBR states that associations, societies, foundations, religious organisations and political parties are legal persons of private law<sup>12</sup>. The concept of person has been debated (Ramalho, 2019, p.1) but it can be said that persons - in legal speech - are the entities capable of holding legal relations or, in simpler terms, any entity that can have rights and obligations is a person. (idem p.3) However, not every person is a legal person, not every legal person is a legal person of private law and not every legal person of private law is a company.

A company is coterminous with the concept of society, which as we have seen is included in the definition of legal persons of private law. Furthermore, the CCBR defines society as a contract in article 981 in the following manner:

*“They enter into a partnership contract (contrato de sociedade) those who are reciprocally obligated to contribute, with good or services, to the exercise of economic activity and the sharing, among themselves, of the results”.*

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<sup>12</sup> Whereas private law is based on the equality between the parties to the legal relationship, public law is underpinned by the supremacy of public power over the citizen due to the prevalence of collective interest over that of the individual (Meirelles, 2016)

In addition, the CCBR defines the Businessman<sup>13</sup> as someone who professionally exercises economic activity organised towards the production or circulation of goods and services.

In brief, in the definition of company there are always three different elements, a private law contract, economic activity and the pursuit of profit.

This definition is not far from the one found in the *jurisprudencia constante* of the Court of Justice of the European Union (CJEU) according to which “*the concept of company covers any entity engaged in an economic activity, irrespective of its legal status and method of financing, and any activity consisting in the supply of goods or services on a given market constitutes an economic activity*”. (Alves & Silva, 2017, p41)

Companies, being dedicated to the pursuit of profit, are clearly prime *rational actors*, i.e., actors, especially interested in maximizing their utility which may put them in a collision route with other relevant interests. In fact – as Olson (1965) argued - due to their concentration of interests they are often the ones able to extract funding from the government.

The three biggest beef producers in Brazil - JBS, Marfrig and Minerva – have been linked to deforestation in the state of Pará. (Global Witness, 2020, p.5) Barclays, a well-known British bank was the largest financier of JBS in the period from 2015 to 2022 (Mighty Earth, 2023) showing once again the involvement of European companies in the process of destruction of the Amazon region.

Besides beef companies, mining companies also play a key role in undermining the Amazon region. To be sure mining is not an exclusively Amazonian issue, it extends to other parts of Brazil, including the aptly named South-Eastern state of Minas Gerais (Ramos, 2023) In the

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<sup>13</sup> In Portuguese, Empresário - the word has a clear connection with Empresa (Company)

Amazon specifically, mining companies have contributed to polluting the rivers with mercury (Ramos,2023) affecting indigenous lands.

According to data referring to the year 2020, Vale S.A., was by a long shot the largest company in the mining and metallurgy sector based on net income (Garside, 2023). Vale was implicated in the exporting of gold without paying CFEM (Financial Compensation for Mineral Exploration) in the State of Pará in the cities of Canaã and Carajás (Pinto, 2023) where the company has mining operations. Vale's track record is far from clean even if the mining company is currently trying to greenwash itself with the label of "sustainable mining"<sup>14</sup>. Indeed, in 2019 Brazil was shocked by the Brumadinho dam disaster in Minas Gerais which saw a sea of mud destroying houses in the regions of Corrego and Feijão (G1 Minas, 2019) This hecatomb caused the deaths of more than 220 people and led Germany's third largest asset manager, Union Investment, to completely divest from Vale (Schipani et al., 2019).

These are but some examples of the interest, behaviour and impact of companies in the Brazilian Amazon. Impacts such as those illustrated above can be extremely destructive and are always guided by the companies *raison d'être*: profit-making.

### Brazilian Government

Brazil is a federation, in Brazil states and municipalities are autonomous, and this autonomy includes, to different degrees, their capacity to self-organize, create their own norms, self-governance and self-administration. (Moraes, 2005, pp. 249, 253)

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<sup>14</sup> Vale's website includes extensive reference to sustainable mining - <https://www.vale.com/pt/>

Latin American Political Systems which combine presidentialism with proportional representation legislative elections have been considered unattractive and especially susceptible to executive-legislative deadlock, more so when presidents do not command a majority in Congress (Lijphart, 1991, p.77)

For some (Mello & Spektor, 2018, p.115), writing during the Car Wash scandal:

*“(...) corruption, rent seeking, and fundamentally flawed ways of conducting political business are not exceptional, but rather integral to managing Brazil’s brand of multiparty presidentialism”.*

They attribute this to flawed institutional engineering and point specifically to the rules governing the relationship between executive and legislative power (idem).

It is the Brazilian Constitution that sets down the formal rules of the game. After the 1988 Federal Constitution (CF), the Brazilian government system started to be called ‘coalition presidentialism’, an expression coined by Sérgio Abranches in an article he published during the Constituent Assembly (Mendes & Branco, 2017, p.826)

This Constitution adopted Federalism meaning that Brazil is a union of states that have limited political autonomy (Moraes, 2005 p.245) This of course means that when we talk about the Brazilian State, we must keep in mind that we are talking about a plurality of actors and not a monolithic block.

Concerning the Executive Power, one must say that, in Brazil, it is centred on the President. (Mendes & Branco, 2017, p.826). The Political solution to the hardships of achieving governability under coalition presidentialism has been to reinforce the presidential position through the creation of a broad coalition in support of the government which is needed given the sheer number of parties represented in Parliament (idem, p.827)

Such a majority is obtained through: a) the distribution of political office to the coalition parties; b) the release of parliamentary amendments to the Union's budget; c) the centralization of legislative activity in the President by using provisional measures which gives the sitting President agenda-setting power. (idem)

The President is both head of state and head of government and has ample powers regarding high-level management of the State, international relations, and federal administration (idem p. 834). *Inter alia*, the powers of the President as head of the federal administration, include the nomination and exoneration of ministers and of the Union's Attorney-General, the direction of the federal administration –with the help of the ministers –, establishing and abolishing the public federal offices, nominating the President of the Central Bank after it is approved by the Senate, nominate the members of the State Council, convene and preside the State Council and the Nacional Defence Council, expedite law-executing decrees and regulations, issue decrees regarding the functioning and organisation of the federal administration provided that by doing so he does not increase the expenditure and does not create or extinguish public bodies and also the extinguishing of political offices when they are vacant (Mendes & Branco, 2017 p.834). The powers of the President are listed under article 84 of the CF<sup>15</sup>.

Legislative power in Brazil has not only the function of legislating and supervise but also administrative and judicial functions (Mende & Branco, 2017 p. 788). Indeed, it can judge, *inter alia*, the President of the Republic (idem) as famously happened in the case of President Dilma Rousseff.

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<sup>15</sup> Available at: [Constituição \(planalto.gov.br\)](http://Constituição(planalto.gov.br))

Brazil operates under a bicameral parliament composed of the Chamber of Deputies and the Federal Senate. The Chamber of Deputies is elected by proportional representation in every Brazilian state and in the Federal District while the Senate is made of three representatives from each state and of the Federal District (idem p.789)

According to Mello and Spektor (2018 p. 115, 116) multiparty - i.e., coalition – presidentialism skews the balance of power between the legislative and the executive in such a way that it leads to the erosion of the basic check and balance of a presidential system. In fact, because the legislature is fractioned in multiple parties and faces a powerful president, the members of the legislature cannot deliver on programmatic commitments and thus focus on particularistic goods which rely on handouts from the President or from interest groups which then are able to shape decision making to the detriment of voters (Mello & Spektor, 2018, p.116)

Nor is the Judicial Power in Brazil without controversy. Indeed, contemporary Brazil saw the rise of activist judges to the status of celebrities due to their issuing of high impact decisions (Vitorio, 2019)

To summarise Brazil's political system makes it a complex issue-prone actor with distinct levels of government and different powers all acting within different competences. These actors possess different levels of relevance to the Amazon. This research does not delve deep into the state or municipal level.

## European Union

Though the first steps in European Integration were taken in the 1950s with the creation of the ECSC and the EEC (Blair, 2005, p.3) it was the Maastricht Treaty, in 1992, that created the European Union as a three-pillared-structure – European Communities, Common Foreign and

Security Policy, Justice and Home Affairs. (McCormick, 2008, p.61). The Nice treaty that entered into force in early 2003 was meant to prepare the EU for eastern enlargement. (McCormick, 2008 p.64)

The 2007 Treaty of Lisbon formally established the European Council as an institution, created the position of President of the European Council and, importantly, for international relations, it created the position of a *de facto* EU foreign minister, the High Representative of the Union for Foreign Affairs. (Olsen, 2021) It also abolished the pillar structure, adopted a new formula for qualified majority voting in the Council of the European Union, increased the powers of the European Parliament, and gave the EU a single legal personality for the first time (*idem*).

Article 13 of the Treaty on the European Union names the European Institutions (TEU). Some relevant institutions on foreign policy are the Commission, the European Council, the Council of Ministers and the Parliament. Of course, the MS still have their independent foreign policies.

The European Parliament is “*the only directly elected transnational legislature in the world*” (Olsen, 2021, p.116). Its three main functions are legislation – without initiative powers -, budget and political control (Cuyvers, 2017, p.81). The EP is also consulted on CFSP<sup>16</sup>, scrutinizes it and provides strategic policy input (European Parliament,2023<sup>17</sup>).

The European Council is composed of the Heads of State or Government of member states plus the President of the Commission who is, *ex officio*, a member. (Cuyvers, 2017, p.85) The High Representative is also present when foreign affairs are discussed (Olsen, 2020, p.108). Its main task being deciding on the general direction the EU should follow, the European Council decides

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<sup>16</sup> Common Foreign and Security Policy

<sup>17</sup> available at: [Foreign policy: aims, instruments and achievements | Fact Sheets on the European Union | European Parliament \(europa.eu\)](#)

by consensus and meets at least twice every six months (Cuyvers, 2017 p.86). It also makes key decisions in foreign policy issues (Olsen,2020, p.111).

The Council of Ministers is a forum where ministers of EU member states meet and is also co-legislator with the EP functioning, *mutatis mutandis*, as an upper house of parliament. (Olsen, 2020 P.97). Its main functions include besides legislation and budget also foreign policy. (Cuyvers, 2017, p.88). In fact, the Council, intergovernmental to the core, plays a crucial role in foreign relations because member states refuse to surrender this prerogative to supranationalism (Cuyvers,2017, p.89)

By contrast, the European Commission is a '*supranational body*' that represents the general interests of the Union (Cuyvers,2017 p.93) The Commission is the EU's primary external representative to other international organisations, it is a crucial point of contact between the EU and third countries (Olsen, 2020 p.93).

As we see, regarding the European Union, there are many different actors that are competent in foreign policy reflecting the inherent tensions between supranationalism and intergovernmentalism. In fact, in EU foreign relation the stage is crowded and multiple actors, including the High Representative, the Presidents of the Commission, the European Council, the Council and different national leaders compete in this field (Cuyvers, 2017, p. 89).

## V -The Amazon under Lula (2003 –2010)

### Introduction

This chapter examines how the two fundamental dichotomies – discourse and practice & sanctuary and development – played out during Lula's first two terms in office. When one examines data

pertaining to deforestation in the Amazon, it is self-evident that during Lula's first two terms, the deforestation rate improved<sup>18</sup>:

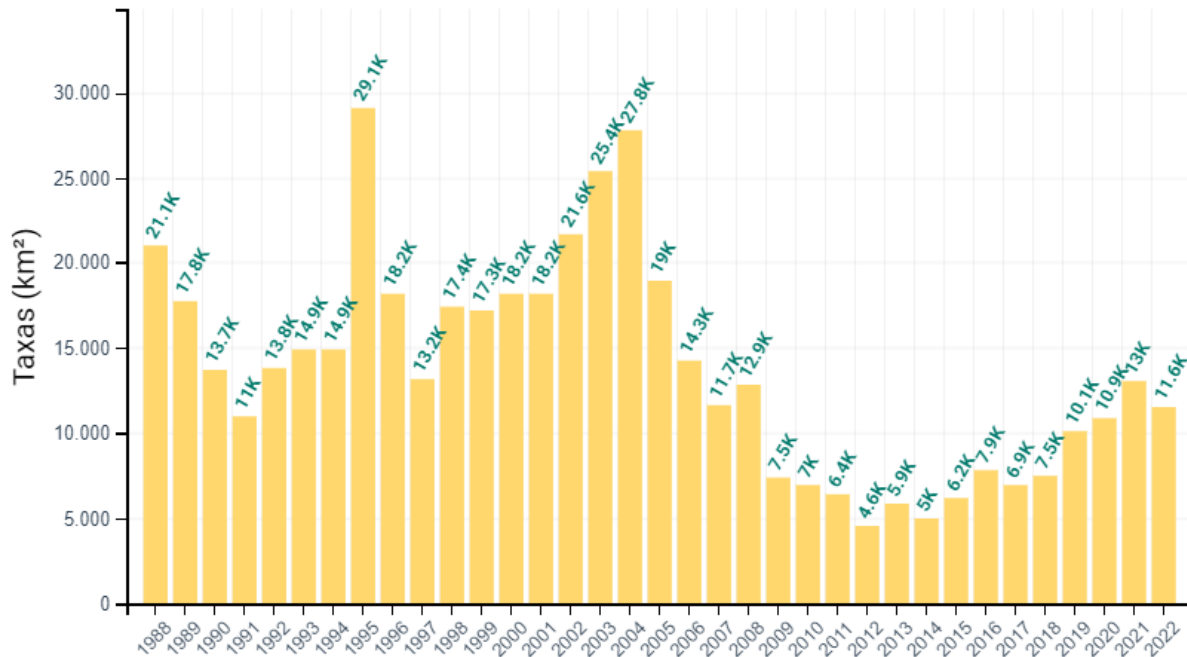


Fig.1 Prodes. Terra Brasilis

As demonstrated by official data from PRODES/Terrabrasilis in figure 1, the deforestation rate in the Amazon decreased sharply from 25.4 km<sup>2</sup> to 7 km<sup>2</sup> in a time span of merely 7 years.

What was the discourse of Lula during his two terms in office from 2003 to 2010? To understand Lula's positioning *vis-à-vis* the Amazon it is imperative that his speeches during this period are analysed. While each speech has its own context, it is important that we understand both the discourse and the actions that were actually taken during the Lula administration.

### Lula's Discourse on the Amazon

<sup>18</sup> Data available at: [http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/legal\\_amazon/rates](http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/legal_amazon/rates)

Lula's speeches from 2003 to 2010 are available online at the official website of the Brazilian Presidential Library<sup>19</sup> (Biblioteca da Presidência). Already in 2003 Lula gave 213 presidential speeches, in 2004, this number rose to 292. The year 2005 saw an additional 263 speeches while in 2006 Lula gave 244 presidential speeches.

Lula's second term in office saw him give 247 presidential speeches in 2007, 267 in 2008, 271 in 2009 and, finally, 345 speeches in 2010. (Biblioteca da Presidência da República). As not all speeches are relevant to this thesis, not all will be subjected to analysis.

Therefore, only relevant speeches, directly linked to the Amazon region will be analysed. The analysis will, be crossed with the main Amazon-related events during Lula's presidency to provide contextual information.

The first speech where Lula addresses the Amazon corresponds to his first trip to the Amazon region on the 4<sup>th</sup> of April 2003. In the capital city of the state of Pará, Belém, Lula stated that he had good news for the state of Pará and for the Amazon region, as a whole. He announced the appointment of Maria do Carmo as coordinator for the Amazon Development Agency<sup>20</sup> and frames it as the start of an extraordinary change in how development agencies were treated in Brazil (Lula da Silva, 2003). Lula also emphasises that he remembers his campaign's promises and that they will be fulfilled including the establishment of a development policy, the programme first employment, the fight against hunger and land reform (idem).

A few days later, on 11<sup>th</sup> April 2003, Lula received, Alejandro Toledo, President of Peru in the Itamaraty Palace. On that occasion, Lula again mentioned the Amazon region. (Lula da Silva,

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<sup>19</sup> Available at: [Biblioteca da Presidência da República — Biblioteca \(presidencia.gov.br\)](http://Biblioteca da Presidência da República — Biblioteca (presidencia.gov.br))

<sup>20</sup> Agência de Desenvolvimento da Amazônia.

2003) Lula underlined the long tradition of cooperation and understanding between Brazil and Peru and stated that he and President Toledo deepened the discussion about the challenges ahead. Lula stressed the importance of ‘building and action’ and that implementing energy, transport and communication infrastructure between South American countries was needed for the economic development and well-being of the region. Lula specifically mentioned the building of the bridge on the river Acre - *i.e.*, in the Amazon region - as important not only *per se* but because it would confirm the commitment of both Brazil and Peru to South American integration. This integration, according to Lula, is based on several ‘starting points’, one of them being the Amazon rainforest or as Lula put it:

*“This integration has several starting points. One is the Amazon. It is one of our most striking coincidences. The space that once separated us is now the scene of commitments and actions, both bilaterally and within the framework of the Amazon Cooperation Treaty Organisation. These commitments are those of sustainable development and the progress of the people of the region, responsibilities of the Amazonian countries, which must be exercised in an entirely sovereign manner.”*

In both of these early speeches, Lula stresses the importance of development of the Amazon region for the benefit of the people living in the Amazon as well as national sovereignty over the territory. Indeed, sovereignty, though not expressly linked to the Amazon region was again highlighted by President Lula in his speech on the 21<sup>st</sup> of April 2003 on the occasion of the Tiradentes day (Lula, 2003). A mere four days later during the visit of the late Hugo Chavez to Brazil, Lula reaffirmed the commitment of both Brazil and Venezuela to the OTCA (Amazon Cooperation Treaty Organization) and discussed the access of Venezuela into SIVAM (Amazon Surveillance System) (Lula, 2003).

A landmark visit to the Amazon during Lula's first year in office was the one that occurred in May 2003. Lula went to Rio Branco, in the state of Acre to discuss the development of the Amazon region with the governors of the Northern region (Capobianco, 2020, p.88) The main goal of this meeting was the discussion of local demands pertaining to the pluriannual plan 2004-2007. It was agreed that local claims and demands made by the governors of the Amazonian region would be linked to an articulated plan capable of preventing the government from committing to initiatives that could lead to the worsening of socio-environmental degradation in the region. This agreement laid the foundation for the PAS (Capobianco, 2020 p.88)

Still in the easternmost Brazilian state of Acre on the 10<sup>th</sup> of May 2003, Lula da Silva gave a presidential speech in Chico Mendes's House in Xapuri (Lula da Silva, 2003). This speech took place during the ceremony commemorating the launching of programs and partnerships between the Federal Government and the State of Acre (idem). There, Lula congratulated the opening of a condom factory in Xapuri including the fact of the links between the factory and the Acre rubber tappers. Indeed, Lula explicitly said that he came to announce good news, development, investment and partnership (Lula da Silva, 2003). He further stated that the Amazon has an exceptional potential that has been forgotten due to the leaders of the country overlooking the North in favour of the South and South-Eastern regions of the country (idem) to which he added that the North – *grosso modo* the Amazon – is part of Brazil's national territory and must be nursed with kindness.

On May 8<sup>th</sup>, 2008, a ceremony was held for the launching of the PAS<sup>21</sup> – according to Capobianco (2020) one of the crucial government plans for the Amazon - in which President Lula gave a speech.

Lula observed that there had been many governments before that had tried to do something for the Amazon each with a different vision. He specifically mentioned the 1973 Transamazon project and the Calha Norte project highlighting the fact that the problem had been that when even though the projects work in theory, they face hurdles in their implementation. (Lula da Silva, 2008)

He put into evidence the two sides of the debate over the Amazon when he said (idem):

*“I’ve often heard it said that the Amazon should be transformed into a sanctuary for humanity. I’ve heard others say that chainsaws had to be distributed because that was the only reason for the development of the Amazon.”*

This corresponds to one of the fundamental dichotomies regarding how the Amazon is perceived and treated. The dichotomy between a vision of the Amazon as a sanctuary, a lush green forest that ought to be preserved at all costs and a vision of the Rainforest as a resource frontier to be exploited without limits.

During his speech, Lula breaks free of this dichotomy by saying (idem):

*“We all realise that the Amazon needs to be developed, but we all also realise that it has to be developed in a way that is, I would say, well thought out and not predatory, as we have seen in other regions of the country. And a differentiated development, making the most of what the*

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<sup>21</sup> Plan Sustainable Amazon

*Amazon region has to offer humanity and each of the citizens who live in one of the states that make up the Amazon.”*

Lula’s discourse here is one that favours the development of the Amazon region as long as this development does not end up destroying the region itself. He does not see the Amazon as an untouchable sanctuary but neither does he see it as an inexhaustible source of resources. He wants a ‘*differentiated development*’ for the region that respects its particularities. What Lula favours is a vision of the Amazon not as a sanctuary that cannot be touched nor as a resource frontier but as a special *sui generis* lieu.

Lula underscored the importance of the PAS as “*something bigger than a programme, bigger than a proposal*” because it managed to congregate the governors of the Amazon states to sign intention protocols and a compromise-letter (Lula da Silva, 2008). He also linked environmental protection to economic interests when he stated that (*idem*):

“[...] *If we do not do things properly some country will ban the import of Brazilian soybeans because someone said it was being planted in the Amazon jungle. Our cattle farmers, our corn farmers, all of them know today that [protecting the forest] is a comparative advantage for the products they want to sell to the world*”.

So, for Lula, protecting the Amazon rainforest is also a way to ensure open markets for Brazilian products that could be blocked by environmentally conscious states in the Global North.

Nevertheless, as in previous speeches, Lula still emphasised Brazilian sovereignty over the region even though he included the indigenous peoples as members of the Brazilian nation and states that the Amazon should provide benefits for every human being (Lula 2008):

*“All 180 million Brazilians will be much more Brazilian if they realize that the State is fulfilling its function to them, regardless of whether they are male or female, indigenous, black or white”.*

&

*“The Amazon has to belong to humanity, and we think it does. We think that it needs to produce benefits for all human beings, but we must say, loud and clear, that it is Brazil that takes care of the Amazon, it is Brazil that decides what to do in the Amazon.”*

In these speeches, it can be observed that Lula is inclusive in his definition of who *the people* are concerning Brazil and the Amazon. One is Brazilian regardless of ethnicity or gender or, presumably even language as not all indigenous people speak Portuguese. Likewise, even though the Amazon should benefit everyone it is only Brazil, *ergo*, the Brazilian people that decides on the Amazon or, in other words, the Brazilian people are sovereign over the Amazon rainforest.

Based on these examples of discourse it is possible to conclude that Brazil’s vision of the Amazon during Lula da Silva’s Presidency was multifaceted and did not fall into any of the two sides of the dichotomy between sanctuary and development.

Lula’s vision of *the people* is inclusive and encompasses all inhabitants of Brazil. The fact that he emphasises that decisions, with regard to the Amazon, are Brazil’s alone to take – and ties in the notion of “Brazilianness” to territory - without excluding anyone.

### Practice of the Brazilian Government

There is a common saying in Brazil, there are laws that stick and laws that do not stick. Therefore, to analyse the policies of the Brazilian government from 2003 to 2010 it is important to keep in

mind not only what happen in the books but also in reality, that is, the distinction between *de jure* and *de facto* must be borne in mind.

Lula's government program (Lula da Silva, 2002) is divided into four main chapters: a) Growth, Employment and Social Inclusion; b) Development, Rent Distribution and Stability; c) Social Inclusion and d) Infrastructure and Sustainable Development. The first mention of the Amazon in the text pertains to the Brazilian Armed Forces wherein Lula emphasises that the Armed Forces “will continue to play a role in defending the borders and the regions that are threatened in their integrity as is the case of the Amazon<sup>22</sup>” (Lula da Silva, 2002, p. 5, 6) Furthermore, Lula (2002, p.5) also supported the introduction of new technologies to assure the complete defence of the national territory which he considered to be a fundamental vector for national sovereignty.

During Lula's government, the MMA (Ministry of the Environment) developed a tripartite strategy for the Amazon region, it was anchored on the PAS (Plan Sustainable Amazon), the Plan Sustainable BR-163 and the PPCDAm (Action Plan for the Prevention and Control of Deforestation in the Legal Amazon) (Capobianco, 2020).

In June 2003, the Inter-ministerial Commission of Coordination for the PAS was created (Capobianco, 2020, p.88) and in October the first draft version of the program, including general directives and proposed strategies was formulated (idem). The PAS was meant to change the Brazilian policy towards the Amazon and move away from previous policies that were anchored on the paradigm of the “*frontier economy*” and which focused on road infrastructure and the expansion of agrobusiness (idem). The PAS was the main strategy of the integrated environmental

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<sup>22</sup> Translated from: Desde já fica claro, porém, que as FFAA cumprirão sua missão constitucional, especialmente aquelas relacionadas com a defesa das fronteiras e a proteção de regiões ameaçadas em sua integridade, como é o caso da 6 Amazônia. Elas deverão estar aptas também para desempenhar missões de paz no mundo.

policy of the Lula government for the Amazon. A strategy that aimed to consolidate a model of sustainable development, fight processes of environmental degradation and establish directives for land use planning and environmental management (idem).

The Sustainable BR-163 Plan had the objective of promoting sustainable development and avoiding the negative impacts that have historically been associated with paving roads in the Amazon region (Capobianco, 2020, p.91). This was even more important because the potential deforestation along the BR-163 was estimated at a staggering 20 thousand to 50 thousand km<sup>2</sup> (Capobianco, 2020, p.92). and indeed, just the expectation that the road would be paved led to an increase in deforestation there of up to 500% during the period of 2001 – 2002. (idem)

In November 2003, Brazil's environmental ministry promoted a seminar in the Mato Grosso city of Sinop to include different actors of civil society in the decision-making process (Capobianco 2020 p94). The final text of the meeting highlighted the needs of the people in the region that required the road to sell their products and for their basic assistance requirements but also showed concern for guaranteeing the security of the forest and biodiversity (idem). This means that the document struck a delicate balance between the two visions of the Amazon, one which sees the Amazon as a sanctuary and the other that portrays it as a resource frontier to be exploited.

The Plan included nine specific objectives: (Capobianco 2020, p.96- 98):

1) prevention and mitigation of the impacts associated to the paving of the road with a particular focus on land disputes, rural violence, the displacement of family farmers and traditional populations from their territories, increased deforestation, and other socio-environmental issues.

2) promoting a set of actions with a view to creating the necessary structural conditions for local and regional development, promoting sustainable activities through technological innovation, and

added value, improving the logistics of socio-economic infrastructure, and strengthening social inclusion and citizenship.

3) increasing state presence, ensuring greater governability over the processes of territorial occupation and greater capacity to guide the processes of socio-productive transformation.

4) stimulate processes of dialogue, negotiation and consensus building between the government and different groups in society

5) promoting the shared management of public policies through partnerships between the municipal, state, and federal level of government.

6) recognise and value the socio-cultural diversity in the area as a fundamental aspect of its implementation strategy.

7) promote a land-use strategy able to forestall the occupation of conserved forest areas and encourage the use of abandoned deforested areas.

8) foster productive activities that make a sustainable use of natural resources and biodiversity anchored in science, the valuing of the wisdom of local populations and the creation of added value to create jobs and income and strengthen food security.

9) support the structuring of urban centres, considering their production support functions and the provision of essential services for the quality of life of residents.

These goals point to a vision of the Amazon that considers both the native population, the environment, and the interest in developing the region to improve the life of the Amazonian people.

PPCDAm was a response to the growing degradation of the Amazon Forest (Capobianco, 2020 p.99). Indeed, in June 2003, the National Institute for Space Research (INPE) had released data

on deforestation in the Legal Amazon pertaining to the period from 31<sup>st</sup> July 2001 to 1<sup>st</sup> August 2002 which showed an increase of 40% in deforestation rates compared to the previous year. (Mello & Artaxo, 2017 p.111).

The PPCDAm appeared in this context, as a strategic initiative of the Brazilian government that was fully included in the guidelines and priorities of the PAS (*idem*). The elaboration of the plan directly included 54 members of teams of 12 ministries and is significant as the first ever registered effort of public policy for the Amazon that mobilized such an impressive group of professionals from different parts of the federal government to define strategies and priorities (Copobianco,2020 p103). Thus, with the PPCDAm, the issue of deforestation in the Amazon became part of the highest level of the Brazilian federal government's political agenda (Melo & Artaxo, 2017, p.111).

The plan was officially submitted by the Permanent Inter-Ministerial Working Group for Reducing Desertification in the Amazon (GPTI) in 2003 and publicly launched in March 2004 (Copobianco,2020, p.101). The GPTI was created under the aegis of the Chief of Staff of the Presidency and include the participation of the following actors: Ministry of Agriculture, Livestock and Supply (MAPA); Ministry of Science and Technology (MCT); Ministry of Defence (MD); Ministry of Agrarian of Agrarian Development (MDA); Ministry of Development, Industry and Ministry of Defence (MD); Ministry of Agrarian Development (MDA); Ministry of Development, Industry and Foreign Trade (MDIC); Ministry of National Integration (MI); Ministry of Justice (MJ); Ministry of the Environment (MMA); Ministry of Mines and Energy (MME) (MME); Ministry of Transport (MT); and Ministry of Labour and Employment (MTE). (Melo & Artaxo 2017 P.115) Later on, after the March 15, 2004, decree the Ministry of Planning Budget and Management and the Ministry of Foreign relations were added to the GPTI. (IDEM).

The PPCDam was organized under four different axis (Copobianco,2020 p.103) corresponding to four workgroups within the GPTI (Melo & Artaxo 2017 p.115 116). The first phase of the PPCDAM plan took place from 2004 to 2008 and was based on seven directives (Melo & Artaxo, 2017 p. 115 116):

1. Valuing the forest for conservation and sustainable use;
2. Recovering degraded areas to increase productivity and reduce pressure on remaining forests;
3. Land and territorial planning, prioritising the fight against the '*grilagem*<sup>23</sup>' of public lands, the creation of conservation units and the approval of indigenous lands;
4. Improving the instruments for monitoring, licensing, and inspecting deforestation;
5. Encouraging the sustainable use of forest resources and/or the intensive use of agricultural areas;
6. Decentralised and shared management of public policies between the Union, states and municipalities;
7. Active participation of the different interested sectors of Amazonian society in the management of policies related to the prevention and control of deforestation.

The PPCDam brought important advances. It improved Brazil's ability to monitor and control the area thanks to the implementation of the DETER system which can detect deforestation at almost real time using satellite data. Furthermore, the federal and state governments increased investigations into environmental crimes using information provided by government agencies (Melo & Artaxo, 2017 p.117) Indeed, already in 2003, a crucial step had been taken when INPE

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<sup>23</sup> In Brazil the term *grilagem* means land theft and it often includes document forgery to claim the land. It can be translated as fraud to illegally occupy land.

data was made available to public and private institutions that were operating geoprocessing systems in Brazil as a result of productive but laborious negotiations with the Ministry of Science and Technology (Capobianco, 2020 p.106).

The federal government gave priority to land-use planning actions in the Arc of Deforestation, especially around the BR163 which included fighting against '*grilagem*', the creation of conservation units and the demarcation and approval of indigenous lands. It also partnered with state-governments and civil society to conduct ecological-economic zoning along the Arc of Deforestation and the BR163 and in areas that had already been deforested the government encouraged sustainable agriculture (Melo & Artaxo, 2017 p.117)

Moreover, new criteria were defined for the sustainable use of natural resources, the Green Protocol was improved to be implemented by public and private banks, and the federal government in partnership with the states, civil society and businesses promoted the deepening of a labour training program emphasising forest management as well as intensive agriculture in deforested areas (Melo & Artaxo, 2017 p.117).

Additionally, - even though infrastructure was transferred to the PAS in 2004 - the federal government and the states, recognising the impact of infrastructure on deforestation, encouraged the coordination of strategic infrastructure planning as well as preventive, mitigating and compensatory measures (Melo & Artaxo, 2017 p.117).

The second phase of the PPCDAM went from 2009 to 2011 and considered the evaluation of the first phase done in 2008, changes in the pattern of deforestation, the decentralisation of forest management to the states in 2006 and the launch of the National Plan on Climate Change which stipulated 4-year targets for the reduction of deforestation. (Melo & Artaxo, 2017 p.119 120).

This second phase was based on eight directives (idem, p. 120 121):

1. Valorisation of the forest for the purposes of biodiversity conservation, forest management of timber and non-timber products and provision of environmental services;
2. Incentives for the better use of deforested areas, including technological innovation and sustainable production;
3. Support for processes that certify, valorise, and add value to biodiversity products.
4. Alternative agricultural reform methods appropriate for the Amazon, and the development and consolidation of more conservation units and indigenous lands;
5. Implementation of a decentralised and shared management approach for public policy through collaboration between the Union, states, and municipalities;
6. Encouraging the active participation of various sectors of Amazonian society interested in the management of policies related to deforestation control;
7. Promoting the use of the Rural Environmental Registry (CAR), a tool that allows environmental agencies to georeference rural properties, to enhance remote monitoring, increase the effectiveness of field inspection operations, and direct the process of environmental regularisation of rural property.
8. Make the Plan's actions more visible by disseminating information, involving the communications offices of the ministries and the Presidency.

The PPCDAM was important to forestall deforestation in the Amazon. Its main effects were the creation and expansion of protected areas as well as the implementation of the DETER system (Melo & Artaxo, 2017 p.126). Indeed from 2004 to 2009 40 conservation units were created in the Amazon encompassing an area of 26 million hectares (Capobianco 2020 p.108). In just six years,

the territory of conservation units increased by almost 80% and 10 million hectares of indigenous lands were homologated (idem, p.110).

Lula took an important step for the Amazon Rainforest in 2008 when he established the Amazon fund (Tollefson,2013 p.147). This initiative went against the preferred market-based approach supported by a group of 41 countries known as the Coalition for Rainforest Nations and opted for a more traditional model based on state donations that “*Amazon Fund would allow Brazil to control the money and manage its forests as it saw fit.*” (idem pp. 145, 147).

These plans show that the Lula government put into practice crucial measures to fight deforestation in the Amazon. These would have tangible results as is shown by the data in the last section of this chapter.

### European Discourse & Practice

The first Eu-Brazil Summit took place in 2007 in Lisbon where the Strategic Partnership was presented and wherein the importance of aligning EU and Brazilian policies was reaffirmed in a joint declaration signed in July 2007 (Ferreira et al., 2021 p.14) From that moment on, the EU and Brazil started to meet annually with the commitment to establish strategic relations and a view towards the building of agendas and joint action plans in an array of areas, including the environment (idem).

Already in 2006, the European Parliament issued a resolution<sup>24</sup> (2006/2035(INI)) on economic and trade relations between the EU and Mercosur where there was mention of the Amazon region. Therein it was stated – in article 55 – that the Parliament strongly supports the view that

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<sup>24</sup> available at: [Texts adopted - EU economic and trade relations with Mercosur - Thursday, 12 October 2006 \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62006R2035)

cooperation and economic instruments should be leveraged to preserve the environment in Mercosur countries, especially the Amazon Forest. In other words, the parliament attempted to issue-link the economy with environmental preservation.

Moreover, 2006 represented a qualitative jump in EU-Brazil relations due to the political agreement obtained on the occasion of the visit of the President of the European Commission, Durão Barroso (Pino, 2011, p.133) This agreement included: the environment, energy, social policy, science, transportation, and regional policies. (idem).

During Lula's Presidency, there were four different EU-Brazil summits, the first one happened in Lisbon in 2007, the second took place in Rio de Janeiro in 2008, the third was held in Stockholm in 2009 and the fourth in Brasilia in 2010 (Pino,2011, p. 135).

The first summit presented the strategic association between Brazil and the EU, and it is worthy of note that it was held during the Portuguese Presidency of the EU. The Rio summit resulted in the EU-Brazil Joint Action Plan (idem).

The Lisbon Summit's joint declaration (Council, 2007) included a commitment by the EU and Brazil to strengthen the multilateral climate change regime. Both sides committed to work towards an *“ambitious agreement on the Second Commitment Period of the Kyoto Protocol as well as further action under the United Nations Framework Convention on Climate Change”*. The principle of common but differentiated responsibilities was also affirmed and a commitment to the successful outcome of the Bali conference was made.

It was also stated in the Lisbon Joint Declaration that the parties would strengthen their cooperation on the conservation of biodiversity – including its sustainable use & fair sharing of the benefits of

genetic resources – and on water resources management and forests (Council, 2007) which are all relevant to the Amazon region.

The European Commission's, 2007 Country Strategy Paper (CSP) for Brazil (14.05.2007 (E/2007/889) was a strategic framework for cooperation with Brazil (Commission, 2007 p. 3)

The CSP acknowledged that, historically, most financial resources were geared towards the environment and especially to the pilot programme for the protection of the Brazilian rainforests, the PPG7 (Commission 2007, p.15) Indeed, the two main priorities for assistance to Brazil in 2007 –2013 are precisely enhancing bilateral relations and the promotion of the environmental dimension of sustainable development. (idem p.25)

Furthermore, in the previous 2001-2006 CSP of the Commission for Brazil, PPG7 is presented as the main cooperation action of the European Commission in Brazil with more than 10 years of socio-environmental cooperation between the European Commission and the Brazilian government in favour of tropical forests. (idem p.35)

PPG7 was an initiative, aimed at reducing deforestation in the Amazon, launched by the G7 at the Houston Summit in 1990 and based on five lines of action: 1) Activities to reconcile conservation and development; 2) Conservation of protected areas; 3) Demarcation of indigenous lands; 4) Consolidation of public institutions responsible for environmental policies and 5) scientific research. (Antoni,2010 p.299)

This program was in place during most of Lula's Presidency as it was only replaced with the PAS in 2009 (Antoni,2010 p.300). The PPG7 had a huge impact on preserving land and species in the Amazon region contributing to 43 million hectares of demarcated indigenous land and including

solid environmental policies and the participation of civil society which was encouraged by donors to the programme (World Bank, 2012)

In 2003 the EU launched the EU FLEGT Action Plan with the goal of fighting deforestation, specifically illegal logging, across the globe. (Adelle et al. 2018 p.169). The plan led to two policy instruments: 1) The EU Timber Regulation (EUTR), addressing the access to the internal market and 2), the FLEGT VPAs, agreements with third countries. (*ibidem*).

This was an important measure taken by the European Union for the protection of forests. According to Adelle et al. (2018 p.170), the EUTR made “*access to EU market (...) conditional upon legal logging practices in exporting countries*”. The goal was to manipulate the utility calculations of third countries to externalise the norms of legal forest logging. (*ibidem*).

Until 2018, no VPA had been signed between the EU and Brazil even though the EU concluded an agreement with Guyana, a country in the Amazon region. (*ibidem*). According to VPA Africa-Latin America, no VPA was signed with Brazil at the time of writing (VPA Africa-Latin America, 2023).

Regarding Lula’s initiative of creating the Amazon Fund, Europe could have done more. It is interesting to note that only two country governments committed to the initiative, Norway -who is not an EU member state - and Germany. The following chart shows the extent of both their contributions in US\$ per year since 2009 rounded to the nearest million. It was elaborated for the purpose of this thesis and is based on the information publicly available at the official website of the Amazon Fund<sup>25</sup>:

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<sup>25</sup> <https://www.amazonfund.gov.br/en/transparency/donations/>

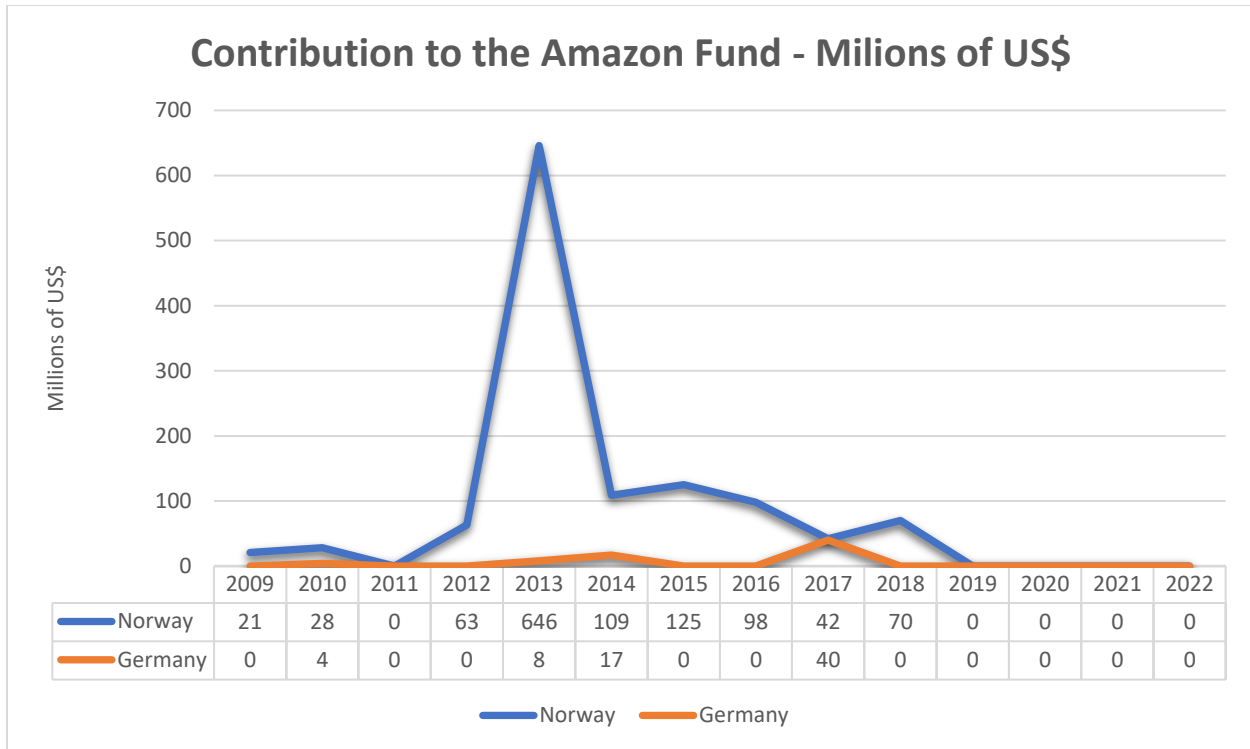


Fig.2 Yearly contributions of European States to the Amazon Fund based on data from the Amazon Fund's official website.

### Civil Society & Corporations

The first Lula government, from 2003 to 2006, did not enter into significant dialogues with indigenous peoples on themes such as land, health or education (de Sousa Lima. 2011 p.91). Indeed, one of the main demands of the indigenous movement in Brazil was ignored, *i.e.*, the creation of a council to deliberate and propose indigenous policies where the state and indigenous organisations would have equal representation and wherein organised civil society and the MPF<sup>26</sup> would participate. (ibidem).

<sup>26</sup> Federal Public Ministry, *i.e.*, Brazil's Prosecution Office

Indigenous people were, in fact, an important part of civil society<sup>27</sup>. In 2008, 500 indigenous persons from 20 different Brazilian states camped in protest outside the Esplanade of the Ministries in Brasilia to pressure the government to adopt policies for indigenous peoples (G1, 2008).

In 2007 a diverse group of indigenous people had already camped in front of the Brazilian Congress to protest infrastructure projects linked to the PAC<sup>28</sup> that they claimed threatened the survival of their tribes. Many of those present believed that President Lula had abandoned them because he had ignored most of the land concession requests in his first term and in his second term proposed infrastructure works that they saw as a threat. Indigenous people were mostly concerned that the projects would attract more loggers and small-scale illegal miners<sup>29</sup>, provoke more pollution and bring in more disease to the Amazon (Agência Estado, 2007) The Guajajara indigenous people in Maranhão, for example, were protesting the building of a dam in their region (*idem*).

These actions and speeches by indigenous civil society mean that their view of the Amazon is one where the forest must be preserved at all costs. Development is seen as detrimental to the interests of the indigenous communities and the Amazon is a lieu to be preserved as a sanctuary.

One of the main points of contention that stood between the indigenous communities, and the Brazilian government was the building of the hydroelectric dam at Belo Monte. This infrastructure project was a project that the military regime had tried to build - but unsuccessfully - due to the

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<sup>27</sup> Here the term is used broadly even though according to the distinction made previously indigenous peoples would be classified as incivil as they are not part of the Brazilian mainstream.

<sup>28</sup> Growth Acceleration Program

<sup>29</sup> 'garimpeiros'

resistance of the indigenous peoples of Xingu and the social movements in the region of Pará (Brum,2019 p.81).

This is of course an important case study both for civil society and for the influence of corporations in Brazil. In fact, Operation Carwash discovered that more than 140 million Brazilian real<sup>30</sup> were paid in corruption fees for the construction of the Belo Monte dam in Pará by companies participating in the project (Kadanus, 2018).

## Facts and Figures – Results

### Deforestation

According to data from Prodes/TerraBrasilis<sup>31</sup> (TerraBrasilis, 2023) – shown in fig.1 - the deforestation rate in the legal Amazon prior to Lula's first term was 21.650 km<sup>2</sup>. During Lula's first year, 2003, this value increased to 25.396 km<sup>2</sup> and in 2004 it reached 27.772 km<sup>2</sup>. After 2004 this value started to decrease, arguably thanks to the environmental measures taken during Lula's government and to European and International pressure.

In 2005 the deforestation rate fell to 19.014 km<sup>2</sup> and it kept falling until the end of Lula's presidency. In 2006 the rate of deforestation was 14.286 km<sup>2</sup>, in 2007, 11.651 km<sup>2</sup>, in 2008, 12.911 km<sup>2</sup>, in 2009 7.5 km<sup>2</sup> and in 2010, Lula's last year, 7.000 km<sup>2</sup>.

Overall, this represented an exponential decrease in deforestation rates in the Amazon from a height of almost 28 thousand square kilometres to 'just' seven thousand square kilometres. This shows that effective national policies coupled with European cooperation can and do work towards

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<sup>30</sup> Approximately 24 million euros

<sup>31</sup> Available at: [TerraBrasilis \(inpe.br\)](https://terra-brasilis.inpe.br)

reducing deforestation in the Amazon region even though the destruction of the rainforest was not totally halted.

### Indigenous Peoples



Fig.3 Average annual attacks against indigenous peoples by President. Author's Elaboration based on data from CACI. The average values were obtained by adding all the cases and dividing them by the number of years that each President was in Power. The values were then rounded to nearest whole number.

As the graphic – elaborated by the author based on data from CACI<sup>32</sup> - in figure 3 shows, during Lula's Presidency there were substantially less attacks against indigenous peoples than during the mandates of the subsequent Presidents. These suggests that during the period in analysis Lula da Silva was the president that better defended the interests of indigenous peoples that are inextricably linked to the preservation of the Amazon.

<sup>32</sup> Cartografia de Ataques Contra Indígenas, available at: [CACI \(cimi.org.br\)](http://CACI(cimi.org.br))

In fact, if one compares the number of indigenous lands approved by Lula with those approved by subsequent presidents there is a sharp contrast Lula approved 87 and after his mandate only 21 were approved all during Rousseff's Presidency (Ciscati, Gonzaga, 2023).

## Development

The Amazon region during Lula's Presidency saw its biggest increase in development. The following graph was created by the author using data referring to the nine states of the Brazilian Amazon that had been compiled by *Atlas Brasil*<sup>33</sup>:

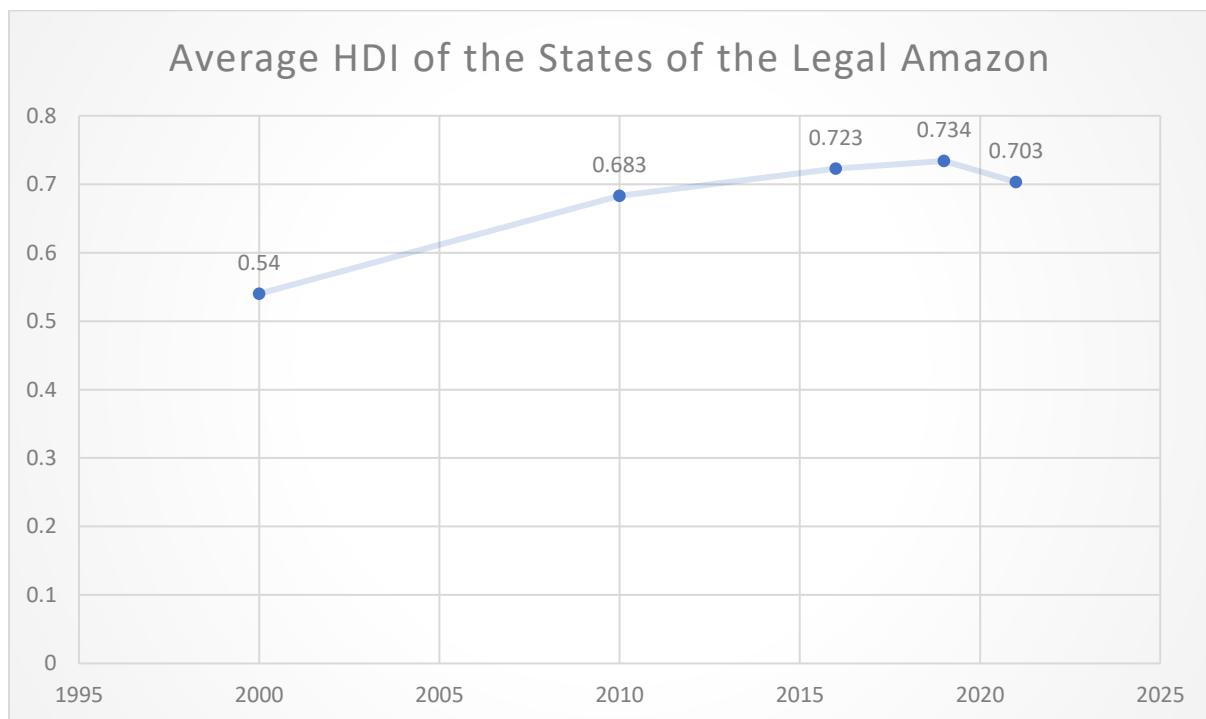


Fig.4 Author's elaboration of the Arithmetic Average of the 9 states of the Brazilian Legal Amazon. Values rounded to the third decimal number.

<sup>33</sup> Available at: <http://www.atlasbrasil.org.br/ranking>

The graph shows the arithmetic average of the HDI of the states of the Legal Amazon<sup>34</sup> and measures the advance of the Amazon region in life-expectancy, education, and income (Atlas Brasil).

A second graph, based on the same data was created by the author, it is accompanied by an explanatory table with the values and measures the HDI in the nine states separately:

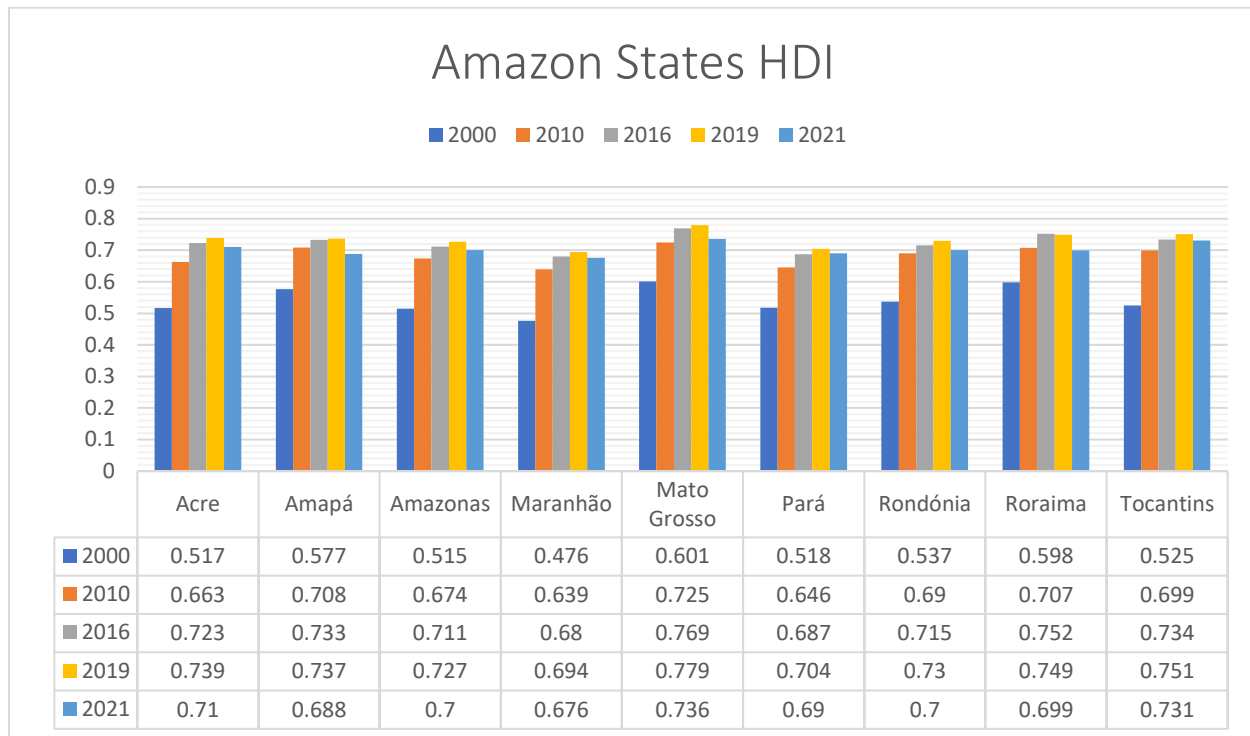


Fig.5 Author's elaboration based on data from Atlas Brasil. HDI of the states of the Brazilian Amazon.

However, these measures are limited due to the gap between 2000 and 2010 encompassing three years of the Presidency of Fernando Henrique Cardoso but they are nevertheless a powerful

<sup>34</sup> The average was calculated for the purposes of this thesis and rounded to the nearest third decimal number.

indicator that during Lula's presidency there were tangible development results for the Amazon people. More so than under any other President in the 21<sup>st</sup> century.

## VI – From Dilma to Temer (2011 –2018)

### Introduction

Dilma's Presidency marked a shift for the Amazon Rainforest. Indeed, during her tenure at the head of the Planalto Palace, environmental protection took a back seat to the administration's priority, short-term economic growth (Pereira, Viola, 2022 p.20)

As early as 2012 (Watts, 2012) Brazil's conservation groups criticised Dilma for pardoning illegal deforesters, weakening the protection of the Amazon Rainforest and for backtracking on efforts to recover deforested land.

Dilma's Presidency would be cut short. On the 12<sup>th</sup> of May 2016, after the Brazilian Senate decided to continue Dilma's impeachment process, Michel Temer became interim President (Poder360,2018). A position he would maintain until the eventual election of Bolsonaro.

### Dilma's / Temer's Discourse

Dilma's first visit to the Amazon as President occurred in March 2011 when she visited Manaus. Even before she was President, she made some remarks that may or may not have been intentional. She famously said in 2009 that the environment was a threat to sustainable development during the Copenhagen Summit (G1, 2009).

One of the landmark moments in terms of international environmental policy during Dilma's Presidency was the UN Conference on Sustainable Development, held in 2012 in Brazil

(Schwertner, 2021 p.20. 21). In her speech during the open ceremony (Rousseff, 2012) Dilma highlighted that the Rio +20 Conference was the moment to achieve a commitment with the well-being of the men and women who inhabit Planet Earth, a commitment to be materialised through sustainable development anchored on growth, inclusion, and protection (idem.).

The President, speaking about the principles of the 1992 Rio Conference, also affirmed that human beings are at the centre of the concerns with sustainable development and as such eradicating poverty is indispensable and that the environmental agenda is linked with the need to make structural reforms to include those who still live in poverty and exclusion (idem).

She criticised the transfer of polluting industries from the global north to the global south and the lack of financial support from the developed world and emphasised the principle of common but differentiated responsibilities that came from the 1992 Conference. This principle, she argued had been many times refused in practice and without it no consensus is possible (idem).

Speaking about Brazil's role Dilma emphasised that the country had advances in its sustainable development model and that Brazil was growing with inclusion and social justice. Moreover, she mentioned that 45% of Brazil's energy came from renewable sources and that 75% of protected areas created since 2003 were Brazilian. Furthermore, the President highlighted the achievement of Brazil in agriculture and reducing deforestation in the Amazon saying that (idem):

*“We are producing more wealth and reducing deforestation in the Amazon. The area illegally deforested fell by 77 per cent between 2004 and 2011. More than 80 per cent of the Amazon rainforest's original cover has been preserved.*

*We are an agricultural powerhouse that contributes to feeding the world. Our production increased by 180%, while in that period our planted area grew by just over 30%.”*

Nonetheless, Dilma also emphasised the link between sustainable development and economic growth so that wealth distribution is possible (idem):

*“Sustainable development means growing the economy so that wealth can be distributed. It means creating formal jobs and expanding workers' incomes. It means income distribution to put an end to misery and reduce poverty.”*

In this speech Dilma sat on the Brazilian governments past environmental accomplishments and aimed at linking sustainable development with growth which - as was mentioned previously, by Pereira and Viola (2022) - was the priority of her administration. The speech espouses a fundamentally developmentalist view that prioritizes economic growth over the vision of the Amazon as a sanctuary to be protected even though it is not explicitly anti-preservation. This would be reflected in the policies and results of Dilma's government vis-à-vis the Amazon region and its peoples.

In his speech at the 72<sup>nd</sup> UN General Assembly, Temer stated that deforestation, especially in the Amazon, was a problem that worried Brazil and mentioned preliminary data that critics did not accept and that indicated a fall of 20 percent in Amazon deforestation (Branford,2017) The speech seemed to have the objective of reassuring the international community after his government had been criticised on environmental and indigenous policies (idem).

His policies, however, as mentioned by Schwertner (2021 p.22 and 23) contradicted his speech. Or in Schwerner's words:

*“In general, Michel Temer's government, although brief and transitory, contributed internally to the weakening of the Amazon's protection structure, even though there has been an effort to maintain a positive and engaged image in the international sphere”.*

The following section will make clear this dichotomy between environmental discourse on the one hand and environmental practice on the other. As Schwerner (2021 p.22 and 23) rightly points out the efforts of the Temer government to keep its image intact happened only in the international sphere.

Internally however the situation was different. An example is when Temer responded to criticism from civil society regarding his abolishing of the protected area of RENCA in Pará and Amapá. (Spring, 2017) He stated (idem), making his position on the Amazon Forest quite clear that “*Renca is not a paradise, as some would wrongly like to make it appear*”.

Both Dilma and Temer’s discourse seems to be closer to a developmentalist view of the Amazon than to that of a sanctuary. Lula had stroked a balance between the two but in the following years the balance was tilted in favour of development even if there was a concern to keep a positive external image of the country.

### Practice of the Brazilian Government

In 2011 the MMA supported a reform of Brazil’s forest code that reduced environmental protections, a reform that had been promoted by the *ruralistas* which accounted for 28% of those elected for the 2011-2014 legislature and were thus able to significantly influence the legislative and executive branches (Pereira, Viola 2022, p.20)

In fact, the election of Dilma Rousseff to the Presidency in Brazil brought along a strong developmentalist agenda and the consolidation of the alliance between the PT and the PMDB – a party aligned with the interests of big landowners – which gave agribusiness the space it needed to work with the legislative and executive powers towards the approval of the 2012 forest code (Rajão et al., 2021, p.40).

Dilma's Presidency represents an inflection point for the Amazon. According to Garrett et al. (2021 p. 637), it was under Dilma Rousseff that forest protections began to weaken under the influence of the '*ruralistas*'.

The changes that came with the LPVN<sup>35</sup> which replaced the 1965 forest code can be classified in three different groups. These groups are 1) general provisions, which set out the rules to be followed by all rural properties from the publication of the law; 2) transitional provisions, which create concessions to favour the regularisation of properties that have not complied with the 1965 CF, considering as the deadline for non-compliance 22 July 2008 and; 3) control and incentive systems, which resulted in the creation of mechanisms and public policies to subsidise the implementation of the LPVN. (Brançalion et al. 2016 p.e5)

The second group of provisions obviously creates issues because it creates a moral danger. If past environmental infractions and crimes are not penalised, then the message that the government transmits is that crime pays and so there is an incentive to commit further infractions due to the expectation that they will also be forgiven in the future. As it will be shown by the end of the chapter this had a negative impact on deforestation rates in the years after 2012.

Michel Temer's government – 2016 to 2018 - was connected to the interests of the agribusiness sector and as such allowed legislative proposals that hurt forest conservation (Rajão et al. 2021 p.48)

In fact, Temer relied on the support of the FPA<sup>36</sup> to pass laws and thus he satisfied their requests and made a series of decisions to the detriment of the Amazon, including the reduction of the size

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<sup>35</sup> Law for Protecting Native Vegetation

<sup>36</sup> Agricultural Parliamentary Front

of protected areas, the suspension of the approval of indigenous lands and lenience toward land grabbers and those that had to pay environmental fines (Pereira & Viola 2022 p.27).

It is possible to see here the Brazilian system of coalition presidentialism that was mentioned in Chapter IV of this research at work. In this case, because Temer did not have a majority in Congress he had to satisfy the demands of the '*ruralistas*' to be able to govern.

In 2017 Temer sanctioned what came to be known as land-grabbing provisory measure<sup>37</sup> (WWF, 2017) or more specifically, provisory measure 759/2016.

According to the WWF (2017) the approval of this MP incentivizes the invasion of public land in the Amazon region because those that seize public lands would be rewarded with amnesty. In fact, the MP gives amnesty to those that illegally occupied land until 2011, permits the legalisation of properties of a size up to 2.500 hectares and reduces the payment needed for legalising the land to a mere 10 to 50 per cent of the value decided by INCRA (idem).

Nevertheless, the attempt to end the RENCA was very unpopular, and the government was forced to restore the reserve (Filho et al. 2020 p.55)

In August 2017, Michel Temer approved the end of a protected area in the Amazon region corresponding to an area bigger than Denmark of 46.000 km<sup>2</sup> or four million hectares (Domingo Espetacular, 2017) This not only opened the area to mining operations but also included the supply of privileged information to Canadian mining companies by the Minister of Mines and Energy many months before the decision was officially taken (idem.).

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<sup>37</sup> Medida Provisória da Grilagem.

This area, known as RENCA<sup>38</sup> (National Copper Reserve), was a pristine area located deep in the Amazon, at the border between the states of Pará and Amapá and endowed with rich mineral deposits of gold, iron, copper, and manganese that were meant to be used by Brazil in a state of necessity (Domingo Espetacular, 2017).

In 2018, the Anglo-American mining company received permission to prospect copper in the Brazilian Amazon region in the states of Mato Grosso and Pará. The location corresponds to an area the size of Slovenia and it is in the vicinity of Indigenous protected areas (Folha de São Paulo, 2018)

### European Discourse and Practice

The EU-Brazil summit was held in October 2011, during the Dilma's first year as President wherein the 2<sup>nd</sup> EU-Brazil joint action plan was signed. Further summits followed in 2013 and 2014. (Saraiva 2017 pp. 10, 11)

In the 2011 Joint Action Plan of the 5<sup>th</sup> EU-Brazil Summit (Council,2011) the Amazon was mentioned twice on the same paragraph. It stated that the EU and Brazil would join efforts to bring development skills and prosperity to developing countries and that to that end they would (idem, p.15, 16):

*“Explore opportunities for triangular cooperation with Member States of the Amazon Cooperation Treaty (TCA) on issues of interest for the sustainable development of the Amazon Region;”*

Moreover, point 3. of the Joint Action Plan (idem p. 18) is fully dedicated to promoting an environmental partnership for sustainable development. There it is stated that, regarding forest

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<sup>38</sup> Reserva Nacional do Cobre

issues, Brazil and the EU agree to promote sustainable forest management at all levels and exchange best practices and measures to tackle illicit trafficking in forest products, namely timber, wildlife and other forest biological and genetic resources. They also reaffirmed support for the work and decisions of the UN Forum on Forests<sup>39</sup> and the Food and Agriculture Organisation<sup>40</sup> and also for the implementation of the Convention on Biological Diversity<sup>41</sup> .(idem).

The Joint Action Plan (Plano de Ação Conjunta<sup>42</sup>) included five key points which constituted the basis for the comprehensive strategic partnership: 1) Promoting comprehensive peace and security through an effective multilateral system; 2) Strengthening the Economic, Social and Environmental Partnership to promote sustainable development; 3) Promoting regional cooperation; 4) Promoting science, technology and innovation; and 4) Promoting people-to-people exchanges. (idem).

Additionally, in the Joint Declaration (Ministério das Relações Exteriores, 2022) both actors restated shared values including sustainable development, social inclusion, and environmental protection, underlined the importance of employment and the growth opportunities that can be created through the progressive development of a sustainable economy in the context of sustainable development and poverty eradication.

Moreover, they committed to the Millenium Development Goals and , pertaining to Climate Change, the leaders emphasised the importance of bilateral work within the United Nations Framework Convention on Climate Change in order to achieve more ambitious and

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<sup>39</sup> UNFF

<sup>40</sup> FAO

<sup>41</sup> CBD

<sup>42</sup>Portuguese language version available at the Brazilian Foreign Affairs Ministry's website: [V Cúpula Brasil-União Europeia – Declaração Conjunta e Plano de Ação Conjunta – Bruxelas, 4 outubro de 2011 — Ministério das Relações Exteriores \(www.gov.br\)](http://www.gov.br/relacoes-exteriores/pt-br/assuntos/2011/10/declaracao-conjunta-e-plano-de-acao-conjunta-bruxelas-4-outubro-de-2011)

comprehensive results in multilateral negotiations that respect the principle of common but differentiated responsibility and capabilities with the goal of keeping average global temperatures at a level no more than 2 degrees Celsius above pre-industrial levels (Idem)

Still, with regard to Climate Change, Brazil and the European Union reinforced cooperation through the launching of a formal EU-Brazil dialogue on Climate Change (idem)

Temer's government suffered criticism for its policies from Europe. For instance, Norway criticised Brazil's environmental policy and stated that they would reduce allocations to the Amazon fund (DW, 2017)

### Corporations & Civil Society

Civil Society was active during Dilma and Temer's Presidencies. One significant instance of civil society mobilisation during Dilma's administration was the '*VetaDilma*<sup>43</sup>' movement. According to Loose, et al. (2013 p.4):

*"The Veta, Dilma is considered a political mobilization strategy that prominently used computer networks and succeeded in exerting pressure so that the new Forest Code would not be fully sanctioned as the 'ruralistas' wanted. It thus proved itself to be an example of digital environmental activism"*<sup>44</sup>.

This means that social media and the internet were already important for civil society to organise and protest. Furthermore, one explanation for the success of the movement is that the public

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<sup>43</sup> Veta Dilma is Portuguese, and it is a request n President Dilma Rousseff to Veto, in this case, the new forest code

<sup>44</sup> Our translation from the Portuguese original: "*Assim, a campanha "Veta, Dilma" é considerada uma estratégia de mobilização política, que fez uso preponderante da rede de computadores, e obteve êxito no processo de pressão para que o novo CF não fosse sancionado na íntegra, como desejavam os ruralistas, revelando-se um exemplo de ativismo ambiental digital."*

opinion was in favour of it (idem p.8) and as such the movement had only to maintain public support. (ibidem)

The indigenous movement was also very important both in Dilma and Temer's Presidency. A report covering the activities of indigenous peoples from 2011 to 2016 made by Instituto Socioambiental (2017) highlights the mobilization of indigenous peoples for their rights and for the environment.

In 2013, due to the threats to and violations of the rights of indigenous peoples and the environment, the ATL<sup>45</sup> (Free Land Camp) – an annual meeting in Brasilia wherein indigenous leaders from across the country meet since 2004 to defend their rights - became the main backbone of the permanent mobilisation known as MNI (Indigenous National Mobilization). (Instituto Socioambiental, 2017 p. 166).

In 2013, more than 1300 people protested in Brasilia in defence of the rights of indigenous peoples. They were only allowed to enter Brazil's Senate after long negotiations, even though they had been invited to take part in an audience of the Human Rights Commission (Instituto Socioambiental, 2017 p.166) In that same year, in the Amazon state of Maranhão roughly 300 indigenous people from the Guajajara people of the indigenous lands Pindaré and Caru blocked a part of the BR316 highway (idem p.167).

Regarding companies, JBS was found to have acquired hundreds of cows in 2013 from the mother of Ezequiel Antônio Castanho who had been arrested by the federal police for being “*the biggest Amazon deforester of all time*”. (Campos, 2015).

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<sup>45</sup> In Portuguese: Acampamento Terra Livre

Moreover, between 2017 and 2019, JBS made purchases from 109 ranches which practiced illegal deforestation in São Felix do Xingu municipality in the south of the state of Pará. (Global Witness, 2020). JBS driven deforestation is not merely a Brazilian responsibility as it was noted that Deutsch Bank in 2019 “held over \$11 million in JBS shares” and “in 2013 it loaned the company \$56.7 million” (Global Witness, 2019 p.5).

Moreover, between 2010 and 2011, Norwegian mining company Hydro invested 3.798 billion<sup>46</sup> euros in mining operations in the Amazon, dwarfing Norway’s investments in protecting the forest and indigenous peoples. (Kugler,2020). Worse still, in 2018, a leakage in the company’s dam in Pará caused diseases and contamination throughout the region (Fernandes, 2019).

These cases of companies putting aside their environmental obligations in the pursuit of profit are hardly surprising and serve to illustrate the contradiction between pro-environmental discourse and anti-environmental gross negligence.

## Facts and Figures – Results

### Deforestation

Deforestation data from Prodes/TerraBrasilis<sup>47</sup> (TerraBrasilis, 2023) – as shown in figure 1 - shows that deforestation decreased in the initial years of her first term but subsequently increased in the years after the new forest code entered into force. In 2011 the rate of deforestation fell from 7.000 km<sup>2</sup> to 6.418 km<sup>2</sup> and it subsequently fell again in 2012 to a record low of 4.571 km<sup>2</sup>. However, it rose to 5.891 km<sup>2</sup> in 2013 the lowered slightly to 5.012 km<sup>2</sup> in 2014 and rose again to 6.207

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<sup>46</sup> Value obtained by using the average exchange rate for the time period available at:

[https://www.ecb.europa.eu/stats/policy\\_and\\_exchange\\_rates/euro\\_reference\\_exchange\\_rates/html/eurofxref-graph-nok.en.html](https://www.ecb.europa.eu/stats/policy_and_exchange_rates/euro_reference_exchange_rates/html/eurofxref-graph-nok.en.html)

<sup>47</sup> Available at: [TerraBrasilis \(inpe.br\)](https://terra-brasilis.inpe.br)

km<sup>2</sup> in 2015 and to 7.893 km<sup>2</sup> in 2016, the end of Dilma's Presidency. So, even though the overall deforestation during Dilma's Presidency was lower than that of Lula's, the trend is an upward trend and as such represents a reversal, even if partial, in the fight against deforestation in the Amazon.

Temer became President in 2016 and, as previously mentioned the deforestation rate that year stood at 7.893 km<sup>2</sup>. In 2017 it slightly decreased to 6.947 km<sup>2</sup> and in 2018, the last year of his short Presidency it rose again to 7.536 km<sup>2</sup>.

The Dilma and Temer years were times of stagnation and partial reversals of gains made under Lula with regard to deforestation, all this in spite of the opposition of the international community and civil society though it can be argued that without contrary forces the results would have been much worse.

#### Indigenous Peoples

Regarding indigenous peoples, Dilma and Temer's administrations had different results. According to figure 3, in the homologous section of the previous Chapter, attacks on indigenous people in the Amazon were on average 14 per year during the Dilma years and they jumped to 24 in Temer's.

Additionally, whereas Dilma set aside for preservation a total of 21 indigenous lands during her presidency, Temer's numbers are at an embarrassing zero (Ciscati, Gonzaga, 2023.) Clearly the situation for indigenous peoples deteriorated significantly.

#### Development

Despite their developmentalist rhetoric and measures, the Dilma-Temer period was rather unsuccessful in developing the Amazon as can be seen by the evolution of the HDI indicator of the Amazon region. Development still progressed, but more timidly than in the Lula years as was shown in figures 4 and 5.

In fact, during this time development did not reach a substantial amount of people in the Brazilian Amazon region.

The following graphic was elaborated for the purposes of this research and shows the percentage of poor people in the Amazon region from 2012 to 2022. It was created based on data and a graphic elaborated by ‘*Amazônia Legal em Dados*’ which elaborated it based on data from PNUD (UNDP)<sup>48</sup> assuming a poverty line of R\$327 a month in 2022 values. The value was changed to euros based on the 2022 median exchange rate of the real to the euro found on the *Banco de Portugal* website<sup>49</sup> and rounded to the nearest whole number.

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<sup>48</sup> United Nations Development Programme : [Home | United Nations Development Programme \(undp.org\)](https://www.undp.org/)

<sup>49</sup> Portuguese Central Bank website. Available at: [Médias mensais e anual das taxas de câmbio | Banco de Portugal \(bportugal.pt\)](https://www.bportugal.pt/)

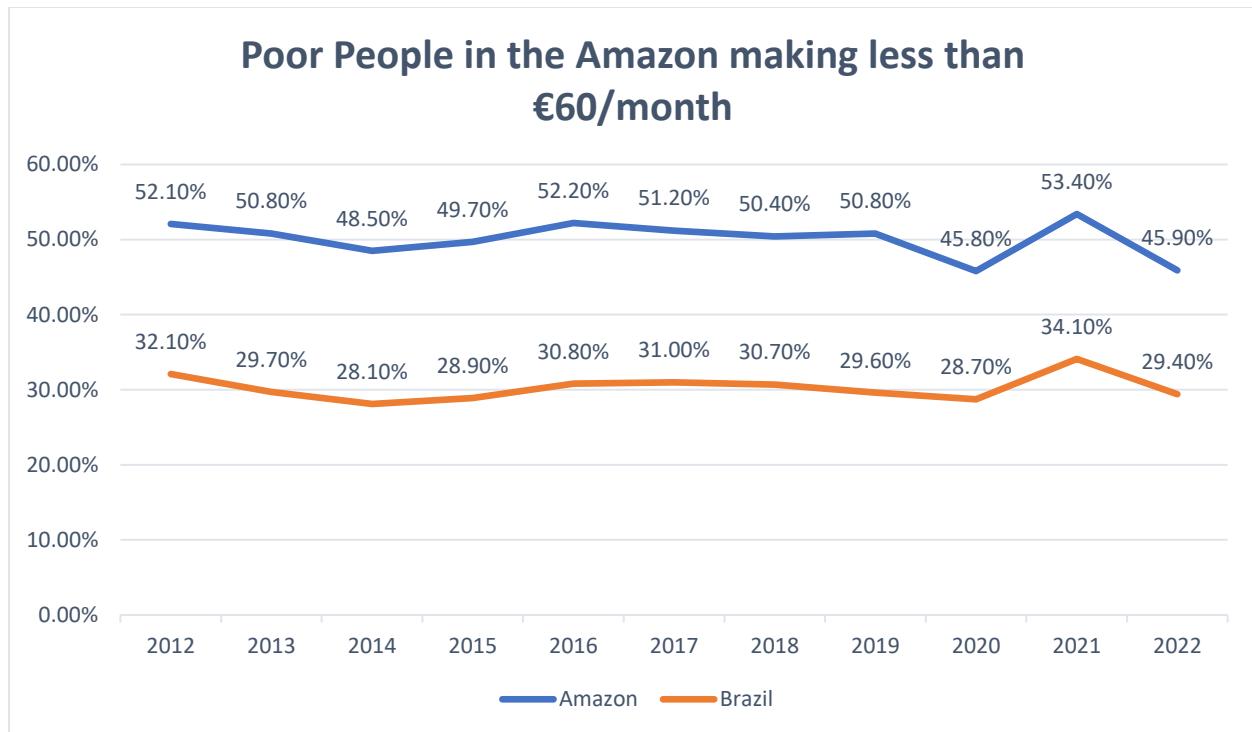


Fig.6 Author's elaboration based on data from Amazônia Legal em Dados. Percentage of people living with less than €60 in the Brazilian Amazon and the rest of Brazil.

According to the graphic poverty in the Amazon region was stagnant and at shocking levels. About 50% of people remained poor throughout the period in analysis. This shows that, perhaps too much of an emphasis on development can be counterproductive. Indeed, the poverty in the Amazon region is significantly superior to the rest of Brazil, roughly 20% higher.

Another graphic showing the average monthly household income per capita in euros was elaborated following the same methodology:

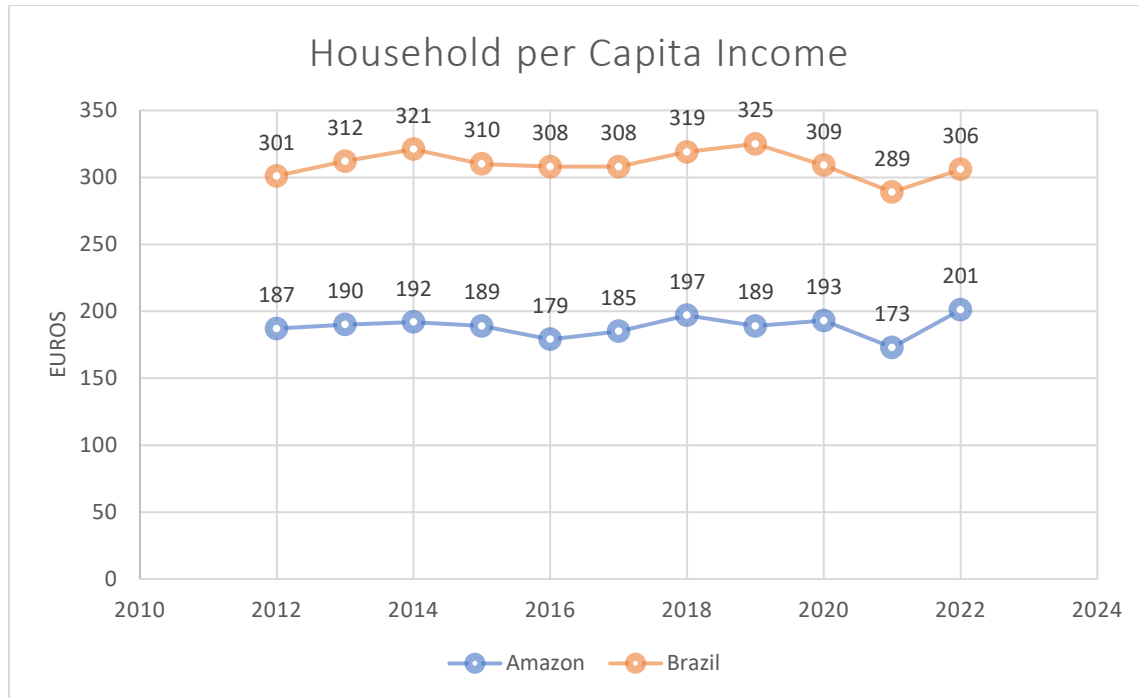


Fig.7 Author's elaboration based on data from Amazônia Legal em Dados. Household *per capita* income in euros in the Brazilian Amazon and the rest of Brazil.

The graphic appears almost as a straight line indicating insignificant income change from 2012 to 2019 which further highlights that also on the development front there was little success.

## VII – Bolsonaro (2019 – 2022)

### Introduction

Jair Messias Bolsonaro has been many times criticised for the increase in deforestation rates in the Amazon but what can be said of his discourse and policy during his tenure at the Planalto?

### Bolsonaro's Discourse

Bolsonaro's speeches about the environment, the Amazon Rainforest and Indigenous Peoples reflect his vision of who the Brazilian people are, and that economic development is his priority rather than preserving the Amazon as a sanctuary.

In some of his speeches such as the one he gave in September 2018 during a campaign rally in Rio Branco in the State of Acre can be interpreted as encouraging violence, even though one must bear in mind the political campaign context where it took place. On that occasion he used a tripod as a machine gun he stated:

“Let's shoot up all the PT supporters from Acre. I will make those sleazeballs run away from Acre. If they like Venezuela so much, these people should move there. But there is no salami there folks, they will really have to eat grass<sup>50</sup>” (Poder360, 2018)

Already in in 2017 when Bolsonaro was pre-candidate to the Presidency, he held a speech in ‘Clube Hebraica’ in Rio de Janeiro (Congresso em Foco, 2017) There he made a series of very consequential remarks with relevance for the Amazon and that would turn out to be a prelude of his administration's attitude and policies.

Early in the speech, after comparing Israel and Brazil's resources and agriculture (congressoemfoco, 2017 minute 16) Bolsonaro speaks about Brazil's riches and the Amazonian state of Roraima in the following manner<sup>51</sup>:

*“The richest are in the world is exactly [points at the Amazon on the map] demarcated as indigenous land. An area, bigger than [Brazil's] southeast region is demarcated as indigenous*

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<sup>50</sup> “Vamo fuzilar a petralhada aqui do Acre. Vou botar essas picaretas para correr do Acre. Já que eles gostam tanto da Venezuela, essa turma tem que ir para lá. Só que lá não tem nem mortadela galera, vão ter que comer é capim mesmo heim!”

<sup>51</sup> Author's translation based on the video available at:

<https://www.youtube.com/watch?v=0TicZmpwEQc&t=2308s>

*land. I was in Roraima. Because one of the things people accuse me of is Xenophobia. There in Roraima, they finished with the state of Roraima. Many reasons [for that], [thanks to] people fleeing Venezuela, [in] Boa Vista especially, prostitution and theft grace the city. The week that I was there 2 military police officers were executed. The press here does not divulge that. “*

And he continues (idem minute 17):

*“And why did they also kill Roraima? They tied up an extremely rich piece of land that had all ... Gentlemen, in Roraima you can find all that exists on the periodic table, everything from A to Z, gold, diamonds, everything. Besides the demarcation of indigenous land, what did they do? The only river there where one could build 3 hydroelectric dams, they filled it up with indians. Nowadays you cannot build a single hydroelectric dam there and because of that half of the energy comes from Venezuela – terrible quality – and the other half comes from a thermoelectric powerplant”.*

These excerpts from Bolsonaro’s speech shed some light in how he views Brazilianness and the Amazon and its native peoples. He seems to perceive indigenous peoples as well as indigenous lands as an obstacle to development. Similarly, he does not include people fleeing Venezuela as refugees in his concept of Brazilianness. But further on in this same speech he clarifies his notion of who the Brazilian nation includes and who it excludes.

After bashing the Administrations of both Lula and Dilma - and LGBT people (idem minutes 50 - 53) Bolsonaro says (idem minute 53):

*“But we are the majority, we believe in God, the Judaeo-Christian culture is in our midst. We are Brazilians. We have how to revert all that, and I say more, the last chance will be 2018.”*

When we contrast this with what he had previously said during the speech an image of Brazilianness in the eyes of President Bolsonaro becomes clear. Brazilians are ‘*the majority*’, the Christian white mainstream and they do not include indigenous people, sexual minorities, people from African descent or immigrants who would be at best second-class citizens.

During the speech Bolsonaro also made an important promise that is very relevant for the Amazon (idem minute 49):

*“If I get to be President, in what depends on me, every citizen will have a gun in his house. There will not be even 1 cm demarcated for indigenous reservations or for ‘quilombolas’<sup>52</sup>. You better get used to it!<sup>53</sup>.”*

As we see, Bolsonaro was from the onset hostile to indigenous lands and peoples and committed to revert the gains they had made under previous administrations.

According to research by Rodrigo Moraes (2023) of Bolsonaro’s *tweets* and public speeches from the 11<sup>th</sup> of February 2019 to the 17<sup>th</sup> of August 2021, Bolsonaro’s perspective is that:

*“(...) there is a collusion of foreign powers, environmental NGOs, and Indigenous rights groups, which are undermining Brazil’s sovereignty over the Amazon – a perception not based on credible evidence though.” (idem p.264)*

Moraes further says that there is no external credible threat to the Amazon nor proposals to internationalize it, claiming that Bolsonaro’s government does not care about the truth (Moraes, 2023 p.264). Nevertheless, even if Bolsonaro may have overstated his concerns there is evidence

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<sup>52</sup> Afro-Brazilian communities descending from formerly enslaved people who escaped slavery.

<sup>53</sup> Comecem já ir/Jair se acostumando! – In Portuguese this is a pun with Bolsonaro’s first name, Jair.

that they may not be entirely unfounded. One such instance is when Emmanuel Macron claimed in 2019 that it is necessary to discuss the international status of the Amazon (Neves et al., 2019)

One example of Bolsonaro's attitude against NGO's took place amid the 2019 Amazon fires. When Bolsonaro was commenting the increase – more than 80% *vis-à-vis* the previous year - in fires in the Amazon he said that the fires may have been provoked by NGOs aiming to retaliate against the Brazilian government because of the latter's cutting of funding to this organisations (G1, 2019)

### Practice of the Brazilian Government

Bolsonaro's government's vision of development materialised in its policies towards the Amazon. Indeed, Bolsonaro had planned on extinguishing the Ministry of the Environment (MMA) itself and transfer its functions to the Ministry of Agriculture and this did not happen because some of the '*ruralistas*' were concerned that doing so may have led countries to place restrictions on Brazilian exports. Nevertheless, Bolsonaro's government still transferred forest management and forest code implementations competences from the MMA to the Ministry of Agriculture which was controlled by the '*ruralistas*' (Ramos, 2021 p.293).

This highlights the fact that, it is probable that had it not been for international, *ergo* also European pressure, the policy of the Bolsonaro government could have been even more damaging for the Amazon.

On 11 April 2019, Bolsonaro signed the decree 9.760, through which he emasculated IBAMA by making the procedure of environmental fines more bureaucratic. The measure creates the Environmental Conciliation Centre (NCA), an institution that is similar to a court and that would have the last say regarding environmental fines thus reducing the authority of IBAMA (Betim,

2019). The NCA would then be able to annul or change the value of a fine of an IBAMA inspector. (Betim, 2019)

This was clearly an attempt at weakening environmental enforcement in Brazil because it would make it more time-consuming to fine those involved in infractions and crimes against the environment.

The renowned Brazilian newspaper '*Folha de São Paulo*' made a short-video series with several episodes entitled "*A Amazônia sob Bolsonaro*" wherein many details of Bolsonaro's policies and their effects on Amazonian populations can be found (Folha de São Paulo).

The first episode speaks about the RESEX, a protected area named in honour of Chico Mendes in the state of Acre. In November 2019, Bolsonaro's Minister of the Environment, Ricardo Salles, decided to suspend monitoring by ICMBIO in the reservation claiming that the inspectors were abusing their power. That same year deforestation rates inside the reservation set a record increase of 203 %. (Folha de S. Paulo, 2019)

Bolsonaro's dismantling of environmental protection in the Amazon was such that, on his first day as President, on the first of January 2023, after being re-elected in 2022, President Lula issued what is known as the '*Revogação Ambiental*' or 'Huge Environmental Repeal'. (Observatório do Clima, 2023).

### European Discourse and Practice

Europe did react to Bolsonaro. The Brazilian President was criticised multiple times. Already in 2019, German Chancellor Angela Merkel, speaking in the Bundestag, states that she saw the situation in Brazil regarding environmental protection and human rights as dramatic. (DW, 2019).

Moreover, Germany halted their contributions to Amazon projects in Brazil due to the increase in deforestation in 2019 (DW,2019) This contributions amounted to a value of 35 million € and Germany had contributed since 2008 to various projects in the Amazon amounting to a value of 95 million € (idem). Also, in 2019 and in the same line of the position taken by the German government, Norway – the biggest contributor to the Amazon Fund - decided to stop its contributions amounting to a value of 828 million € since the creation of the Amazon Fund and that figure had been expected to rise by 30 million € in 2019 (Dekonink, 2019).

Nor was the European Parliament silent, on the 7 of July 2022, the EP adopted a resolution, resolution 2022/2752(RSP)<sup>54</sup> ‘*on the situation of indigenous and environmental defenders in Brazil, including the killing of Dom Phillips and Bruno Pereira*’ (European Parliament, 2022).

In this resolution (idem) the parliament acknowledges that “*the deterioration of human rights in Brazil is taking place in a context of restrictive legislative changes and defunding of environmental agencies , as well as growing endemic violence*” that “*indigenous peoples of Brazil have been suffering systematic aggressions and lack of protection of their right, as well as an increasing number of attacks and murders*” and that “*the COVID-19 pandemic has disproportionately affected indigenous communities in Brazil*”.

The aforementioned resolution also recognised the role of indigenous peoples in protecting the rainforest and the role of the Amazon itself as the largest rainforest in the world and as having a crucial role in the fight against climate change (European Parliament,2022)

Furthermore, in this resolution, the European Parliament, *inter alia* (2022) :

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<sup>54</sup> Available at: [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0292\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0292_EN.html)

- 1) Condemned the murder of environmental and human rights defenders as well as indigenous peoples and asked Brazil to conduct an investigation on the matter;
- 2) Condemned Bolsonaro's increasingly aggressive rhetoric;
- 3) Demanded that the Brazilian government take urgent action to prevent human rights violations and safeguard environmental and indigenous defenders;
- 4) Stressed the dangers of illegal gold- miners for the forest, biodiversity and its indigenous peoples;
- 5) Urged the Brazilian government to ameliorate its laws against illegal deforestation and mining and improve their enforcement as well as to seek sustainable alternatives to extractive practices targeting indigenous land;
- 6) Condemned Bolsonaro's administration's dismantling of government agencies like FUNAI and IBAMA, which handle indigenous affairs and environmental enforcement;
- 7) Expressed concern about proposed legislation in Brazil, including PL 191/2020, known as the bill of devastation and PL 490/2007 on the demarcation of indigenous lands, because of their potential to increase deforestation and endanger indigenous livelihoods;
- 8) Demanded the recognition and protection of the traditional lands of indigenous peoples highlighting the importance of compliance with ILO Indigenous and Tribal Peoples Convention;
- 9) Urged the Brazilian authorities to honour their commitments to the Paris Agreement and encourage them to fight environmental crimes and implement a new sustainable approach for the Amazon so as to meet the required conditions for OECD membership;
- 10) Stressed the importance of corporate due diligence and accountability as a key means to prevent human rights and environmental violations, urged European companies to ensure

due diligence in their supply chains restated that the proposed EU-Regulation on deforestation-free products should include protection of indigenous and human rights and urged the European Commission to ensure any cooperation framework has strong, binding and enforceable norms to protect human and indigenous rights, and promote respect for international standards, namely on deforestation.

This resolution shows that the EP did not see the events in the Brazilian Amazon as a purely internal affair. Rather, the EP seems to be of the opinion that Europe has a responsibility to create the incentive for a change of policy in Brazil. For the European Parliament it not just the people living in the Amazon or Brazilians writ large that have a stake in the region. They seem as well to support more of a ‘*sanctuary*’ view of the Amazon as their emphasis on indigenous peoples and environmental protection indicate with the word ‘*development*’ appearing only twice in the document.

Nevertheless, there seems to be a contradiction between the discourse and practice of the European Union and European Leaders in regard to deforestation and rights in the Amazon. The next figure presents data from the Trace database<sup>55</sup> that shows soya beans in tonnes imported from the Brazilian Amazon into the European Union. The data available only covers the period from 2004 to 2020 but, nevertheless, the trend is noticeably an increasing one.

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<sup>55</sup> Available at: [https://supplychains.trase.earth/flows?selectedColumnsIds=0\\_9-1\\_30-2\\_26-3\\_6&selectedContextId=1&toolLayout=1&countries=27&commodities=1&selectedYears%5B%5D=2009&selectedYears%5B%5D=2009&selectedNodesIds%5B%5D=19460&selectedNodesIds%5B%5D=954&sources=19460&destinations=954](https://supplychains.trase.earth/flows?selectedColumnsIds=0_9-1_30-2_26-3_6&selectedContextId=1&toolLayout=1&countries=27&commodities=1&selectedYears%5B%5D=2009&selectedYears%5B%5D=2009&selectedNodesIds%5B%5D=19460&selectedNodesIds%5B%5D=954&sources=19460&destinations=954)



Fig.8 Author's elaboration based on data from Trace database. Brazilian Amazon Soy exported to the European Union.

The overall tendency is of increased export of soybeans from the Brazilian Amazon, *ergo* increased deforestation caused by European demand for Brazilian soy. It is noteworthy that even in the Bolsonaro years of 2019 and 2020, the trade volume increased as Europe was criticising Bolsonaro's government's environmental management.

### Corporations & Civil Society

Civil Society was both active and frightened by Bolsonaro's administration.

During the 2019 Amazon fires, Sting, a famous British singer and a long-time advocate for rainforests posted a message on the issue (Kaufman, 2019). In this post, liked by over 5 thousand people on Facebook<sup>56</sup> (Sting, 2019), the singer criticised populist leaders that claim climate change

<sup>56</sup> Available at: [https://www.facebook.com/sting/posts/10156735601905292?ref=embed\\_post](https://www.facebook.com/sting/posts/10156735601905292?ref=embed_post)

to be a hoax of ‘*criminal negligence on a global scale*’. Furthermore, he specifically named and shamed Bolsonaro for his rhetoric and measures against indigenous peoples:

*“The President of Brazil, Jair Bolsonaro, has openly voiced that he is no friend to the indigenous people and now he is reneging on land treaties already signed, opening up new territories and dismantling the scientific and human rights organisations in Brazil to enable this.” (idem, 2019)*

And urged the Brazilian President, to think about his ‘*enlightened self-interest*’ and change his policies and rhetoric (idem, 2019).

COIAB was a critical civil society organization during Bolsonaro’s administration. Indeed, during the Coronavirus pandemic, COIAB was the first indigenous organisation to have an emergency plan for the virus and thus was able to present itself to its partners and the government as having a way to tackle covid in indigenous lands and also distribute food and hygiene products in emergency humanitarian actions. Their first strategy to fight Covid was getting informed on the virus and passing on that information to indigenous lands to convey to indigenous peoples, for example, the importance of social isolation. (Instituto Socioambiental, 2023 p.42, 43)

## Facts and Figures – Results

### Deforestation

Bolsonaro’s government was many times criticised for its environmental mismanagement and so the data collected with respect to deforestation is hardly surprising. According to the graphic on figure 1 (TerraBrasilis), the deforestation rate increased from 7536 km<sup>2</sup> at the end of Temer’s administration in 2018 to 10129 km<sup>2</sup> in 2019, 10851 km<sup>2</sup> in 2020 and 13038 km<sup>2</sup> in 2021 before decreasing slightly in 2022 to 11594 km<sup>2</sup>. (Terrabrasilis, 2023) Still short of the levels seen in

the early Lula years indicating perhaps some measure of leverage of civil society and the International Community, namely the EU through the Brussels Effect in containing the tendencies of Bolsonaro.

### Indigenous Peoples

As previously discussed, Bolsonaro's stance towards indigenous people's is an assimilationist one that at the same time excludes them from his notion of Brazilianness and even shared humanity.

According to the graph on figure 3 on attacks against indigenous people based on the CACI Bolsonaro's time in government saw 28 yearly attacks on average, the double of Dilma's. In other words, it was nothing short of a catastrophe for indigenous peoples.

Moreover, according to data collected and assembled in the following graphic by Mattaveli et al. 2022, the rise in mining on indigenous lands was exponential. The graphic, elaborated by Mattaveli et al. (2022) is hereby reproduced:

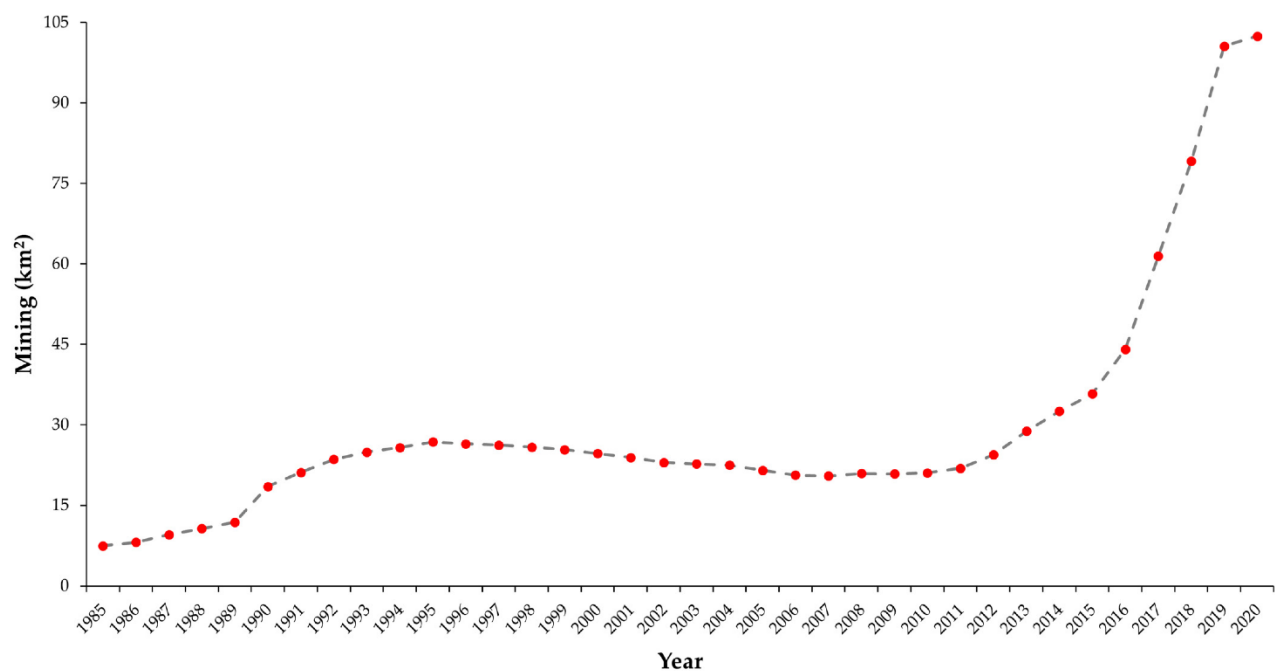


Fig.9 Mattaveli et al. (2022). Mining in indigenous lands from 1985 to 2020

However, Mattaveli et al. (2022) did not include data for 2021 and 2022 and thus for the purpose of this thesis a graphic was elaborated with data from MapBiomass's – also the source for Mattaveli et al. – most recent dataset – released August 2023 - on mining on indigenous lands covering the years under analysis from 2003 to 2022.

The results, represent both industrial and small-scale mining and the values were converted from ha to km<sup>2</sup> and rounded to the nearest whole number:

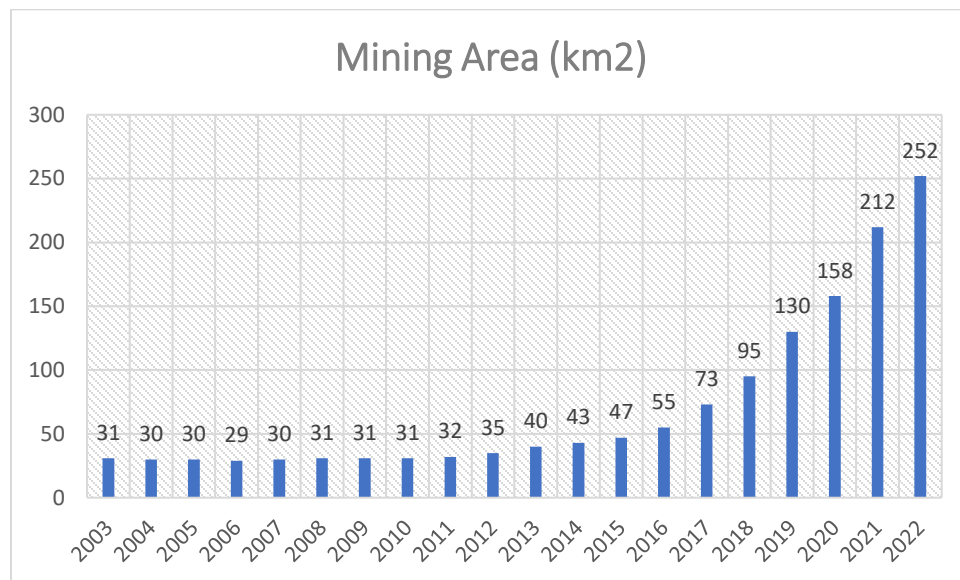


Fig.10 Author's elaboration based on data from MapBiomass 8<sup>th</sup> edition database on mining. Mining in Indigenous Lands of the Brazilian Amazon from 2003 to 2022.

The graphic shows a worrying trend of disrespect for indigenous peoples and their rights and is a consequence of both Bolsonaro's worldview and the failure of national and international players to take concerted effective and timely action.

## Development

With regards to development, in spite of his rhetoric, no progress has been registered as shown by the graphics presented before. Figures 6 and 7 show that household income and poverty did not suffer substantial changes under Bolsonaro. The same can be said for the HDI which remained at similar values as shown by figures 4 and 5.

## The Future Today – ‘Lula lá’

The Amazon’s policies and discourses have moved, together with the fate of the Amazon throughout this 20 yearlong tropical odyssey. Late 2022 and 2023 saw new winds blowing that may once again shift the destiny of the Brazilian Amazon.

Amid threats from Bolsonaro supporters, Lula was sworn in for a third term as President of Brazil (John et al., 2023). Lula had won the 2022 election on the second round against incumbent Bolsonaro earning 50.90% of the votes against Bolsonaro’s 49.10% (CNN Brasil). This was the tightest Presidential election in Brazil since 1989 and also broke the record for the largest number of votes a candidate ever earned since democratization with Lula earning the confidence of 60 million voters (Catucci, Velasco, 2022).

Lula had promised to turn around Brazil’s environmental policy (John et al., 2023) citing the country’s unique ability to become a ‘*environmental power*’. Indeed, in his first days in office Lula approved a series of decrees to restart environmental policies – including the Amazon fund - and annul environmentally damaging measures put in place by Bolsonaro (Observatório do Clima,2023).

A mere six months into his administration the deforestation rate had been reduced by 34% compared to 2022 with Capobianco, the Environment Ministry executive secretary claimed that the deforestation rate had been reverted. (Maisonnave, 2023).

Europe, and the World also seem to be increasingly engaged. The United States promised 500 million US\$ to the Amazon fund, the UK promised £80 million, the European Commission announced €20 million in funds and Switzerland 5 million Swiss francs (Maes, 2023). Moreover, both Norway and Germany announced they would restart payments to the fund (DW, 2023).

Additionally, the new EU regulation on deforestation entered into force on June 29, 2023, with the goal of stopping deforestation driven by EU consumption (Directorate-General for Environment, 2023) whose effects will have to be assessed in the future.

The future is uncertain but there is a chance that by combining international pressure and contribution with having ‘*Lula in there*<sup>57</sup>’ instead of Bolsonaro this crucial region of the world can be preserved without jeopardizing Brazil’s development.

## Conclusion

The present research analysed some of the discourses, policies, and results in the Brazilian Amazon region from 2003 to 2023. Lula’s discourse during his first and second term matched the practice of the Brazilian government and the results on development, indigenous rights and deforestation in the Amazon was positive.

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<sup>57</sup> ‘*Lula lá – chorus of Lula’s campaign video for the 2022 Presidential elections, available at: <https://www.youtube.com/watch?v=h8R70l4DkFg>*

Dilma and Temer's period were one when the Brazilian discourse shifted towards more developmentalist views and paradoxically, not only was the deforestation results worse but also development itself.

Bolsonaro's presidency was one of open conflict against the indigenous peoples and the environment on both a discursive and policy level. This discourse was tackled by Europe discursively but timidly addressed in policy. In fact, Europe's discourse contradicted what happened *de facto* with imports from Brazilian Amazon Soy growing during Bolsonaro's government.

The subsections dedicated to facts and figures as well as the different graphics used throughout the text indicate a positive relation between development, the protection of indigenous peoples and the protection of the forest as well as a positive influence of European normative standards abroad.

The Brazilian discourse on the Amazon gradually shifted from a balance between development and preservation under Lula to a more developmentalist view under Dilma and Temer and to a more and more anti-preservation view with Bolsonaro.

The discourse of Indigenous peoples focused on the sanctuary, and they saw development as a threat to their vision of the Amazon and became more and more active as the situation deteriorated.

Europe's discourse was more and more focused on the environment almost in an inverse proportion to the changes in Brazilian Presidential discourse as though it was naturally trying to balance it out. Perhaps it can be said that it takes an exceptionally anti-environmental President in Planalto to energise environmental sentiment across the world.

When it comes to European policy towards the Amazon it seemed to be the most active during the Lula and Bolsonaro years, but it did not always follow the claims made in European Discourse as

it is quite a contradiction that imports of soy grew during Bolsonaro's administration a European companies financed deforestation linked activities in the Amazon. A contradiction that is not surprising if Europe can in this way maximize its utility by enhancing its international reputation and continuing to profit from Amazon deforestation.

From the results achieved in different metrics during the 20 years of analysis it is likely that the way to achieve development, and environmental and indigenous progress is to have an '*inclusive populist*' as president as well as foreign states that use their influence and leverage to achieve such targets.

It would be advisable for Europe to leverage the Brussels effect to manipulate the utility calculations of Brazil's decision makers. At the same time, more internal pressure, perhaps naming and shaming may be needed for Europe to fully align its policies with its discourse. It is not tenable to raise up one's voice in defence of the Brazilian Rainforest and its Indigenous Peoples and, at the same time to buy forest-destroying commodities from the region.

This was not an investigation that aimed at being an exhaustive account of events and discourse for the time period under analysis, but it is perhaps, an important steppingstone intending to draw the attention of the academic community so that more researchers and students dedicate time to conduct further research on the Amazon region. New research could be done: 1) On the mining industry in the Amazon which rose substantially in the last two years; 2) On a comparison between the policies of different Amazon states to better grasp in what way '*inclusive populism*' affects them. 3) On what factors influence the distance between the EU's discourse and environmental policies.

We can all contribute to drive the changes needed to secure a sustainable future for the Amazon and for the World.

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