GLOBAL GOVERNANCE IN THE BRAZILIAN AMAZON

CO-MANAGEMENT OF LAND RESOURCES

Irina Mancheva
Master Thesis, 30 ECTS
International and European Relations
Supervisor: Per Jansson
OCTOBER 2010
LIU-IEI-FIL-A--10/08892--SE
# TABLE OF CONTENTS

Abstract .................................................................................................................................................... 4

List of Abbreviations .............................................................................................................................. 5

1. **Introduction** ....................................................................................................................................... 8
   1.1. Introduction .................................................................................................................................. 8
   1.2. Research Problem ....................................................................................................................... 10

2. **Research Design and Methods** ........................................................................................................... 13
   2.1. Case Study ................................................................................................................................... 13
   2.2. Empirical Material ....................................................................................................................... 15

3. **Background** ..................................................................................................................................... 17
   3.1. Brazilian Politics – Historical Reasoning ...................................................................................... 17
   3.2. The “Development” of the Brazilian Amazon ............................................................................. 18
   3.3. The Indigenous and Traditional Peoples of Brazil ....................................................................... 19
   3.4. Land Use Change in the Brazilian Amazon .................................................................................. 21

4. **Theoretical Framework** .................................................................................................................... 22
   4.1. The Concept of Global Governance ............................................................................................ 22
   4.2. The Concept of Resource Co-Management ................................................................................ 24
   4.3. Usage of the Theoretical Framework in the Research ................................................................ 28

5. **Key Participants in the Management of the Brazilian Amazon** .................................................. 28
   5.1. Federal Environmental Institutions ............................................................................................ 29
       5.1.1. Laws .................................................................................................................................. 30
       5.1.2. Federal Agencies ............................................................................................................... 33

       *SEMA ........................................................................................................................................ 33
       *CONAMA .................................................................................................................................. 34
       *Ministry of Environment (MMA) ................................................................................................. 36
       *IBAMA ...................................................................................................................................... 37
       *CENAFLOR ................................................................................................................................ 40
       *The Procuracy .......................................................................................................................... 40
       *Amazon Fund ........................................................................................................................... 41

       5.1.3. Conclusion: Federal Environmental Institutions and Co-Management .......................... 42
   5.2. State Environmental Institutions ................................................................................................ 45
ABSTRACT

The aim of this paper is to critically assess the different actors participating in the multilevel management of land resources in the Brazilian Amazon, through the theoretical framework of global governance studies and resource co-management. Four principles of adaptive resource co-management from existing theory were used: co-management as power sharing, co-management as institution building, co-management as good governance, and co-management as trust building. During the analysis of the empirical material it became apparent that one side of the interaction between different actors in the Brazilian Amazon was not covered in previous literature, and that was the formation of horizontal and/or vertical partnerships between independent entities, or “co-management as network creation”. These partnerships, lasting or not, are established for the achievement of the common aim and lead to gains for all parties involved.
## LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABES</td>
<td>Brazilian Association of Sanitary and Environmental Engineering (Associação Brasileira de Engenharia Sanitária e Ambiental)</td>
</tr>
<tr>
<td>ARPA</td>
<td>Amazon Region Protected Areas</td>
</tr>
<tr>
<td>BNDES</td>
<td>Brazilian Development Bank (Banco Nacional de Desenvolvimento Econômico e Social)</td>
</tr>
<tr>
<td>CAPOIB</td>
<td>Indian Council of Coordination of Indigenous Peoples and Organisations of Brazil (Conselho de Articulação dos Povos e Organizações Indígenas do Brasil)</td>
</tr>
<tr>
<td>CENAFLOR</td>
<td>National Centre for Support of Forest Management (Centro Nacional de Apoio ao Manejo Florestal)</td>
</tr>
<tr>
<td>CITES</td>
<td>Convention on International Trade in Endangered Species</td>
</tr>
<tr>
<td>CNPT</td>
<td>National Centre for Sustainable Development of Traditional Populations (Centro Nacional de Desenvolvimento Sustentável das Populações Tradicionais)</td>
</tr>
<tr>
<td>CNCG</td>
<td>National Military Police Commander General and Military Fire Brigades (Conselho Nacional de Comandantes Gerais das Polícias Militares e Corpos de Bombeiros Militares)</td>
</tr>
<tr>
<td>CONAMA</td>
<td>National Environmental Council (Conselho Nacional do Meio Ambiente)</td>
</tr>
<tr>
<td>CTA</td>
<td>Centre of the Amazon Workers (Centro dos Trabalhadores da Amazônia)</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FBCN</td>
<td>Brazilian Foundation for the Conservation of Nature (Fundação Brasileira para a Conservação da Natureza)</td>
</tr>
<tr>
<td>FNDF</td>
<td>National Fund for Forestry Development (Fundo Nacional de Desenvolvimento)</td>
</tr>
</tbody>
</table>
FoE  
Friends of the Earth

FoEI  
Friends of the Earth International

FSC  
Forest Stewardship Council

FUNAI  
National Foundation of the Indian (Fundação Nacional do Índio)

FVA  
Fundação Vitória Amazônica

GTA  
Amazon Working Group (Grupo de Trabalho Amazônico)

IBAMA  
Brazilian Institute of the Environment and Renewable Natural Resources (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis)

IBDF  
Brazilian Institute of Forestry Development (Instituto Brasileiro de Desenvolvimento Florestal)

ICMBio  
Chico Mendes Institute for Biodiversity Conservation (Instituto Chico Mendes de Conservação da Biodiversidade)

IGO  
International Governmental Organisation

INPA  
Institute for the Research of the Amazon (Instituto Nacional de Pesquisas da Amazônia)

INPE  
National Institute for Space Research (Instituto Nacional de Pesquisas Espaciais)

MMA  
Ministry of Environment (Ministerio do Meio Ambiente)

NGO  
Non-governmental Organisation

OSR  
Rondônia Organisation of Rubber Tappers (Organização dos Seringueiros de Rondônia)

OTCA  
Amazon Cooperation Treaty Organisation (Organização do Tratado de Cooperação Amazônica)

PAC  
Growth Acceleration Plan (Programa de Aceleração do Crescimento)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PPG-7</td>
<td>Pilot Programme for Conservation of the Brazilian Rainforest</td>
</tr>
<tr>
<td>REDD</td>
<td>Reducing Emissions from Deforestation and Forest Degradation in developing countries</td>
</tr>
<tr>
<td>SECTAM</td>
<td>State Secretariat of Science, Technology and Environment (Secretaria de Estado de Ciência, Tecnologia e Meio Ambiente)</td>
</tr>
<tr>
<td>SEMA</td>
<td>Special Secretariat for the Environment (Secretaria Especial do Meio Ambiente)</td>
</tr>
<tr>
<td>SFB</td>
<td>Brazilian Forest Service (Serviço Florestal Brasileiro)</td>
</tr>
<tr>
<td>SISNAMA</td>
<td>National Environmental System (Sistema Nacional do Meio Ambiente)</td>
</tr>
<tr>
<td>SNUC</td>
<td>National System of Conservation of Nature (Sistema Nacional de Unidades de Conservação da Natureza)</td>
</tr>
<tr>
<td>TCA</td>
<td>Amazon Cooperation Treaty (Tratado de Cooperação Amazônica)</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
</tr>
<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
</tr>
<tr>
<td>USA (US)</td>
<td>United States of America</td>
</tr>
<tr>
<td>WWF</td>
<td>World Wide Fund for Nature (formerly World Wildlife Fund)</td>
</tr>
</tbody>
</table>
“Discovering the reasons for the sudden dramatic acceleration in rain forest destruction is like slicing into a multilayered cake. On the surface, obvious factors include population growth, the increased need for land for agriculture, stock-raising and settlement; the wish to raise capital for development; and a rapidly growing demand for timber, fuelwood and other forest products. Yet when we look carefully we find that these are not necessarily decisive, or even important causes. Underneath are other layers – of social mores, or political expedients, of national and global economics, and of ideological conflict.”

1. INTRODUCTION

1.1. INTRODUCTION

The Amazon rainforest has been in the focus of the media and society for decades now, even centuries. Once the target of conquerors because of its vast potential and natural resources, it later became the concern of global community because of its importance for the ecological balance of the planet and the enormous biodiversity within its boundaries.

The dire consequences which the economic and industrial development within the borders of the Amazon rainforest has been causing were addressed as early as the 1970s. It took, however, more than a decade for this problem to seize a leading position in the concerns of global society, reaching its peak in the early 1990s. Since then, the issue has been widely addressed although there have been certain nuances added, for example, from the 1990s and 2000s, climate change has shifted the main focus from the issue of preserving biodiversity, and the effect the destruction of the Amazon forest has on it.

The reasons for the interest in the Amazon rainforest have varied over time, but the importance of this natural heritage has been stressed on many occasions by environmentalists, historians, economists, and politicians. In short, the Amazon rainforest is a unique natural

---


3 Kolk, Ans, 1996, *Forests in International Environmental Politics: International Organisations, NGOs and the Brazilian Amazon*, Utrecht: International Books

4 Kolk, Ans, 1998, *From Conflict to Cooperation: International Policies to Protect the Brazilian Amazon*, in *World Development* Vol. 26, No. 8, pp. 1481-1493
The Amazon rainforest lies within the borders of nine states: Brazil (63%), Peru (13%), Bolivia, Venezuela, Ecuador, Suriname, French Guiana, Guyana, and Colombia. This fact alone, combined with the forest’s enormous importance for the global ecosystem, as well as its richness in natural resources, including minerals, makes it the focus of global interest, as well as the apple of distort between environmentalists, local and national politicians, local people, including indigenous groups and corporate entities. Among the prominent actors in this “war” of interests are the national governments of the states, especially the Brazilian President and his government, companies such as US Steel, and NGOs such as Greenpeace and WWF.

---

5 Da Silva, José Maria Cardoso, Anthony B. Rylands and Gustavo A. B. da Fonseca, 2005, The Fate of the Amazonian Areas of Endemism, in Conservation Biology, Vol. 19, No. 3, June, pp. 689-694


Similarly to the belief of traditional realist theories, the global arena could be regarded as in a state of anarchy, just like the international one, meaning that there is not one leading power that governs all. Every actor’s influence varies according to his power – smaller organisations, just like smaller countries, are less influential and more dependent on larger countries or organisations.

1.2. RESEARCH PROBLEM

What the destiny of the Amazon rainforest will be, how it will be preserved, managed or developed is a complex matter which depends on many variables. As far as land management is concerned, whether the forest is preserved, burnt, turned into agricultural land or pastures, this is an issue which could be analysed through the perspective of multi-layered governance, which is just one aspect of governance studies. On the one hand, it involves the interests of indigenous groups, local small and large scale farmers, miners, civil society groups and others. On the other hand, there is the state and its institutions, legislative initiatives and incentives, as well as implementation of that same legislation. Another level or dimension are the internal and external markets which dictate for what purposes land would be needed and what trade could be developed; multi-national corporations, global civil society, global intergovernmental and non-governmental organisations, etc. The developments that take place in the Brazilian Amazon are also the result of the so called “double exposure” – a fusion between the influence of globalisation (for example the formation of markets) and global environmental change (change in natural environmental patterns which could lead for instance to a more accessible or vulnerable to anthropogenic development forest).10

In other words, when studying land management in the Brazilian Amazon, the first level or dimension of research would be the relationship between the state and local and national social groups and their actions concerning the land within the borders of the Amazon rainforest. When the state institutions start to collaborate with the local community groups when deciding how the natural resources in the region in question would be managed, there is a case of co-management of the natural resources. When the influence of other states, global or international organisations, foreign companies or global civil society is involved, then we go into the next level, that of global governance, or as

---

formulated by Frank Biermann – Earth system governance.\textsuperscript{11} This is a form of multi-layered non-hierarchal management, which includes not only environmental preservation, but also social practices and processes and their impact on the global Earth system and thus on the global community.

In more recent times, the deforestation rates around the Amazon basin have prompted environmentalists to warn that this would seriously affect and speed-up global warming and climate change – an issue which has become of top priority for many leading states’ governments, as well as a leading policy direction for the European Union (EU)\textsuperscript{12}.

Some scientists have been warning that deforestation and land use change are currently the number one cause for the release of carbon emissions in the atmosphere, thus the number one cause for climate change.\textsuperscript{13} According to the UNFCCC (United Nations Framework Convention on Climate Change), deforestation accounts for around 20\% of annual greenhouse gas emissions.\textsuperscript{14} In Brazil, because of the vast territories being cleared in the Amazon mainly through fires, the figure is much higher.\textsuperscript{15} Converted into numbers, deforestation in the Brazilian Amazon comprises 200–300 million tons of carbon, or 2/3 of Brazil’s carbon emissions per year.\textsuperscript{16} This means that industries that are traditionally considered to be carbon-intense are less of a factor in global climate change than deforestation. Although the biggest problem remains the clearing of the forest and its transformation into arable land or pastures, one other reason which stands behind Amazon deforestation is “greener” than ever before.


\textsuperscript{12} European Commission website: http://ec.europa.eu/environment/climat/emission/carbon_en.htm (last visited December 2009)

\textsuperscript{13} Grunwald, Michael, 2008, \textit{The Clean Energy Scam}, March 27,in Time Magazine; available at: www.time.com

\textsuperscript{14} UNFCCC factsheet: \textit{Reducing Emissions from Deforestation in Developing Countries: Approaches to Stimulate Action}, available at: http://unfccc.int/press/fact_sheets/items/4981.php


According to some scientists\(^{17}\), one of the main causes for the destruction of the Amazon at present is the introduction of biofuels on the market for mass consumption and the use of arable land for the growing of biofuel crops. This has led to a rising demand in arable land for the meeting of the food crop demand, the prices of which have increased due to the shortage in supplies. In countries like the USA, state subsidies and incentives have prompted local farmers to transform former pasture lands or switch from soybean production to the sowing of biofuel crops.\(^{18}\) The demand for soybean and other food crops is just as high, so new land is sought for their production. This has led to the deforestation of vast portions of land in the Brazilian Amazon (as well as in China), which is then transformed into pastures or soybean fields.\(^{19}\) Although there has been a slight decrease in the production of biofuels worldwide\(^{20}\), biofuel crops indirectly are still one of the causes for deforestation in the region. In addition, the expansion of soybean production in some areas in Brazil displaces cattle ranchers from territories which they have already occupied and pushes them deeper into the Amazon.\(^{21}\) This, on its part, has increased further greenhouse gas release and further complicated the issue of climate change.

The reasons behind this immense deforestation that is being currently carried out in the rainforests of Latin America (in 2004 a territory the size of Belgium was cleared out only in the Amazon forest\(^{22}\)), lie mainly in financial interests. Land is worth much more for local farmers without the forest than it is with it. This leads to vast territories being legally or illegally cleared and claimed by farmers. These activities are just as strong in “protected” areas, where government protection is not as effective as anticipated. Land has become such


an important and expensive item that gangs and murders are part of the everyday life around and in the jungle. In all this chaos, indigenous and traditional peoples who live in the Amazon rainforest and who have been supporting themselves and their communities with traditional farming and craftsmanship, which depends on the forest’s preservation, are caught in the middle, often being left without land, and thus without their traditional livelihood.

And yet despite its many times stressed importance, the Amazon rainforest’s destruction has not been enough of a reason for powerful state leaders to confront the Brazilian or any other government and state in a more sharp manner.

The aim of this paper is to lay out the different issues regarding the management of land resources in the Brazilian Amazon, present the different actors and their impact on the situation, or how does the global and local community interact when the issues of governance in the Amazon rainforest and management of its land resources are concerned? Who has power, thus also have impact on decisions and management and who does not? Is society made part of the decision making structure through co-management mechanisms?

The research problem of my thesis would be to understand how this multi-layered governance influences resource co-management in the Brazilian Amazon, where the actors involved in the processes are not only state institutions, but also corporate players, International Governmental Organisations (IGOs), Non-governmental Organisations (NGOs), civil society groups, state and nonstate actors, formal and informal agreements and partnerships (regimes), networks and synergies between different institutions and bureaucracies.

2. RESEARCH DESIGN AND METHODS

2.1. CASE STUDY

As far as the research design is considered, this thesis will be structured as a sort of case study. Not in the sense that one particular isolated event, the reasons for its occurrence and its consequences will be studied, but more in the sense that relations between different groups of society in one region, thus one entity will be followed, and it is expected that the results of this study will reflect the specific characteristics of this particular region, distancing it to a point from any other.
Alan Bryman has questioned whether a study of a region could be considered as a case study. According to him, a research which focuses on a problem within a particular location is not considered to be a case study, as the location itself is not investigated but rather the problem presented in it\textsuperscript{23}. However, I would argue that in the case of the study of global governance and land management in the Brazilian Amazon rainforest, the Amazon region is closely studied. Not in the sense that its landscape or biological diversity are closely considered but rather that the Amazon’s political, economic, environmental and social value are of considerable importance to this study. The results are expected to reflect the characteristics of the region, its political traditions and circumstances, its unique land value and collection of mineral resources. The international and global community is to act and react in a different way when issues in the Amazon forest are concerned, as opposed to issues in the Arctic region or the Great Plains, for example. The points that are pressing and up-to-date depend on the many background factors which compose the picture of a certain region. As Bryman puts it: “What distinguishes a case study is that the researcher is usually concerned to elucidate the unique features of the case”\textsuperscript{24}.

The further study of the issue of land management and global governance in the Brazilian Amazon would show whether this is a case with unique features or not. It will not be compared to other cases; this is not a comparative study. Thus, in this case the “uniqueness” is demonstrated not in comparison with other global governance instances, but because it is expected that every case which is studied is unique in itself, as it presents a certain pattern of historical events and environmental circumstances which cannot be replicated anywhere else. At the same time, I expect that this study would encounter characteristics which are generally present when the governance of a certain region is concerned. Consequently, I would hope that this research paper could contribute to governance and co-management studies with its presentation of the particular case of the Brazilian Amazon rainforest, taking into account the specific legislation and management mechanisms of the Brazilian federal state institutions, and their interaction with local and global community, private business enterprises, international organisations and other states.

I believe that this paper is a combination between an exploratory and explanatory case study. The exploratory part is the \textit{who} questions: \textit{who} participates in co-management and \textit{what} does


\textsuperscript{24} Idem, p. 54
2.2. EMPIRICAL MATERIAL

The applied methods of research are qualitative methods. The paper is based on previous studies concerning the issues of management of land resources in the Brazilian Amazon, as well as on primary sources such as documents and official releases of organisations and institutions which are of relevance to the study. Some media publications, such as interviews and articles are also used. They, however, are not approached from a quantitative point of view, but from a qualitative one. In other words, the frequency of occurrence or the number of actors, for example, is not taken into consideration. Instead the collected data is analysed with the aid of different theories, concerning political science. Collected data, i.e. articles, statements and studies, are not included per se, but are presented through the interpretation lenses of the theories applied in the study, namely those dealing with global governance and resource co-management. In other words, an interpretivist approach is adopted in the study of the collected data: an examination of the motivations and understanding of the actors involved in the governance of Brazil’s Amazônia.26

This study does not have the ambition to present in a holistic manner all sides and parties involved in the management of land resources in the Brazilian Amazon, as this would be unrealistic for a paper of this size and scope. Rather, the aim is to present various entities: governmental and non-governmental, local, national and foreign, international and transnational, and to analyse how open each is to co-management practices and how much “good governance” is being implemented in the region. To this end, the onset of environmental activism and the evolution of the environmental legislative framework and institutional body in Brazil are of major relevance, as they show how the issue of environmental preservation has been dealt with on various levels and in different situations. For the same reasons the development of the issue of environmental conservation in the Amazon on the global level is presented in the paper. Environmental conservation, on its part, has had a strong influence on the activities within the Brazilian Amazon and on the formation of co-management practices. Although private corporations, big and small firms, play a

---


significant part in what happens to forest land within the Brazilian Amazon, this thesis does not contain a section dedicated solely to their presentation and analysis. This is because the number of companies with an impact on land management in the Amazon is immense. They are not only national, but also foreign, and multinational corporations. However, their different character and individual impact is of little relevance to this paper. Corporate interests are important in so much as they put pressure on politicians and lobby for or against policies which concern the management of the forest. In these cases, corporations or their activities have been mentioned in the respective sections. The impact of the global political economy and market developments are much more relevant to the management of the Brazilian Amazon than individual companies. Moreover it is the formation of national environmental movements, the infiltration of transnational activism and setting up of national environmental legislation and agencies that is of true importance to the establishment and evolution of co-management practices, which include various levels and a wide array of participants.

Two books were particularly helpful in studying the beginning and development of environmental activism and institutions in Brazil. Hochstetler and Keck’s *Greening Brazil: Environmental Activism in State and Society*, helped build the framework of Brazil’s federal and state agencies, as well as follow comprehensively the development of green activism on a national and local level. In addition, Lesley McAllister’s *Making Law Matter: Environmental Protection and Legal Institutions in Brazil* provided crucial information on the establishment, revision and consolidation of Brazil’s environmental legislation. Both books have been supplemented by various official documents and publications, as well as articles and books presenting further details on the studied phenomena.

Della Porta and Keating’s concept of the ladder of abstraction seems to be very useful when the case of multilayered governance is concerned. As stated by Guppy, when initially studying the reasons behind sudden and rapid deforestation, one could see as leading the need for the raising of capital through agriculture or cattle ranching, for example, by small or medium land developers. However, this is the lowest rung in the ladder of abstraction. When studied more closely, new causes emerge, such as the economic interests of large scale producers and exporters, the market development and the fact that the production of soya has become vital for Brazil’s economy, as its export earns foreign exchange which on its part is

---

crucial for debt payments. On the highest rung of the ladder, most probably stands the global political economy. With the higher demand for meat, for example, thus the higher demand for animal feed, the conversion of former soya producing fields into biofuel crop areas and the increase in the price of soya beans, global market forces encourage and expansion of the commodity’s production and thus the clearing of forest land and its switch into soya fields.

The 1990s economic crises and Brazil’s later responsibilities towards the IMF, led to a revival of the state-led development model and dependency on export and agriculture is Brazil’s largest exporting branch, which encouraged land developers to penetrate even deeper into the rainforest. In other words, when posing the question “of what is this an instance?” one could safely reply: “of the forces behind the global political economy.”

The reasons for choosing Brazil and not any other Amazon country are many. Firstly, the largest percentage of the forest lies within Brazil. Secondly, with its historical background and economic development, Brazil is in an interesting position both regionally and globally, as it has on various occasions demonstrated its aspiration to be among the leading states in international affairs. Furthermore, Brazil was the first among the Amazon countries to start creating an institutional framework for environmental protection.

3. BACKGROUND

3.1. BRAZILIAN POLITICS – HISTORICAL REASONING

The history of Latin America has preconditioned a particular political climate which differs from traditions on both the European continent and North America. A history of conquest, violence, racial segregation and authoritarian rule, Latin American politics carry certain specifics which determine how decisions are made and how far global influence reaches. In

---


terms of economy and economic development, since the colonisation of Latin America and the rule of the European elites, the region’s structure and politics have been profoundly influenced by the trade and commercial relations with the then more economically developed regions of the world. This specified Latin America’s role as a producer and exporter of primary goods mainly needed on the European market, and importer of more expensive, finished produces, a position which was later further secured.\textsuperscript{32}

In the Latin American region, and in Brazil, economy and politics have been closely intertwined, but also strongly influenced by family, race, class and gender relations. Class relations have also played and continue to play a significant role. Inequality has a longstanding tradition in Latin America. In Brazil 1\% of the land owners own 44\% of the country’s arable land.\textsuperscript{33} The same inequality principles rule when justice is to be served. In Brazil it is believed that the law stands behind the rich and powerful and there is no justice for the poor and landless.\textsuperscript{34} An example of inequality, both in regards to land possession and in regards to legislation implementation is that of the Eldorado dos Carajás massacre in 1996.\textsuperscript{35}

An important factor for the internal political development of Brazil is that from the 1964 military coup until 1985 Brazil was under a military regime. The military among other projects started the intense development of the Amazon rainforest.\textsuperscript{36}

\textbf{3.2. THE “DEVELOPMENT” OF THE BRAZILIAN AMAZON}

For centuries the Amazon was perceived by the European settlers as a wilderness of no particular use other than the provision of natural resources which were ruthlessly exploited


\textsuperscript{33} Feeney, Patricia, 1992, \textit{Environmental reform in Brazil: advances and reversals}, in Development in Practice, 2: 1, pp. 3-11

\textsuperscript{34} McAllister, Lesley K., 2009, p. 85-121

\textsuperscript{35} Nineteen people, who were protesting against injustices in land owning were killed by the police forces of the state of Pará. Ten years after the incident, none of the police officers involved had been sentenced and it is unlikely that anyone would ever be. More on the Carajas Massacre available at:

BBC News: \url{http://news.bbc.co.uk/2/hi/americas/4917510.stm}

Amnesty USA website: \url{http://www.amnestyusa.org/document.php?lang=e&id=ENGAMR190192006}

and agricultural land after deforestation. The Amazon was considered a vast potential for
development, a “green hell” which had to be tamed, and the Indians populating it either had
to go along or where removed as obstacles. The “taming” of the Amazon was a clear strategy
which was even officially embedded in the Brazilian Constitution of 1891. This trend would
continue well into the 20th century, when merciless projects would be undertaken to penetrate
further into the Amazon, especially by the military regime which set the goal of building the
Transamazônia highway and populating the region. Since the 1970s the aim of opening up the
Amazon has been to diminish poverty and provide land for the landless. The overall historical
tendency in the Brazilian Amazon was that development had to be achieved and at any
price. On this background the indigenous and traditional populations of the Amazon
rainforest were seen as holding back progress. But poverty is just as strong, despite the
development projects and the huge amount of funding apportioned to them.

3.3. THE INDIGENOUS AND TRADITIONAL PEOPLES OF BRAZIL

Brazil’s indigenous people are less than 1% of the whole population of more than 170
million. This, together with a tradition of undermining the rights of the native cultures,
systematic extermination and assimilation through different policies (or lack of such), and
high ethnic fragmentation into small groups has dictated their relationship with the Brazilian
state.

environmental impact of the highway construction program in the Amazon basin, Amsterdam: Elsevier
Scientific Publishing

[38] Barbosa, Luiz C., 2000, The Brazilian Amazon Rainforest : Global Ecopolitics, Development, and Democracy,
University Press of America, p. 31


[40] Cott, Donna Lee Van, 1994, Indigenous Peoples and Democracy in Latin America, New York: St. Martin’s
Press, p. 221

[41] Simmons, Cynthia, 2004, The Political Economy of Land Conflict in the Eastern Brazilian Amazon, in Annals of
the Association of American Geographers, Vol. 94, No. 1, pp.183-206

[42] Brazilian Geographical and Statistical Institute website:
http://www.ibge.gov.br/english/estatistica/populacao/cento2000/default_populacao.shtm (census for the
year of 2000)

[43] Cott, Donna Lee Van, 1994, Indigenous Peoples and Democracy in Latin America, New York: St. Martin’s
Press, p. 213
The indigenous peoples’ relations with the Brazilian state, as well as with other groups of society have been mainly marked by the contest of land.® Regardless of the nature of the project under way, or the reason for which certain land was needed and cleared, the indigenous people populating that region would be relocated or exterminated. Extermination was sometimes conscious and sometimes not. For example, often nomadic tribes would be forced to start leading a static existence because of the destruction of the natural grounds and their transformation into agricultural land. This would lead to contamination with different diseases because of poor waste disposal practices and a decline in population or assimilation into existing local communities. The Indians’ resistance and fight for land was for centuries perceived as a hindrance to development.

Brazilian indigenous and traditional peoples have played an important role in the shaping of what today might be called Brazilian environmental policy and activism, not least with cases such as that of Chico Mendes and the attention his murder brought to the Amazon and the problems around its ruthless exploitation. They have also formed networks with foreign, national and local actors, working together for the protection of the Amazon and the publicising of various problems concerning its unsustainable development. When mentioning Chico Mendes in connection with environmental activism though, one must be cautious and stress the fact that Mendes did not start out as an “environmental” activist or even evolve into one. Chico Mendes was a local unionist and leader of rubber tappers, whose trade and thus movement was tightly connected to the need for preserving the forests of the Amazon intact. This, as previously stressed, corresponded with the general aims of environmental movements who teamed up with the rubber tappers in the battle for conservation of the Amazon. Chico Mendes’ “environmentalist” profile was further solidified by the way transnational organisations and the media presented and portrayed him. 

---


45 Barbosa, Luiz C., 2000, The Brazilian Amazon Rainforest: Global Ecopolitics, Development, and Democracy, University Press of America


47 Zhouri, Andréa, 2004, Global–Local Amazon Politics: Conflicting Paradigms in the Rainforest Campaign Theory, Culture & Society, April, 21, pp. 69-89, p. 71
In 1967 the National Foundation of the Indian (Função Nacional do Índio; FUNAI) was established.\(^48\) FUNAI, however, has been seen more as an organisation which de jure is supposed to protect indigenous rights but de facto serves the interests of the government or those of corporate organisations.\(^49\) A more recent case of FUNAI serving governmental and corporate interests instead of standing behind those of the indigenous peoples is the positive technical evaluation FUNAI gave for the Belo Monte dam project, which if executed is to flood an extensive territory occupied by indigenous peoples.\(^50\) Brondizio, Ostrom and Young, on the other hand, give an example of a positive collaboration between FUNAI representatives and indigenous people in the Xingu park, which led to the creation of associations aimed at taking control of the management of the park.\(^51\)

3.4. LAND USE CHANGE IN THE BRAZILIAN AMAZON

Accessibility is of prime importance of land-use change. More approachable areas, such which are located close to roads, cities or markets are much more likely to be transformed than hard to penetrate territories.\(^52\) In addition, the development of agricultural land requires the building of infrastructure for improved accessibility. And again - once the forest is made more accessible, the conditions are set for further agricultural development. In other words, from here follows the assumption that the more the Amazon rainforest is “developed”, thus made more accessible, the further it will be developed. This is a never-ending cycle which has been proven in time with projects such as the Transamazonia highway or Carajás and initiated by other reasons as well. For example the soil of the Amazon is not fertile enough to support the agricultural demands posed to it, especially by cattle ranching. In an average of around


\(^{49}\) Barbosa, Luiz C., 2000, *The Brazilian Amazon Rainforest: Global Ecopolitics, Development, and Democracy*, University Press of America


five years, the land becomes infertile and the farmers or ranchers are forced further into forest territory.\textsuperscript{53}

4. THEORETICAL FRAMEWORK

There are two main theoretical directions which I believe apply for this subject. The first is that of global governance studies, while the second is of resource co-management.

4.1. THE CONCEPT OF GLOBAL GOVERNANCE

Global governance is a complex interaction, both horizontal and vertical, between different actors and networks, or what has also been dubbed as \textit{interplay}.\textsuperscript{54} It encompasses the interaction between states, international organisations (governmental and non-governmental, international and global), international law and regimes, civil society, global conferences, etc.\textsuperscript{55} Global governance includes more than just intergovernmental relations, a characteristic to a large extent of the international arena before the 1960s.\textsuperscript{56}

It is important that the key terms used in this research: “global” and “governance” are defined in order for better clarity and preciseness to be achieved. \textit{Global} is used because the issue of the conservation and sustainable exploitation of the Amazon rainforest is one that can be argued to exceed international relations (or relations between nations) and to be of global concern. Not only is it so because the forest lies within the boundaries of nine states but also because it has been attributed to have an important influence on the world climate and its major role in the earth’s ecosystem has been stressed by scientists for decades. Global is used in the sense of transnational, a space where borders and territories are without relevance;


\textsuperscript{54} Young, Oran, 2002, \textit{The Institutional Dimensions of Environmental Change: Fit, Interplay and Scale}, Cambridge, MA: MIT Press, p. 26


where issues concern many geographical areas, regardless of physical boundaries. The region of the Amazon rainforest has been governed by the national governments of the countries within which it lays; IOs and NGOs. In addition to the state, the governance of the Brazilian Amazon depends on private, public or corporate actors, organisations, regimes, collaborations, synergies between different institutions and bureaucracies, scientific research networks and knowledge, the development of markets, as well as on the global political economy.\textsuperscript{58}

The second key term is \textit{governance}. It includes government or governments, in the meaning of “state unit” which participate actively or more passively in global affairs, but is much broader than that. Governance is used in the sense of not only governing through a government, but as a label to all actions and interactions between the global actors which shape the state of affairs\textsuperscript{59}; or “the sum of the many ways individuals and institutions, public and private, manage their common affairs”.\textsuperscript{60} When considering the Brazilian Amazon, Frank Biermann’s definition of Earth system governance seems appropriate for defining what governance or management of the region would include:

“(...) the interrelated and increasingly integrated system of formal and informal rules and actor networks at all levels of human society (from local to global) that are established in order to influence the coevolution of human and natural systems in a way that secures the sustainable development of human society.”\textsuperscript{61}

\begin{flushleft}


\end{flushleft}
In other words, the governance of the region is multilayered – it involves a complex mixture of authority, both vertical: local, national, international and supranational or global actors and factors, and horizontal: an interaction between different rule-making systems and agreements pioneered and sustained by various groups of actors.\textsuperscript{62} This interaction of different levels could lead both to the creation of networks, conflicts and synergies between the different actors, institutions or regimes.\textsuperscript{63} Thus, for the purpose of this paper it would be important to define the concepts of \textbf{network} and \textbf{synergy}. Networks form with the horizontal interaction between the different actors in domestic or world politics, such as state and non-state entities, as well as international, national and local organisations, economic formations, scientists or activist groups.\textsuperscript{64} Synergy is used in the sense of different actors, at all levels, working together, when this collaboration is sustained by the expectation that it would benefit all sides more than if they worked alone.\textsuperscript{65}

\section*{4.2. THE CONCEPT OF RESOURCE CO-MANAGEMENT}

This brings us to the second major theoretical direction in this research paper, which is a continuation of the global governance theorising. It is that of co-management and adaptive management (governance) theories. The development of the problem of land management (land use and land change) in the Amazon region is currently dependent on the collaboration of all actors involved, but the adequacy and success of conservation initiatives depends mainly on collaboration or partnership between the state institutions, state and non-state organisations, and the people inhabiting the Amazon, including the organisations they have set up and developed to assist in pushing forward their issues. Their cooperation in the management of the resources of the Amazon, as well as the land, is what \textbf{co-management} is.

\begin{itemize}
\item \textsuperscript{64} Keck, Margaret E., Kathryn Sikkink, 1998, \textit{Activists Beyond Borders: Advocacy Networks in International Politics}, Ithaca and London: Cornell University Press, p. 8-10
\item \textsuperscript{65} Linnér, Björn-Ola, 2006, Authority Through Synergism: the Roles of Climate Change Linkages, in European Environment, 16, 278–289, p. 279
\end{itemize}
Their experience in the field, what they learn from it and change when learning from this experience is adaptive management. Here it is important to stress that the relationship between the state institutions and the “rest” (including civil society and other forms of environmental activism) can have two major directions: cooperation and rivalry. When cooperating, organised and non-organised civil society assists with active participation and support for certain policies which concur with its aims. When in a state of rivalry state programmes or policies are met with contempt on behalf of civil society and it mobilises its strength and capacities against those initiatives. The latter situation is the “noisier” one, which is much more publicised than cooperation is, leading to the assumption that civil society in most cases acts against rather than with state institutions when engaging in environmental management, which isn’t quite the situation. When the Brazilian Amazon is concerned, there are many initiatives and programmes pioneered by each of the two sides which see civil society and state agencies working together, thus co-managing the Amazon’s natural resources, while in the process learning and evolving new, better practices.

According to a structure proposed by Fikret Berkes and based on his personal experience, adaptive co-management consists of seven building components.

*Co-management as power sharing:* As natural resource management is generally a state right and responsibility but in some cases it has been done traditionally by local communities, there usually arises a need for interaction between those two groups: the state and local communities, which are dependent on the specific resources and demand to play a role in the decision making concerning their exploitation. Power-sharing can have many forms and the level of community involvement also varies in the different cases. But in any case, some level of power and responsibility sharing is required for there to be a case of co-management. One of the problems underlined here is that in this system, the weaker participants (usually the

---


community, as opposed to the state) are left out of decision making. One way of addressing this problem is through the creation of appropriate legislation and institution building which could bring upon better cooperation and inclusion. In the Brazilian Amazon, the community in the face of indigenous peoples and non-governmental organisations could be considered the weaker side, as compared to the Brazilian state, as it has less of a say in what decisions are made regarding resource management in the region. However, if individuals who perform illegal activities within the forest’s boundaries such as land clearing or poaching are considered, then the state could be viewed as in a less favourable and weaker position as the legislation regarding the management of resources, although sufficient and well-structured, is not properly implemented, due to various reasons, such as weak environmental agencies, which are responsible for the enforcement of the laws.\textsuperscript{69} In this case, the “community” (if individuals performing illegal acts could be considered as the community) shapes the destiny of areas which lie within the rainforest’s boundaries. As a famous Brazilian journalist and sociologist once said in an interview concerning the Amazonian state of Pará, the official power structures within the Amazonian states are infested with the by-products of criminal organisations. The groups who have made money and gained power through illegal activities within the rainforest have become more powerful than the federal state of Brazil.\textsuperscript{70}

*\textit{Co-management as institution building:} According to Berkes, many of the institutions involved in co-management around the world are very new. Co-management could be the result of preliminary and conscious institution building but also institutions could be a later product, which was initiated by preceding co-management practices.

*\textit{Co-management as trust building:} In order for the created institutions to work and co-management efforts to be successful, a level of trust is required from both participating sides. With the example of the local indigenous people of the Amazon and the Brazilian state, such trust would be difficult to achieve because of a hundreds of years long tradition of undermining of Indian rights by government authorities. As it will be further elaborated, in

\textsuperscript{69} McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press, p.21, p.54 (McAllister gives an example of how among the studied cases from the period between 1999-2002 only 8 per cent regarded illegal acts such as deforestation and 72 per cent were for unauthorised storage or transportation of forest products. In addition only a small percentage of the issued fines are actually collected.)

\textsuperscript{70} Interview with Lúcio Flávio in Jornal do Brasil from February 21\textsuperscript{st} 2005: http://jbonline.terra.com.br/jb/papel/brasil/2005/02/20/jorbra20050220002.html
the case of FUNAI, the National Indian Foundation (Fundação Nacional do Índio), the very institutions created to defend indigenous rights were the ones that violated them or assisted the implementation of government led development projects.

*Co-management as a process:* Co-management is a continuing process of adaption and learning, trust and institution building. As it develops or “adapts” over time, so are many of the mechanisms and practices changed and improved.

*Co-management as social learning:* With experience in managing a certain field or resource, society and the institutions involved accumulate a knowledge based on trial and error. This information allows them to better adapt to the requirements of resource management and co-management.

*Co-management as problem solving:* Once adaptive co-management has reached a certain level of development, the institutions and trust are already built and set up to a point, then this collaboration between government institutions and community groups can actively take part in problem solving, which is often based on the previously accumulated experience and knowledge. This is the point at which many actors, institutions and bureaucracies form synergies in their attempt to solve problems that have occurred.

*Co-management as governance:* When co-management is concerned, it could be pointed out as an example of “good governance”, or in other words a democratic, accountable, legitimate and transparent form of governance.\(^1\) It is to include the lowest rungs of the affected by resource management, thus is expected to take into consideration their needs when decisions are taken. “Co-management in which there is a diversity of players, including public and private actors, linked to one another through a variety of relationships, might as well be characterised as governance.”\(^2\)

These seven characteristics of adaptive co-management are not necessarily exhaustive. Many others could be added or some could be removed. The important point is that co-management of natural resources, or in other words, the collaboration between governmental institutions, the private sector, civil society and the community as a whole, could lead to a more


\(^{72}\) Idem, p. 31
sustainable use of natural resources and to better, more accountable and responsible
governance of natural habitats of such global importance as is the case with the Brazilian
Amazon forest.

4.3. USAGE OF THE THEORETICAL FRAMEWORK IN THE RESEARCH

In this research paper, three of Berkes’ components will be used as lenses for the
interpretation of the empirical material, namely co-management as power sharing, institution
building, and finally co-management as governance. Co-management as trust building is also
touched upon. The aim would be to reveal the different forms of collaboration between state,
civil and global actors when the management of the land resources within the Brazilian
Amazon is concerned. Each characteristic’s presence or absence displays if and to what extent
co-management, interplay and synergies have been achieved.

During the analysis of the empirical material, it became apparent that Berkes’ system does not
cover one aspect which I find to be essential when the management of the Brazilian Amazon’s
land resources is concerned and that is of co-management as network creation. This principle
addresses the phenomena of partnership and synergy establishment, which on their part lead
to the establishment of a more flexible system of coordination between the different entities
involved in co-management practices and to better chances of realisation of their shared
objective. In this manner, the participants in a co-management structure do not have to
necessarily learn from their own trial and error experience but rather use the knowledge
accumulated by their partners from previous experiences. When networks are involved in the
management of natural resources, the process of co-management is faster, as the parties
involved do not have to accumulate social learning and experience but rather trade between
each other previous experience in similar circumstances and thus build faster a stronger
management model.

5. KEY PARTICIPANTS IN THE MANAGEMENT OF THE BRAZILIAN AMAZON

In this section an overview of the main participants in the multilayered management of the
Brazilian Amazon is made. The chapter is separated into two parts domestic and international
and global actors. This separation is relative, however, as it is difficult to touch upon one
“layer” of management without mentioning many others due to the interconnectedness of facts and events and the networks that have been formed throughout the years between different entities involved with activities in the region. As stated by Eduardo Brondizio, Elinor Ostrom and Oran Young:

“(...) ecosystems, which are diverse forms of national capital, exist at multiple levels on a spatial scale ranging from very small to global.”(...)”Humans who are affected by these ecosystems are also organized through diverse forms of social capital at multiple scales.”

5.1. FEDERAL ENVIRONMENTAL INSTITUTIONS

When state involvement in environmental issues and institutions in Brazil are studied, a clear separation has to be made between federal and state policy and institutions. Furthermore, when environmental and resource management is concerned, the responsibilities are distributed between the federal, state and local authorities, with the federal level carrying the biggest weight, although in recent years the state and municipal levels have been gathering strength and authority due to an overall tendency for decentralisation. State law primarily concerns issues of pollution. It is federal environmental law that has been essential in establishing the legal framework and institutions which are concerned with natural resource management and the protection of natural habitats.

At state level, the Brazilian Amazon states all have their own environmental agencies. However, compared to those of the Southern states, and mainly that of the state of São Paulo, the environmental agencies of Pará, Mato Grosso, Amazonas, and the other Amazonian states are infamous for their weakness, lack of organisation and corruption. Often, the local governments are headed by local elites, part of criminal networks. In this situation, it is the federal institutions that act, or should act to protect the environmental interests of the community. In addition, due to federalism, state and local policies and practices vary greatly.


74 Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 13-14


from one state or municipality to another, as well as social organisation, wealth distribution and other factors.\textsuperscript{77}

Also it is worth marking the President’s role within the state of Brazil and his influence on the formation of policies of various kinds. When being “in power”, the president has the ability to create, change and close a variety of agencies (the restructuring of the environmental agencies from the 1970s until the 1990s is elaborated further below), alter legislation and decision making procedures, and further influence domestic affairs through the more than 20 000 jobs in federal institutions which are under the control of the President’s office (a decrease as compared to the 50 000 positions in the end of the 1980s over which the president had power of appointment).\textsuperscript{78}

### 5.1.1. LAWS

The protection of the environment has been covered extensively by Brazilian federal law, which is one of the most elaborate in the world as far as the environment and its protection is concerned. In fact, as mentioned previously, it is not the lack of legislation but the lack of implementation that makes Brazilian environmental protection in many cases so ineffective.\textsuperscript{79}

Environmental protection has been stipulated in the Federal Constitution of 1988. The strong environmental lobby which was organised by representatives of civil society before the passing of the Constitution has been credited for the inclusion of a strong text within the Constitution concerning environmental protection.\textsuperscript{80} The Constitution calls for the protection of the environment by the government through the establishment of protected areas, requiring of environment impact studies for potentially hazardous projects, and supporting environmental education. It also declares the Amazon Rainforest, among other areas, to be “national patrimony”.\textsuperscript{81}


\textsuperscript{78} Idem, p. 17, p. 25

\textsuperscript{79} McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press


\textsuperscript{81} Federal Constitution 1988, article 225
Another part of the legislative system is the Public Civil Action Law (Lei de Ação Civil Pública) from 1985, which despite not being an environmental law per se, could also be considered as part of the federal system of environmental legislation, as it further opened the possibility of environmental interests to be represented in court by the Procuracy (Ministério Público), environmental organisations and other governmental units.\textsuperscript{82} (the Procuracy was first involved in environmental protection by the National Environmental Policy Act from 1981 elaborated further below). In 1998, the Environmental Crimes Law (Lei das Crimes Ambientais) was passed, which advanced existing laws with the introduction of a broader definition of environmental crimes and the inclusion of punishment of public officials for the issuing of false information in environmental permits,\textsuperscript{83} which was a serious step forward in fighting corruption and corrupt practices within the environmental agencies, both at federal and at state level. With the enactment of the two laws, a better setting was formed for the participation of civil society in the practices of management of natural resources in Brazil. Representatives of society could now call upon the Procuracy to open investigations of illegal activities within the Amazon’s boundaries, as well as of actions or lack of action of employees of federal or state environmental agencies.

The management of forest resources was addressed in the 2006 Law of Public Forest Management (Lei de Gestão de Florestas Públicas).\textsuperscript{84} It stipulates that the development of public forests (over 60% of the Amazon’s forests) is to be for sustainable production, and creates the Brazilian Forest Service (Serviço Florestal Brasileiro; SFB), the National Fund for Forestry Development (Fundo Nacional de Desenvolvimento Florestal; FNDF) and a National Register of Public Forests (Cadastro Nacional de Florestas Públicas). When signing the law, President Lula named it “revolutionary” and stated that the environmental policy of his government is being run by all sectors of the federal administration.\textsuperscript{85} According to the government, the intent of the law is to try to protect and encourage companies that operate sustainably and within the legal parameters and thereby quickly reduce the opportunities for


\textsuperscript{84} IBAMA website: \url{http://www.ibama.gov.br/institucional/historico/} (last visited September 2010)

\textsuperscript{85} From the article: \textit{Sancionada a lei de gestão das florestas públicas}, in the website of O Rota Brasil Oeste, available at \url{http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas}
the black market and the illegally operating loggers. Moreover, by requiring the demarcation and registration of land where the forests are located, the law also is expected to be effective in combating illegal occupation, considered as one of the main causes of the conflicts in the Amazon. There are estimates indicating that over 70% of timber sold in the country is of illegal origin.\textsuperscript{86} Despite various limitations, the new law was generally welcomed by socio-environmentalists as a step forward in environmental policies, and especially concerning the struggle against land grabbing and deforestation.\textsuperscript{87}

However, the Law of Public Forest Management also caused controversy in the year before its signing among some environmentalists, researchers, parliamentarians and civil servants, who regard the conceding of forest through public bidding for up to 40 years (a requirement of the new legislation) as a form of privatisation and internationalisation of large portions of land in the Amazon. Comparisons were made with models of management used in forests in Southeast Asia and Africa, where irreparable losses and damages were caused to both flora and fauna.\textsuperscript{88} The intention was for the system to be operated on a trial basis for the first ten years and, according to estimates by the MMA, it was to allocate around 11 million hectares of forests in the Amazon for commercial exploitation, which is equivalent to 3% of the forest’s territory.\textsuperscript{89} The law requires that, before the designation of an area for trade concessions a study should be made to explore the possibilities for the creation of conservation units of sustainable use (national forests, extractive reserves and sustainable development reserves) and forest settlements, which make up the other two forms of management of public forests outlined by law.\textsuperscript{90}

\textsuperscript{86}Idem


\textsuperscript{88} From the article: Sancionada a lei de gestão das florestas públicas, in the website of O Rota Brasil Oeste, available at: [http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas](http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas)


\textsuperscript{90} From the article: Sancionada a lei de gestão das florestas públicas, in the website of O Rota Brasil Oeste, available at: [http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas](http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas)
5.1.2. FEDERAL AGENCIES

The creation of the first environmental agency at federal level was encouraged by the 1972 United Nations Conference on the Human Environment in Stockholm (also UNCHE), although it must be noted that the military regime had started to consolidate environmental legislation from as early as the 1960s.\(^91\) Despite the Brazilian delegation’s stance at the conference that environmental concerns are hindering the economic progress of developing countries, after the conference, it proposed the creation of a federal environmental agency.\(^92\)

**SEMA**

The Special Secretariat for the Environment (Secretaria Especial do Meio Ambiente; SEMA) was established in 1973 as part of the Brazilian Ministry of Internal Affairs. It was responsible for pollution control, environmental conservation, monitoring of the use of natural resources, as well as education of different state agencies. However, the agency was insufficiently financed and stood weak before the other state institutions that were involved in activities and policies which were damaging to the environment. It thus relied largely on the reputation and networking of its first secretary, the noted lawyer, biologist and environmentalist Paulo Nogueiro Neto.\(^93\)

One of SEMA’s important achievements was the initiation of the National Environmental Policy Act from 1981 (Lei da Política Nacional do Meio Ambiente) – a law which set the legal framework for environmental protection and launched the setting of environmental standards, environmental impact evaluations, environmental permitting and monitoring, environmental information, administrative and criminal sanctions, as well as liability for environmental destruction. It also was the first law to involve the Brazilian Procuracy (Ministério Público) in environmental protection.\(^94\) The law provoked the creation of a


National Environmental System (Sistema Nacional do Meio Ambiente; SISNAMA). It was the first holistic institutional framework, which included all levels of government: federal state and local, according to geographical scope – an idea which was also included in the 1988 Constitution.\textsuperscript{95} SISNAMA incorporated: at the top – the National Environmental Council (Conselho Nacional do Meio Ambiente; CONAMA) – the national environmental policy-maker; the federal agency responsible for subsequently implementing the national environmental policies; the state authorities, responsible for the implementation at state level; and last – local municipal agencies, responsible for the implementation at local level.\textsuperscript{96}

\textit{CONAMA}

CONAMA, the National Environmental Council, was created in 1984, with its first considerable resolution being passed in 1985. It gained momentum in the 1990s and its resolutions accomplished the force of law, substituting to an extent legislative activity in the field of environment.\textsuperscript{97}

Civil society is represented by 22 members, which include worker union delegates; members of environmental organisations – two from each of the geographic regions, one at national level, and three from legally established associations for the protection of natural resources and the protection against pollution; a representative of the Brazilian Association of Sanitary and Environmental Engineering (Associação Brasileira de Engenharia Sanitária e Ambiental; ABES); a representative of the indigenous peoples, chosen in a process coordinated by the National Centre for Sustainable Development of Traditional Populations (Centro Nacional de Desenvolvimento Sustentável das Populações Tradicionais; CNPT/IBAMA); one community representative appointed by the Indian Council of Coordination of Indigenous Peoples and

\textsuperscript{95} Hochstetler, Kathryn, and Margaret E. Keck, 2007, \textit{Greening Brazil: Environmental Activism in State and Society}; Durham NC: Duke University Press, p. 33-4

\textsuperscript{96} McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press, p.23

\textsuperscript{97} Idem, p.23

\textsuperscript{98} CONAMA website: \url{http://www.mma.gov.br/port/conama/estr.cfm}
Organisations of Brazil (Conselho de Articulação dos Povos e Organizações Indígenas do Brasil; CAPOIB); a representative of the scientific community, indicated by the Brazilian Society for the Advancement of Science (Sociedade Brasileira para o Progresso da Ciência; SBPC); one representative of the National Military Police Commander General and Military Fire Brigades (Conselho Nacional de Comandantes Gerais das Polícias Militares e Corpos de Bombeiros Militares; CNCG); a representative of the Brazilian Foundation for the Conservation of Nature (Fundação Brasileira para a Conservação da Natureza; FBCN).

There is an honorary member, appointed by the Council and 3 members who have the right to speak but not to vote: a representative of the Federal Procuracy (Ministério Público Federal); a representative of the State Procuracies (Ministérios Públicos Estaduais), and a representative of the Commission of Consumer Protection, Environment and Minorities (Comissão de Defesa do Consumidor, Meio Ambiente e Minorias) from the Chamber of Deputies (Câmara dos Deputados).  

It is among CONAMA’s responsibilities: to establish when proposed by the Brazilian Institute of the Environment and Renewable Natural Resources (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis; IBAMA), other organs of SISNAMA or the Council itself, standards and criteria for the licensing of activities which are actually or could be potentially polluting, if granted by the government, states, the Federal District and Municipalities and supervised by IBAMA; to determine, when necessary, and to execute environmental impact studies; to establish criteria and standards in relation to the control and maintenance of environmental quality, aiming for the rational use of environmental resources, especially water; to monitor the implementation of the National System of Conservation of Nature (Sistema Nacional de Unidades de Conservação da Natureza; SNUC).

One of the most important functions of CONAMA concerning the management of natural resources in the Brazilian Amazon is the issuing of environment impact studies, which are to be summarised in an environment impact report.

---

99 All information on the structure of CONAMA is obtained from CONAMA’s page on the website of the MMA: http://www.mma.gov.br/port/conama/estr.cfm

100 CONAMA website: http://www.mma.gov.br/port/conama/estr.cfm

Ministry of Environment (Ministerio do Meio Ambiente; MMA)

The Ministry was created in 1992 from what was at first the Ministry of Urban Development and Environment (Ministério do Desenvolvimento Urbano e Meio Ambiente), established in 1985, transformed into the Ministry of Environment and the Amazon (Ministério do Meio Ambiente e da Amazônia Legal) in 1993 and the Ministry of Environment, Water Resources and the Amazon (Ministério do Meio Ambiente, dos Recursos Hídricos e da Amazônia Legal) in 1995, only to be named again as the Ministry of Environment in 1999. The Minister of Environment, who also presides CONAMA is appointed by the President of Brazil.

The appointment of the minister of environment is a sensitive subject, as it is a post which touches upon the interests of many different actors and groups of actors, and is thus often surrounded by controversies. An example of the amount of political pressure on the MMA and the appointment of its minister could also be seen in more recent developments. In 2003, after Luiz Inácio Lula da Silva’s victory in the 2002 presidential elections, he appointed to the post Minister of Environment Marina Silva – a move which has been generally praised by environmentalists, as she, a rubber tapper from the Amazonian state of Acre, and collaborator of Chico Mendes, was perceived as a representative of the people of the forest. However, many were left disappointed, as she did not live up to expectations, and after tensions between her and influential Brazilian businessmen such as Blairo Maggi (more on Maggi in the next section) and the President himself, she gave her resignation in May 2008 and was substituted by Carlos Minc, an environmentalist and Green Party founder, who prior to his appointment had been active in the Southern state of Rio de Janeiro and was considered insufficiently prepared to meet the needs of the Amazon for protection on behalf of the Ministry. Initially optimistic about the Lula administration and its plans for the Amazon,

103Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, pp.178-9
105BBC news: http://news.bbc.co.uk/2/hi/7402254.stm
environmentalists promptly realised that it lacked structure and organisation when environmental organisation was concerned.\textsuperscript{106}

It is important to note that green activism penetrates within state and federal institutions through the appointment of environmentalists to posts within environmental agencies. In that manner doors are opened for collaboration between the newly appointed minister or secretary, or head of department and his former allies. There are many such examples with activists being appointed to office, some from the Amazon front. One such example is that of the anthropologist and activist Mary Allegretti. Originally from the South of Brazil, she travelled to Acre for research purposes and ended up becoming vigorously involved with Chico Mendes’ rubber tapper movement. In 1999 she was appointed as secretary for Amazônia in the MMA until 2004 when she resigned. During her time as secretary, Allegretti focused not only on the consolidation of the idea for extractive reserves but also on the increase of conservation units within the forest and the better implementation of legislation which manages legal and illegal deforestation. Ironically, the appointment of another activist as Minister of Environment – Marina Silva, and the subsequent weakening of the Secretariat for the Amazon led to Allegretti’s resignation.\textsuperscript{107}

\textit{IBAMA}

The Brazilian Institute of the Environment and Renewable Natural Resources (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis; IBAMA), created in 1989, is a federal agency which has legal, administrative and financial autonomy, under the supervision of the Ministry of Environment.\textsuperscript{108} For a short time, just one year from its creation, IBAMA was the leading federal environmental agency, until President Fernando Collor de Melo reinstated SEMA’s status as head agency in 1990, with IBAMA being its implementing organ.\textsuperscript{109} IBAMA is based in Brasília and has jurisdiction throughout the national territory. The agency is managed by a chairman and five directors. Its organisational structure includes a Department of Environmental Quality, an Environmental Licensing

\textsuperscript{106} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p.178-182

\textsuperscript{107} Idem, p. 167-70; 181

\textsuperscript{108} IBAMA website: \url{http://www.ibama.gov.br/institucional/quem-somos/} (Last visited September 2010)

\textsuperscript{109} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 36
Board, a Department of Environmental Protection, and a Department of Sustainable Use of Biodiversity and Forests. It also has regional offices, and centres of expertise.\footnote{IBAMA website: \url{http://www.ibama.gov.br/institucional/quem-somos/} (last visited September 2010)}

It brought under one organisation various federal agencies that dealt with issues related to environmental and resource management, such as the Fishing Bureau (Superintendência de Pesca; Sudepe) and the Brazilian Institute of Forestry Development (Instituto Brasileiro de Desenvolvimento Florestal; IBDF).\footnote{McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press, p.25}

It is IBAMA’s responsibility to propose and publish rules and standards of environmental quality, zoning and environmental impact assessments, and to issue environmental licenses. It also is to act as an “environmental police” responsible for the environmental monitoring and enforcement of administrative penalties, especially with regard to the prevention and control of deforestation and forest fires, to act in environmental emergencies, to enforce environmental education programs, to develop an information system; and to establish the criteria for the management of wildlife and natural resources, including forestry, as well as to authorise their use and to supervise it.\footnote{McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press, p.54}

IBAMA has a crucial role in environmental enforcement in the Amazonian states, as it is responsible for the implementation of forestry laws and because the Amazon states’ environmental agencies were weaker than those of states in other regions such as the South East of Brazil. Due to the fact that it was an organisation created from agencies with a focus on resource management, its main responsibilities became the management of natural resources.\footnote{IBAMA website: \url{http://www.ibama.gov.br/institucional/quem-somos/} (last visited September 2010)} In connection with forest resource management, IBAMA’s responsibilities include the implementation of the forestry policies of the MMA; proposing legal measures for improving policies for the exploitation of forest resources; promoting sustainable use of forest resources through the development of Sustainable Forest Management Plans by its state
offices; providing technical assistance to states, municipalities, civil and non-governmental organisations in connection to the management of forest resources.\footnote{114}{IBAMA website: \url{http://www.ibama.gov.br/recursos-florestais/areas-tematicas/conceitos/} (last visited September 2010)}

From the late 1980s, the Brazilian government and foreign organisations have addressed the institutional weakness of the country’s environmental agencies. Through the National Environmental Programme (Programa Nacional do Meio Ambiente) which was established in collaboration with the United Nations Environment Program and financed by the World Bank loan and a donation from the German Reconstruction Bank, a strengthening was sought of the institutional and legislative framework of environmental protection in Brazil.\footnote{115}{McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Pr, p. 204-5, \textit{n49}}

Despite that in the 1990s IBAMA, as well as many other Brazilian environmental agencies, experienced a crisis. Because of a decrease in national funding, state and agencies had to cut back their staff significantly. In addition, salaries which before were considered to be relatively competitive had to also be decreased. This led to low motivation among the staff and to higher corruption. Experts relocated to other agencies or private organisations where they received better financial compensation. This, together with the decline in power of all environmental agencies both at federal and state level was a serious blow to the Brazilian state’s capacity to manage its environmental resources.\footnote{116}{Feeney, Patricia, 1992, \textit{Environmental reform in Brazil: advances and reversals}, in \textit{Development in Practice}, 2: 1, pp. 3-11}

In the early 2000s IBAMA started to recover from the crises most environmental agencies experienced in the 1990s, and in the state of Pará, for example, IBAMA enforcement campaigns led to a 60 per cent drop in deforestation in the southern part of the state between 2005 and 2006.\footnote{117}{McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Pr, p. 55} Corruption in IBAMA was also addressed, and in the period 2003-2006 around 90 employees were fired and 300 faced sanctions for corrupt practices. Most investigations against corrupt officials were carried out by the Federal Procuracy and the Federal Police.\footnote{118}{Idem, p. 40}
The National Centre for Support of Forest Management (Centro Nacional de Apoio ao Manejo Florestal; CENAFLOR) was legally established as a specialised organ within IBAMA in 2003. Its main objective is to promote the adoption of forest management techniques of reduced impact logging for all types of developers in the forest: farmers, entrepreneurs and communities, initially in the Amazon region, extending later to all regions. With the aim to achieve this goal, CENAFLOR engages in networking and joint actions involving different actors. As stated on the centre’s website, its creation was a result of the combined efforts of various government institutions and civil society organisations.

Similar to CONAMA, CENAFLOR has its own Council, which has representatives from the government, civil society, the business sector, and the forest workers. Civil Society is represented through the Centre of the Amazon Workers (Centro dos Trabalhadores da Amazônia; CTA) – an organisation of the traditional workers of the forest. To act in different regions, CENAFLOR builds partnerships with NGOs and governmental bodies (federal, state and municipal) for the establishment of forest management centres. Among its programmes are training initiatives supported through the PPG-7 (Pilot Programme for Conservation of the Brazilian Rainforest; more on the programme in section 5.4.).

The Procuracy

The Brazilian Procuracy (Ministério Público) has been given the power by the 1988 Constitution to perform investigations and file lawsuits in order to defend environmental interests. Furthermore, the Constitution granted it with a level of independence which allowed it to engage in the investigation and trial of cases concerning environmental issues. Such is

---


Idem


the example of the interference of the State Procuracy of Pará in the Belo Monte Dam project in 2006 which lead to its temporary suspension.\textsuperscript{125}

There is a State Procuracy as well as representatives of the Federal Procuracy in every Brazilian state. As it is an independent organ of the government, the Procuracy, both at state and federal level has on many occasions acted faster, more independently and effectively in protecting the environmental interests of the public than specialised state or federal environmental agencies have. Moreover, the Procuracy has been actively involved in the uncovering and prosecution of cases of fraud and corruption among federal and state environment agencies’ officials. The institution’s high salaries and high level of selectiveness for its employees leading to a high level of professionalism, has given the Procuracy a very positive perception among Brazilian society. Contrary to the overall view that federal and state agencies are often corrupt and inefficient and push forward the interests of the rich and powerful, Procuracy officials are considered to be well educated guardians of the Brazilian public’s interests, defending the weak and poor.\textsuperscript{126}

\textit{Amazon Fund}

In 2008, President Lula created the Amazon Fund (Fundo Amazônia), the main aim of which is to reduce Brazil’s carbon emissions through controlling deforestation primarily in the Amazon, but also in other forest areas in Brazil. The financing for its projects was expected to come from private donations as well as donations from industrialised countries.\textsuperscript{127} The fund is managed by the Brazilian Development Bank (Banco Nacional de Desenvolvimento Econômico e Social; BNDES). Its aims are to support the management of public forests and protected areas; environmental control, monitoring and inspection; sustainable forest management; economic activities created with sustainable use of forests; ecological and economic zoning, territorial arrangement and agricultural regulation; preservation and sustainable use of biodiversity; and the recovery of deforested areas.\textsuperscript{128}


\textsuperscript{128}Amazon Fund website: http://www.amazonfund.gov.br/FundoAmazonia/fam/site_en/Esquedo/Fundo/
5.1.3. CONCLUSION: FEDERAL ENVIRONMENTAL INSTITUTIONS AND CO-MANAGEMENT

Although transparency and accountability might not be ideal in Brazilian federal institutions,\textsuperscript{129} and corrupt practices still come to light,\textsuperscript{130} a major improvement has been made in the last four decades since environmental institutions first started to be established. With time and especially with public and international pressure, which is yet to be discussed, federal agencies were equipped with some of the necessary tools for participation in co-management arrangements or new institutions were formed, as opposed to the one sided governance without the inclusion of representatives of society which was characteristic of the first attempts of environmental institution building by the military regime.\textsuperscript{131}

In the case of CONAMA, for example, the requirement for environmental impact studies and the consequent publishing of a report which is meant to be accessible to the public as well as to decision makers, leads to better transparency when potentially environmentally harmful projects that are to be executed, including within the boundaries of the Brazilian Amazon. When informed in this manner, decision makers, representatives of civil society, organisations and the public in general could react or seek response on behalf of relevant institutions, if they believe that action is required. This empowers the community and allows it to participate indirectly in the management of the region, with the possibility to try to block activities that it believes are against the interests of the public. This empowerment could be considered as part of Berkes’ concept of co-management as power sharing. However, as the public does not exercise direct power and does not participate directly or through representatives in decision making, but rather could act because it has been informed about certain management intentions and their impact, this practice could be conceptualised as information sharing. Information sharing on its part does not necessarily lead to Berkes’ concept of co-management as power-sharing and from here co-management as trust-building, where CONAMA would gain a positive status, as the institution demanding and providing this information. Participation in the management of resources by the community has to be further


\textsuperscript{131} Hochstetler, Kathryn, and Margaret E. Keck, 2007, \textit{Greening Brazil: Environmental Activism in State and Society}; Durham NC: Duke University Press
enabled through legislation and institutions, as blocking initiatives of the community outside of resource management agencies could altogether be ignored if they don’t hold any ground in decision making.

Nevertheless, being an institution which explicitly includes civil society within its decision making procedures, from Berkes’ seven components of adaptive co-management point of view, CONAMA could appear to be an ideal structure, which would be expected to contain each one of his seven co-management characteristics. The inclusion of representatives from all the major levels concerned with the management of natural resources obviously contains two co-management principles as it aims at co-management of environmental issues through *power-sharing* and co-management as governance, or in other words *good governance* – representation from all vertical levels, even of the lowest rungs, affected by the management of natural resources and environmental control: federal level, state level, and municipal level. Horizontally, the Council includes representatives of labour and environmental organisations, as well as representatives of the indigenous population. Therefore, one could expect that this would be the ideal institution of adaptive co-management – a synergy between official authorities, the business sector and civil society representatives, who together resolve problems and learn from their experiences. However, this impression is only superficial and does not correspond with what the situation regarding civil society and public participation within the Council in reality is. In CONAMA, as well as in environmental councils on other levels, such as state and local, environmentalists’ formal participation does not lead to very much influence on decisions and policies in practice. A common complaint among participating activists is that they were often informed late about meetings and had to ratify decisions which were already made without their participation.\(^\text{132}\) In addition, one environmental organisation usually holds seats on numerous councils, which limits its representatives’ ability to be present and to make informed decisions because of restricted time and financial resources. If environmentalists decide to protest against this ostensible representation of civil society by boycotting council meetings, they are readily substituted by members of alternative environmental organisations which conform to government policies and licenses continue to be granted, with the apparent participation and support of civil society structures within the decision making process, which gives it the required legitimacy – an example from the environmental council of the state of Mato Grosso. Nevertheless, council

---

members from environmental organisations have argued that council participation at least gives them a stage and a voice before the public.\textsuperscript{133} As a result environmentalists and the local population have a voice but do not have a saying in Council decisions concerning the management of land resources.

Faux civil society participation in governmental institutions leads to a shattering of all components of Berkes’ adaptive co-management model. Instead of sharing power, and consequently establishing institutions and building trust, learning from experiences, solving problems and instituting a good governance model, factitious democratisation and inclusion of civil society structures opens an even wider rift between state controlled institutions and the public and hinders the process of trust building or fosters trust based on false impressions. Nonetheless, the mere fact environmentalists are granted access to state structures allows them to work for changes from within rather than just from the outside. Despite the heavy criticism on behalf of environmental activists who participate in councils on various levels in Brazil, the strong legislative framework concerning environmental protection which has been passed by CONAMA since its establishment is obvious.\textsuperscript{134} With varying intensity civil society has been involved in CONAMA and has in that manner to some extent participated in the co-management of the Brazilian Amazon’s land resources, among other issues.

Another federal institution – IBAMA, is not only meant to implement legislation and monitor and control activities within the Amazon forest, but also may act together with the departments and agencies of the federal government, as well as directly or indirectly with state authorities, municipalities and members of organised civil society to achieve the goals of the national environmental policy.\textsuperscript{135} This possibility for “collaborative” actions of the federal agency together with NGOs brings it a step away from the image of environmental agencies as only technocratic entities, with employees buried in clerical work with no understanding of the actual problems of the region. Moreover, IBAMA officials work as inspectors on the ground, within the forest boundaries, which gives the agency knowledge on the local particularities, needs and organisations. This knowledge, on its part helps develop co-management practices with representatives of the local level, whether part of the authorities or

\begin{footnotesize}

\textsuperscript{133} Idem, p. 43-4

\textsuperscript{134} McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press

\textsuperscript{135} IBAMA website: \url{http://www.ibama.gov.br/institucional/quem-somos}

\end{footnotesize}
part of civil society. With its instructive organ CENAFLOR, IBAMA is able to educate in sustainable management practices both local populations and companies.

Suspicions and lack of trust in federal environmental institutions could be motivated by the MMA’s historical instability. The constant reorganisation of the environmental agencies led to its inability to form strong and lasting synergies with other environmental organisations, whether state agencies or non-governmental organisations and thus made its actions unpredictable and its policies unclear. This on its part has hindered the potential establishment of adaptive co-management’s building components. With an unstable structure of federal environmental agencies, it is hard to launch power-sharing mechanisms, and from there to build co-management institutions and establish trust between the collaborating actors. However, since the end of the 1990s Brazil’s environmental agencies have been more or less stable and the MMA has become a participant in co-management initiatives as the organ designated to monitor and supervise the implementation of certain co-management projects, which include representatives of several layers, both in horizontal and vertical terms.

Overall the federal level has become more open to public participation in decision making structures which affect the management of land resources in the Amazon. The federal legislative framework, starting from the top with the 1988 Constitution, has outlined the basic structure enabling decentralisation and public participation in resource management. However, as already mentioned, the reality in Brazil is that laws and recommendations are often ignored and power lies within the elite, not within the local community.

5.2. STATE ENVIRONMENTAL INSTITUTIONS

5.2.1. State Environmental Agencies

In a federal state such as Brazil, the development of state agencies and policies concerning the management of natural resources vary very much from state to state. The agencies of the Amazonian states are more recently developed than those of the South Eastern states. In an assessment of Brazilian environmental agencies from 1992 it was concluded that in the Amazonian states, environmental agencies were chronically underfinanced and understaffed.

---


which led to their incapability to properly perform their monitoring, licensing and legislation implementation functions.¹³⁸

The state environmental agency in the Amazonian state of Pará, for example, was first established as a department within the State Secretariat for Health in 1986, transitioned into the State Secretariat of Science, Technology and Environment (Secretaria de Estado de Ciência, Tecnologia e Meio Ambiente; SECTAM) but truly started functioning as an agency issuing permits and enforcing law as late as 1995. After the second half of the 1990s, SECTAM sought a larger role in permitting and resource management and in the beginning of the 2000s further developed its legal and institutional framework to accommodate that bigger role. But, as often is the case within the Amazonian state environmental agencies, the federal IBAMA remained the stronger actor when law enforcement and overall management of forest resources was concerned.¹³⁹ State and municipal agencies, as mentioned earlier, suffer from corruption and are often controlled by criminal organisations. Groups that are founded on land grabbing and illegal exploitation of natural resources often have a much greater power than the state itself.¹⁴⁰ In addition, Amazonian state environmental agencies are struggling to cover a vast territory with limited staff and resources.¹⁴¹

The development of environmental activist organisations and their ability or inability to influence state or municipal politics also varies from state to state and municipality to municipality. For example, in the state of Acre, where the rubber tappers’ movement started, non-governmental actors have achieved progress in their collaboration with state institutions, and also to some extent in Amapá, while there are other Amazonian states where cooperation between the state and municipal organs and activists is virtually non-existent.¹⁴²

---


Sometimes, the state is the people who fuel massive deforestation because of their commercial interests. Such is the case with Mato Grosso’s governor Blairo Maggi, who is a millionaire farmer and who owns Grupo Maggi, which is considered to be the world’s largest individual soya producing company. In 2003, the first year after he stepped into office, the deforestation rates in the state of Mato Grosso increased by 40 per cent. Maggi showed no signs of remorse, as he stated in a 2003 interview for the New York Times:

"To me, a 40 per cent increase in deforestation doesn't mean anything at all, and I don't feel the slightest guilt over what we are doing here. We are talking about an area larger than Europe that has barely been touched, so there is nothing at all to get worried about."

Moreover, he has announced his intention to triple the amount of land planted with soybeans during the next decade in Mato Grosso. The state environmental agency instead of working with federal agencies and organisations, such as the National Institute for Space Research (Instituto Nacional de Pesquisas Espaciais; INPE) in controlling deforestation, in some cases commits its efforts to proving those agencies wrong and contesting data about the increase in deforestation in the state of Mato Grosso.

5.2.2. CONCLUSION: STATE INSTITUTIONS AND CO-MANAGEMENT

The situation in the State of Mato Grosso is not isolated but rather is characteristic of how corporate or/criminal interests are intertwined with state or local authorities, often placing the official institutions on the side of the people responsible for ruthless deforestation.

---


144 Idem


147 More on Mato Grosso’s environmental agency’s efforts to deny scientific data proving an increase in deforestation in The New York Times article: Brazil Rainforest Analysis Sets Off Political Debate: http://www.nytimes.com/2008/05/25/world/americas/25amazon.html?pagewanted=2&_r=1&sq=Blairo%20Maggi&st=cse&scp=1
activities, instead of on the side of those protecting or developing the forest in a more sustainable way. Thus the trust of society in these institutions is in many cases nonexistent. The public is accustomed to seeing the financially and politically strong get their ways and the authorities to be powerless in front of them and even often part of them. This pressure is experienced not only at state level but also at federal, as it became clear with Minister of Environment Marina Silva’s resignation in 2008, after she faced many bitter disputes with government officials and businessmen such as Maggi. As the reason for her resignation she named "the growing resistance found by our team in important sectors of the government and society".\footnote{Phillips, Tom, I’d lost the strength to carry on, May 22\textsuperscript{nd} 2008, The Guardian, available at: http://www.guardian.co.uk/environment/2008/may/22/forests.conservation}

The Amazonian states’ environmental institutions also lack consistency in several more of Berkes’ co-management points. As expected when following Berkes’ design, the institutions focused on co-management practices are established late. However, the Amazonian states’ environmental institutions have been built much later than those in other states in Brazil, and lack their technical and workforce capacity. They are weak, thus are not expected to be involved in power-sharing, as the power lies either in criminal entities or within federal institutions. Due to their weakness, ineffectiveness and bad reputation, co-management as trust building does not exist, as previously mentioned. The public relies on institutions or organisations alternative to the official local authorities, and very often on its own capacities to expose and put an end to illegal activities and unsustainable management practices. Thus, the Amazonian state environmental agencies are expected to be rarely involved in co-management as problem solving and co-management as governance. They lack the core characteristics of a democratically functioning institution and thus are marginal in governance of the region. Moreover, their interference is often considered by the public to be of harm, pushing through criminal and commercial interests, rather than those of the local and global society. However, from the mid-1990s and in the 2000s, state environmental institutions in most Amazonian states have, albeit slowly, started to take on some of the responsibilities that are expected of them, most of which have often been performed by the federal agency IBAMA or the Procuracy. The institution building process is still ongoing, but state agencies
are in some cases starting to be part of the system of co-management of the land resources of the Amazon.\footnote{McAllister, Lesley K., 2008, \textit{Making Law Matter: Environmental Protection and Legal Institutions in Brazil}, Stanford University Press, p.31}

\section*{5.3. NON-GOVERNMENTAL ORGANISATIONS AND ACTIVISM}

In this section, some of the largest and most influential non-governmental organisations which are actively involved in the governing of the Brazilian Amazon are presented. Their profile is that of non-conformist, or reformist and even at times transformist (especially Greenpeace) organisations, or such which seek to change the current status quo through the implementation of new policies or the revision of old ones.\footnote{For a detailed presentation of the different types of civil society organizations see Scholte, Jan Aart, 2002, \textit{Civil Society and Governance}, in \textit{Towards a Global Polity}, Routledge, pp. 145-165} NGOs concerned with environmental issues have to also be very flexible and adaptable to the dynamically changing background understanding of how these issues should be dealt with, what is currently a pressing matter and what is of secondary importance.\footnote{Timmer, Vanessa, 2009, \textit{Agility and resilience: Adaptive Capacity in Friends of the Earth International and Greenpeace}, in Biermann, Frank et. al ed., \textit{International Organizations in Global Environmental Governance}, London and New York: Routledge, pp. 244-263} For example, within the Brazilian Amazon there has been a shift in priorities, with loss in habitat and biodiversity, and climate change for instance competing for the prime position in the focus of attention of the global community.\footnote{Kolk, Ans, 1996, \textit{Forests in International Environmental Politics: International Organisations, NGOs and the Brazilian Amazon}, Utrecht: International Books} Also, because of the active lobbying and pressure from NGOs companies and states do change or alter certain practices or implement environmental programmes. This, on its part, requires once again an adaptation to the new status quo of practices and policies on behalf of the NGOs.\footnote{Timmer, Vanessa , 2009, \textit{Agility and resilience: Adaptive Capacity in Friends of the Earth International and Greenpeace}, in Biermann, Frank et. al ed., \textit{International Organizations in Global Environmental Governance}, London and New York: Routledge, pp. 244-263} Furthermore, NGOs are required to collaborate with partners, often more powerful than them, in order for projects which are part of their missions to be implemented. As a result NGOs actively participate in the formation of networks and synergies, which fill an
institutional gap within global environmental governance. The “period” of partnership is rather new. NGOs which traditionally were opposing governmental or intergovernmental initiatives started to become more and more prone to partnerships with intergovernmental organisations and multilateral development banks, which coincides with willingness for partnership from the latter too.

Both national and global NGOs have an impact on Brazilian environmental governance. Sometimes in the same fields and in a similar manner, other times practices applied from national NGOs are more effective than those of their global counterparts and vice versa.

5.3.1. DOMESTIC NGOs

When considering the Brazilian Amazon rainforest and studying the different activist movements in the region it is difficult to make clear-cut distinctions between social and environmental movements. Often the former is used by the latter for legitimising its efforts, whilst the same is valid the other way around but this time for achieving better publicity and popularity. “Green” initiatives in developed countries traditionally are more concerned with the environmental conservation in general, whilst grassroots organisations in developing countries fight for the preservation a certain ecosystem in order to protect their livelihoods, and thus develop and implement more concrete projects with concrete results. Consequently, in developing countries it could be argued that these organisations are responsible for the so-called “productive conservation” – supporting people’s livelihoods, while preserving the natural resources they depend upon.

Adding to the difficulty of separating social movements from purely environmental ones in Brazil, is the fact that when exploring the account of the birth of activist movements aiming to

---


155 Zhouri, Andréa, 2004, Global–Local Amazon Politics: Conflicting Paradigms in the Rainforest Campaign, in Theory, Culture & Society, April, 21, pp. 69-89, p. 76; as revealed by Zhouri, WWF announced the start of a new period, different from the previous one of defining a problem and developing a rhetoric and stated their readiness to start building partnerships.

156 Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press

157 Hall, Anthony, 1997, Sustaining Amazonia: grassroots action for productive conservation, Manchester: Manchester University Press, pp. 2-6
preserve the forests of Amazônia, their initial fragmented nature is apparent. However, with a history of more than three decades, today researchers speak of an “Amazon movement”, connecting it to the global tendency of an increase in interest over environmental issues as well as a significant rise in the designation of protected areas again on a global scale in the last thirty years.\textsuperscript{158}

In addition, it is also difficult to set clear boundaries between national and transnational influence on concerns, or on setting the agenda regarding the Amazon rainforest and its issues. Brazilian NGOs are often financially dependent on their transnational partners, which questions their independency when forming their agendas, etc. Furthermore, only domestic NGOs with the appropriate technical capacity (according to the standards of their foreign partners) are considered as allies or partners,\textsuperscript{159} as the rest are hard to get into contact with and maintain that contact, or in other words, it is difficult to maintain a network relationship.

Hochstetler and Keck divide Brazilian environmentalist movements into three periods or also as they call them “waves”. They argue that the first wave began in the early 1950s and lasted until the 1970s. It was a reaction against the developmentalist policies of the state at the time. The second is connected to the political liberalisation which started in 1974. It expands until the late 1980s and constitutes a demand for improvement of social conditions and further democratisation. The third wave continues until today. It, among other things, is marked by an increase and intensification in contact with foreign environmental organisations, although such contact has been present from the first wave, but not as strong.\textsuperscript{160}

The end of the second wave and the beginning of the third corresponds with a time which saw a boom in funding of non-governmental organisations engaged in conservation by

\textsuperscript{158} Schwartzman, Stephan et al., 2010, Social Movements and Large-Scale Tropical Forest Protection on the Amazon Frontier: Conservation From Chaos, in The Journal of Environment & Development, September, 19: 274-299, first published on August 15, 2010

\textsuperscript{159} Zhouri, Andréa, 2004, Global–Local Amazon Politics: Conflicting Paradigms in the Rainforest Campaign, in Theory, Culture & Society, April, 21, pp. 69-89, p. 73

\textsuperscript{160} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p.63-4
development agencies. This trend of the 1980s and 1990s led to an inclusion of development in the programmes of the same organisations.\textsuperscript{161}

Early environmental conservation in the Brazilian Amazon came in the form of scientific research centres, with the first one being established in Belém, in the state of Pará in 1866. The Institute for the Research of the Amazon (Instituto Nacional de Pesquisas da Amazônia; INPA) was founded in 1952 in Manaus, Amazonas.\textsuperscript{162} In the early years, INPA’s main task was exploration of the area through research, surveys and inventories of the flora and fauna. In more recent times the institute has set before itself the challenge to expand sustainable use of the natural resources in the Amazon rainforest. It currently supports three research centres located in the states of Acre, Roraima and Rondônia.\textsuperscript{163}

In the 1970s environmental activists were still not informed well enough with the problems the Amazon region was facing and were mainly active in urban areas such as Manaus and Belém.\textsuperscript{164} After the 1974 political liberalisation, in 1978, information leaked into the press about government intentions to sell concessions to companies for timber yield in enormous areas within the rainforest. This prompted the national “risk contracts” campaign against the proposed plan, despite of the political atmosphere within Brazil, which was still not fully liberalised.\textsuperscript{165} Hochstetler and Keck argue that it wasn’t environmental concern that spurred the movement and resistance but rather the undemocratic manner in which the military government decided on development projects within the Amazon region, or even more the undemocratic and oppressive rule in general. Environmentalism was a relatively safe way of expressing oppositional stances, as it was not as harshly persecuted as other political movements. The campaign attracted other representatives of the opposition to the military regime, such as lawyers, journalists, scientists and members of society who were no indifferent to the military regime’s policy-making, such as students and housewives. The

\begin{flushleft}

\textsuperscript{162} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 156

\textsuperscript{163} INPA website: http://www.inpa.gov.br/sobre/historico2.php

\textsuperscript{164} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Pres, p. 157

\textsuperscript{165} Keck, Margaret E., Kathryn Sikkink, 1998, Activists Beyond Borders: Advocacy Networks in International Politics, Ithaca and London: Cornell University Press, p. 223
\end{flushleft}
government arrested several protestors and moved the debate over the concessions behind closed doors. The protests gradually lost momentum and the few remaining environmentalists who continued the struggle felt abandoned by the opposition.166

Another social-environmentalist movement concerning the Amazon spurred from the indigenous and traditional peoples’ struggle to preserve the forest which provided for their lifestyle and livelihoods from the destruction of cattle ranchers and farmers in the Western part of Brazil. Beginning in the mid 1970s, the rubber tappers’ movement in the state of Acre rapidly gained drive and united labour union and party representatives from across the nation with the rubber tappers and local politicians, and later foreign researchers in the resistance to rainforest clearing. The activists engaged in various tactics, such as the filing of lawsuits and organised protests to slow down deforestation and draw public attention to the region and its problems. The movement resulted in the development of the idea for extractive reserves.167

The rubber tappers’ movement in Acre is not the only social movement with effects on environmental conservation which was active in the 1970s. The Transamazon movement starting to form from the mid-1970s in the state of Pará took up on environmental issues in the 1990s, when it became apparent that they were of relevance to the small scale farmers involved in the movement. The movement’s main argument is that small scale family agriculture is an environmentally beneficial and sustainable way of land management as compared to large scale cattle ranching and farming.168 The Transamazon movement, similar to that of the rubber tappers and many environmental movements, moved from a reactive, blocking form of interaction with government authorities, to cooperative relations, offering solutions to the problems it fought. In addition, the movement broadened its scope and from local turned to regional, creating new networks in the process. One of its achievements is that together with other movements it managed to convince the Brazilian government that the financing of large scale cattle ranching is unsustainable, as compared to that of small scale

166 Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 158-60


farmers. With this the farmers’ movement managed to secure federal agriculture credit for small scale farming too, which later evolved into a credit line for sustainable forestry, reforestation and payment for ecosystem services.\footnote{Idem}

The next wave of environmental concern over the Amazon’s future came in the late 1980s and was initiated by Anthony Gross and Mary Allegretti, who were already working together with the rubber tappers of Acre and who got in touch with environmental activists in Britain and NGOs based in Washington DC.\footnote{Hochstetler, Kathryn, and Margaret E. Keck, 2007, *Greening Brazil: Environmental Activism in State and Society*; Durham NC: Duke University Press, p. 159-162} This coincided with the early stages of the campaign which was aiming at changing the current status quo of multinational bank lending and aid for projects with adverse environmental effects. Western environmental NGOs started pressuring the World Bank and the Inter-American Development Bank into revising their policies and the implementation of projects they were financing within the Amazon and even arranged for Chico Mendes to meet with bank representatives in the USA and gain support for the extractive reserves proposal.\footnote{Keck, Margaret E., Kathryn Sikkink, 1998, *Activists Beyond Borders: Advocacy Networks in International Politics*, Ithaca and London: Cornell University Press, p. 163-165} The campaign for revising multinational bank lending policies and especially the movement for protection of the Amazon region received a serious increase in public attention with the murder of Chico Mendes in 1988. The international outcry it provoked was unexpected not only for Brazilian national and state authorities but also for the Brazilian environmental movement, which until that time was not that intensely involved with the rubber tappers’ and indigenous peoples’ activism.\footnote{Hochstetler, Kathryn, and Margaret E. Keck, 2007, *Greening Brazil: Environmental Activism in State and Society*; Durham NC: Duke University Press, p. 163-165} With broad media coverage in renowned papers around the world, Chico Mendes’ death brought to the attention of the average Western household the injustices and threats the Amazon’s traditional and indigenous populations had been facing for decades and the extent to which the forest had been ruthlessly exploited.\footnote{Coomes, Oliver T., Bradford L. Barham, 1997, Rain Forest Extraction and Conservation in Amazonia, in The Geographical Journal, Vol. 163, No. 2, July, pp. 180-188; New York Times: \url{http://www.nytimes.com/1990/08/19/books/why-they-killed-chico-mendes.html?scp=25&sq=chico+mendes&st=nyt}; Time Magazine:
In the next decade relations, activities and policies concerning the Amazon developed and were transformed very rapidly. Local and transnational activists deepened their cooperation, Brazilian state actors and institutions both at federal and state level started to form partnerships and to collaborate with non-governmental representatives in order to implement certain programmes and strategies. This tendency was given further incentive by the new form of funding for environmental protection which the Brazilian state could receive in contrast to the previous financing mainly of projects with harmful environmental effect (although such projects and activities were still going strong). In all this, partnerships were built not only between national activists and state agencies and actors but also with international non-governmental and governmental institutions, other states, as well as multilateral development banks. The establishment of environmental co-management was becoming a reality.

After the murder of Chico Mendes in 1988 and the consequential developments a standing interaction and collaboration was formed between foreign and national activists, with the former not only supporting the Brazilian movements and organisations by exercising pressure on foreign state governments, organisations and financial institutions, as well as publicising issues of the Amazon region but also helping to strengthen Brazilian NGOs and activists’ ability for leverage through the sharing of personal experience and know-how in environmental activism. One such example is that of Steve Schwartzman from the Environmental Defense Fund (later Environmental Defense), who had collaborated in the mid 1980s with the rubber tappers’ movement in Acre and managed to obtain financing for and organise a meeting in Brasilia, the aim of which was for Western environmental activists who participated in the campaign which was aimed at making multilateral development banks more cautious of what projects they finance regarding their impact on the environment, to transfer their expertise to their Brazilian counterparts. This resulted in the establishment of Rede Brasil – the Brazilian Network on Multilateral Development Institutions, one of the first

---


---

http://www.time.com/time/magazine/article/0,9171,958591,00.html; http://www.time.com/time/magazine/article/0,9171,956707,00.html
accomplishments of which was to persuade the Congress to open for public discussion the World Bank’s confidential Country Assistance Strategy.\textsuperscript{175}

With the transfer of knowledge and capabilities onto national and local organisations who, on their part, could start working independently as opposed to representing the aims and interests of foreign organisations, environmental activism gained higher legitimacy before the Brazilian public, as it was no longer seen as strictly “foreign”, and thus invasive, at least not to the same extent as before, when it seemed that mainly foreign forces were pushing for change.

A consequence of this effort of transferring know-how was the creation of the Amazon Working Group (Grupo de Trabalho Amazônico; GTA) in 1992, again with support from foreign environmental organisations. At present, the Group includes more than 600 organisations in all nine Amazonian states, with profiles ranging from environmentalism to human rights and fishery.\textsuperscript{176} It was set up by a few local NGOs from the Amazon region aiming to participate in the Pilot Programme for Conservation of the Brazilian Rainforest (PPG7), a project financed by the G7 countries, the Netherlands and the EU, administered by the World Bank but coordinated by the Brazilian MMA. The planning and implementation of the programme’s projects involves a series of partnerships, especially with federal governmental agencies, state and municipal governments, social movements, environmental organisations and the private sector.\textsuperscript{177} A very important characteristic of the programme is that it also has financed capacity building of NGOs and local organisations.\textsuperscript{178} The GTA represents the local perspective before the donor agencies, the World Bank and the Brazilian government.\textsuperscript{179}


\textsuperscript{176} GTA website: http://www.gta.org.br/

\textsuperscript{177} PPG-7 on MMA website: http://www.mma.gov.br/ppg7/


The FVA (Fundação Vitória Amazônica), a strong local organisation which is still an active participant in environmental management projects was formed in 1990 in the state of Amazonas. The idea of its creation arose during a meeting held in Manaus called “Workshop 90”. At the meeting, about 100 researchers considered the foremost experts on studies of the Amazon, discussed priorities for the conservation of the region. Soon after its establishment the FVA formed close relations with global organisations such as WWF and continued to collaborate closely through the years with several federal institutions and professional associations such as IBAMA and the Chico Mendes Institute for Biodiversity Conservation (ICMBio). The most concrete product of these collaborations as stated by FVA itself are interagency management plans and the joint management of three state and federal protected areas around the Rio Negro basin, the generation of knowledge on regional biodiversity and its use by traditional peoples, as well as the development of actions aimed at seeking a participatory territorial management model that combines biodiversity conservation with human development of people living in the region.

The FVA realised from the beginning that successful conservation and management of the region’s natural resources could only be achieved through active cooperation with federal agencies and the people inhabiting the area, who would have to be compensated in some form for having to use less of the natural resources. Thus the FVA started to implement literacy and healthcare initiatives and provided electricity for the region, this time through cooperation with the University of Amazonas and Centrais Elétricas de Amazonas. According to the FVA’s founder, Muriel Saragoussi, the foundation’s activities led to the further organising of local civil society and its opposition to local dominating elites. It included the state level in its management efforts at a later moment of its development. Likewise, the FVA attained national recognition long after it was already known to transnational organisations and after it had formed synergies with foreign, local and federal entities. This happened with the help of the Brazilian NGO Forum, which acted as a

---


181 One of FVA’s first directors was Carlos Miller who had previously worked for WWF and Conservation International in Washington. (for more see: Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 172-3; http://wwf.panda.org/what_we_do/where_we_work/amazon/vision_amazon/amazon_protected_areas/management/)

link between the many and different non-governmental organisations in Brazil. Saragoussi eventually replaced Mary Allegretti as secretary for the Amazon in the MMA. 183 The FVA participates in joint projects and programmes with other Brazilian NGOs, in the municipal environmental council in Manaus, in the meetings of the PPG-7, as well as in the federal commission managing the Central Corridor of Amazônia.184

The murder of another activist in the forests of the Amazon, that of the naturalised American nun Dorothy Stang in 2005185, turned into a major catalysing factor for another wave of international pressure on the Brazilian state which led to a fast solution to some of the problems in the region, such as demarcation of existing reserves and the elimination of some controversial practices used by illegal land developers to legalise their claims.186

Following the murder of Chico Mendes, in the beginning of the 1990s, indigenous peoples and rubber tappers began to collaborate, as well as with small scale farmers and landless people. This cooperation was not one with traditions and there were often tensions and fallouts between the collaborating groups. They have also formed networks with foreign, national and local actors, working together for the protection of the Amazon and the publicising of various problems concerning its unsustainable development. One such example of collaboration is with SEMA, which between 1990 and 1992 commenced developing programmes concerning indigenous peoples and traditional “exploiters” of the Amazon, such as rubber tappers. Although these programmes were mostly created as a political and diplomatic move on behalf of Collor’s administration in an attempt to ease internal and international pressure on Brazilian state environmental practices and often were intended to conceal the lack of action,187 they were nonetheless a beginning of some sort collaboration between governmental organisations and the people living within the boundaries of the


Brazilian Amazon. It led to the sharing of experiences and more importantly to attracting more attention from outside the Amazon – at a national and international level. Consequently, a National Centre for the Sustainable Development of Traditional Peoples (Centro Nacional de Desenvolvimento Sustentado das Populações Tradicionais; CNPT) was established in IBAMA in 1990, the aim of which was to collaborate with forest populations in the establishment of extractive reserves.\footnote{188}{CNPT website: \url{http://www.ibama.gov.br/resex/cnpt.htm}}

The creation of the CNPT was the first co-management institution building step within the federal environmental agency. The “extractive reserve” concept was included, due to pressure on behalf of environmentalists, in World Bank sponsored projects such as the Rondônia Natural Resources Management Project, albeit in this case it was just a smokescreen for the state government’s interest in extracting rather than managing resources.\footnote{189}{Keck, Margaret E., Kathryn Sikkink, 1998, Activists Beyond Borders: Advocacy Networks in International Politics, Ithaca and London: Cornell University Press, 142-147}

The concept of extractive reserves features the allocation of land protected from commercial exploitation, such as the yield of timber or the clearing of forest for agricultural production, and its designation as a territory in which traditional and indigenous populations can practice their traditional lifestyle and livelihood, which is considered to be sustainable use of the forest. Examples of such traditional livelihood activities in the Amazon include the collection of Brazil nuts and rubber tapping.\footnote{190}{Hecht, Susanna B., 2007, Factories, Forests, Fields and Family: Gender and Neoliberalism in Extractive Reserves, in Journal of Agrarian Change, July, Volume 7 Issue 3, p316-347, 2007}

5.3.2. CONCLUSION: DOMESTIC NGOs AND CO-MANAGEMENT

Hochstetler and Keck’s three waves of environmental activism mark also three stages leading to the introduction and slow affirmation of practices of adaptive co-management of land resources in the Brazilian Amazon. The first wave of activism was at a time when co-management practices were virtually inexistent. The state decided on how to deal with the Amazon’s resources and local populations had no saying in those projects. It was the beginning of the formation of some social and environmental concerns if not full-fledged movements. This is the time when issues concerning traditional and indigenous peoples and their environment started slowly to penetrate within the media and to catch the attention of
society. However, it was in the second period, the second wave of environmentalism, that those problems and the people’s battle for preserving their land, culture and way of life started to attract the attention of the media and the public. The culmination of this period was the assassination of Chico Mendes, which spurred an unexpected public outcry both within and outside of Brazil. At the same time “purely” environmental issues were also gaining in popularity and the sheer size and importance of the Amazon rainforest in a global context, situated the issue of its preservation again in the forefront of media and public attention. It was at this time, during the second wave, that the two issues were united – social and environmental. The power of environmental activism was recognised by social activists and the other way around. It was a time when it was acknowledged that the power and leverage that could be achieved if both movements and problems were united, exceeded what could be achieved by any group on its own. In consequence a synergy was formed between environmental and social activism, which is still going strong to this day.

During the third wave of activism this relationship between social and environmental activism was further consolidated. Co-management practices which included the local population of Amazônia were considered to be of big benefit for the preservation of the rainforest’s ecosystems. “Pure” environmentalism, or such which does not take into consideration the people inhabiting the forest, did not seem that feasible anymore. This has led to the realisation that co-management and thus adaptive co-management is a winning formula when the preservation of the Brazilian Amazon is concerned. It covers both the need of the local population for an environment which can sustain their traditional lifestyle when at the same time this environment when left undeveloped, or “sustainably” developed, conserved rainforests.

The concept of “extractive reserves” which was conceived during the second wave of activism by the rubber tappers’ movement in the state of Acre is a classic example of co-management of environmental resources between the national, state, municipal level and the people inhabiting the region. As the establishment of reserves is a long-term project, close cooperation between the local and national authorities with the people populating the area is required. For example, to curb illegal practices within the area, such as illegal logging and clearing of land for agriculture, federal, state and municipal authorities have to work “on the ground”, relying on the support of the local community to help identify the perpetrators. Some sort of institution building has to be done in order for this cooperation to be fully established. An example of an institution built specifically to mediate the federal and local levels is, on the
one hand, that of the CNPT in IBAMA. On the other hand, the rubber tappers themselves had to set up some kind of organisation which was to accommodate their need to be represented as one entity before the federal authorities. As a result local communities established associations which developed management plans for each reserve separately and served as a 60 year rental agreement between the CNPT and the local community. These contracts are then sublet to individual families. Furthermore, these local communities are offered special training programmes which offer additional capacity building. In this manner, a holistic connection between local and federal is made, with institutions built on both sides serving as mediators in the co-management process.

The Transamazon movement of small scale farmers, with its achievement, together with other organisations, to secure federal funding in the form of credit for sustainable forestry, reforestation and ecosystem services, succeeded in turning its policy from mainly protesting governmental (both national and local) decisions, to collaborating, not only with other organisations but also with authorities on various levels.

With the creation of Rede Brasil, as well as of the GTA, an institution building process within the domestic non-governmental environmental sector seemed to be deepening, with an influence from foreign organisations. The international level did not have to be so explicit anymore. The transfer of expertise allowed for internal forces to implement tactics and strategies which were traditionally practiced by foreign actors. Furthermore, domestic organisations have the knowledge about the cultural background and certain specifics which are often far too illusive for “outsiders” to grasp. This makes domestic NGOs much better equipped to participate in co-management initiatives, while at the same time using practices learnt from foreign agencies.

For example, the GTA, when representing local interests before the donors and administrators of the PPG-7, can use information and tactics passed on by transnational NGOs but because of its background culture and knowledge, it could do so with the flexibility and discretion only an “insider” could afford.

The FVA, on the other hand, was built from domestic activists and only later formed networks with foreign organisations. Nevertheless, the end result of both types of organisation

---

Domestic non-governmental organisations which have strong connections and collaboration with foreign actors but which still have preserved their “Brazilian” character and identity are established. For example, with its participation in many co-management projects together with federal and state environmental agencies, the FVA has managed to successfully incorporate international concerns for the preservation of the Brazilian Amazon into operational projects, while working at the same time with local populations from the region. Thus, with its successful collaboration with governmental environmental agencies, the FVA has fused several levels. Vertically, those are: international – national – local, while horizontally different national environmental agencies (IBAMA and ICMBio, for instance), national NGOs with which the FVA works together, or various local communities which have not collaborated previously but do so under the auspices of projects being implemented on their territories. In addition, with its cooperation with the University of Amazonas and with the electrical company operating in the region, the FVA included the scientific research level and the corporate level into the development or the management of the region.

Berkes’ seven components here seem to fall short of explaining or describing fully the relationship between NGOs, domestic and foreign, in the case of extractive reserves. This is not only a vertical relation between local and global, but also a horizontal one, where different organisations cooperate and work together for one common goal. It is through this networking that various actors trade information, know-how and tactics. Because of the extractive reserves’ capacity to cover several concerns, such as that for the conservation of the land of indigenous and traditional peoples, and that for the conservation of the Amazon’s ecological balance and rich biodiversity, it involves organisations which traditionally would not necessarily be interested in this form of co-management. Experience from the field is then again traded as information between the various partnering organisations and could be used in other projects – whether in the Amazon region or not. This type of co-management could be simply named co-management as network creation. It is the formation of connections between independent entities, lasting or not, for the accomplishment of a common goal, whether that is the conservation of a natural habitat, a culture or other. The connections which are formed are both vertical and horizontal and could include local communities and governmental entities.

Domestic NGOs have succeeded in building lasting partnerships with authorities and other entities over the years in several projects concerning the Amazon rainforest. They have served
as a mediator between local populations and governmental environmental or financial agencies, making possible the sharing of power, institution and trust building, and thus a co-management of natural resources which comes closer to good governance, as compared to periods in which NGOs were non-existent or not as efficient as at present.

5.3.3. GLOBAL NGOs

Global or international organisations have, without a question, had a serious influence on Brazilian environmental politics. However, international influence on Brazilian politics concerning environmental conservation is often exaggerated as national activism is downplayed.\(^{192}\) Transnational actors and organisations usually work in some sort of collaboration and even long-standing partnership with Brazilian actors, who function as mediators between the global and the national or local level. This is a win-win situation, as it further legitimises the aims of foreign actors before the national and local public while at the same time helping domestic actors gain experience and recognition on the global arena.\(^{193}\)

In these partnerships, it must be pointed out that although there is a relationship between international and local, international entities often exploit the term “local people” when referring to who they collaborate with in co-management projects. Such an example could be given with international financial institutions such as the World Bank, which sites as local partners in some projects not only indigenous peoples but also companies who are involved with timber extraction in the region, for example. The term “local” has a broad meaning and in it are included not only local communities and forest dwellers, but also companies who work in the region, such as those exporting timber.\(^{194}\)

The infiltration of global NGOs within national environmental politics was already deliberated in the previous section. Here, a few examples of influential transnational non-governmental actors will be given and their experience in Brazil in relation to the preservation of the Amazon rainforest. At closer inspection, it becomes evident that the different organisations apply diverse tactics and create differing networks and partnerships with

---

\(^{192}\) Hochstetler, Kathryn, and Margaret E. Keck, 2007, *Greening Brazil: Environmental Activism in State and Society*; Durham NC: Duke University Press, p.4-10

\(^{193}\) Idem, p. 9

domestic governmental and non-governmental entities, and thus are perceived differently from the local and national communities.

**Greenpeace**

When referring to Greenpeace, it is important to stress one point which makes it a different organisation than most activist groups. Greenpeace is highly centralised and relies to a very high extent on professionalised, paid activists,\(^{195}\) unlike most of the Brazilian environmental organisations who distinctly rely on volunteer work.\(^{196}\)

Greenpeace activists arrived in Rio de Janeiro in April 1992 to attend the UN environment conference. This marked the beginning of Greenpeace Brazil, which since then has been mainly involved with issues concerning unsustainable use of natural resources, deforestation and destruction of the Amazon and Atlantic rainforest, as well as the use of GMO crops.\(^{197}\)

With the Appointment of Tani Adams as organiser for Latin America, Greenpeace started in Brazil with a group of activists formerly involved in socio-environmental causes. This on its part led to tensions with Greenpeace followers who were against the inclusion of social parameters in environmental conservation and stood firm by their beliefs that humans should be kept out of protected areas in any case.\(^{198}\) Thus Greenpeace’s involvement in extraction reserves projects and the like was met with hostility from some members. This was despite the tendency of bringing together the concepts of social and environmental activism, which on its part was launched through the concept of sustainable development put forward by the Brundtland Report (WCED, 1987).\(^{199}\) Notwithstanding the tensions, Greenpeace launched itself successfully in Brazil, with its Amazon campaigns initially aimed mainly against illegal logging. A prominent environmental activist from Rio de Janeiro, José Augusto Pádua was

---


appointed as the Amazon coordinator of Greenpeace Brazil and by the end of the 1990s the region’s issues had been turned into an international priority. Largely due to its well developed transnational network and strong financial background, Greenpeace Brazil carried out several successful campaigns through the 1990s and early 2000s, revealing in the process criminal networks engaged in illegal timber harvest and convincing municipalities to ban the use of illegal timber from construction sites on their territory. This initiative later spilled on to all public acquisition of wood and was named Rede Amigos da Amazônia (Network of Friends of the Amazon). Greenpeace also launched a campaign in 2006 against the change of land use within the Amazon’s boundaries for the production of soy. The campaign had enough influence to make a corporation such as McDonald’s announce that it is eliminating all use of soybeans coming from the Amazon and pushed through a two-year moratorium on buying soy from newly deforested land in the Amazon.

Friends of the Earth

Friends of the Earth International (FoEI) is a less centralised organisation than Greenpeace, which is constituted of grassroots national or local organisations and groups from all over the world dedicated to resolving the same environmental issues locally and globally, and are thus connected as a network. Like Greenpeace, FoEI is also engaged in confrontational tactics and campaigns, but overall relies much more on institutionalised tactics such as research and lobbying. FoEI could be compared to a federal government, with its national branches having relevant independence from the central organ of the organisation. In addition, this leads to a bigger independence of the Southern structures of the organisation from the Northern, as compared to similar non-governmental transnational organisations concerned with environmental issues.

---


202 FoEI website: [http://www.foei.org/en/who-we-are](http://www.foei.org/en/who-we-are)


204 Doherty, Brian, 2006, *Friends of the Earth International: Negotiating a transnational identity*, in *Environmental Politics*, 15: 5, 860 — 880
FoE Brazil took part in the campaign against multilateral development banks’ environmental policies in 1989. In 1995, after cooperating with the Rôndonia NGO Forum, FoE presented the World Bank Inspection Panel with a claim that the Planaflooro Project (a successor of the devastating Polonoroeste Project) was in violation with the bank’s own environmental policies. Although the claim was rejected, it fuelled serious revision on behalf of bank staff of the project’s objectives, as well as demarcation activities among Brazilian federal and state authorities of indigenous lands which before the claim had been put off for a long time.

In 1989, Friends of the Earth Italy launched the international campaign "Defend the Indians, Save the Forests”, in defence of tropical forests and the people that live there. At a meeting organised in Milan, numerous indigenous leaders and representatives of the rubber tappers’ movement were present. The campaign led to the Amazon Programme, which includes many initiatives aimed at combating destructive projects in the Brazilian rainforests, some of which have achieved important results such as, for example, block the construction of a dam on the Xingu River, which would have destroyed thousands of hectares of forest.

Among the programme’s most significant initiatives are: monitoring the actions of the PPG-7; offering support and advice to the Secretariat for the Amazon in the development of Agenda 21 (a blueprint to achieve sustainable development worldwide) for the Amazon; the campaign against illegal mining and trade of tropical timber; the development of several programs on extractive reserves; and the demarcation of indigenous lands.

**WWF (World Wide Fund For Nature)**

The WWF’s initial engagement with Amazon conservation could be attributed to biologist and consequent activist Thomas Lovejoy’s appointment as programme administrator of the organisation in 1973, and his efforts for the resulting establishment of the WWF tropical forests programme. He had travelled for the first time in Belem in 1965, where he got acquainted with the problems surrounding the construction of the Belem-Brasília highway and

---

205 FoE Brazil: [http://www.natbrasil.org.br/historico_2.htm](http://www.natbrasil.org.br/historico_2.htm)


the accompanying deforestation. Lovejoy established relations with many domestic environmentalists and research institutions. From the 1970s onwards, Lovejoy would visit Brazil several times per year, supporting and securing many projects, concerning the conservation of the Amazon rainforest. He was later appointed as chief biodiversity advisor and specialist in environmental issues for Latin America in the World Bank.\textsuperscript{209}

The Amazon Region Protected Areas (ARPA) Programme was launched in 2002 by the WWF in partnership with the Brazilian Government and other actors. ARPA’s aim is to develop and implement a holistic programme for the conservation of the Brazilian Amazon’s rich biodiversity, which includes sustainable forest use in reserves in addition to the establishment of strict preservation areas. Its first phase spanned from 2003 until late 2009 and included the demarcation of over 62 million acres of new protected areas. The second phase is planned to cover the period 2010-2013 and is expected to secure another 150 million acres of protected areas within the Amazon, as well as improve the management of existing reserves. According to the organisation itself, ARPA requires the collaboration of several levels – from grassroots, through national to the international level.\textsuperscript{210} One such example of multilevel cooperation is in an extractive reserves project in Rondônia, where the WWF collaborates with an array of actors such as rubber tappers and their Rondônia Organisation of Rubber Tappers (Organização dos Seringueiros de Rondônia; OSR), local and federal authorities and a regional NGO – ECOPORÉ.\textsuperscript{211}

WWF assists governmental authorities not only with financing of public consultations in designated for protection areas but also by executing technical and scientific studies, and by providing material support for the development of conservation strategies.\textsuperscript{212}

In this manner, WWF is engaged in several types of activities within the Amazon as a whole, and the Brazilian Amazon in particular: creating protected areas (ARPA programme); tackling the reasons behind deforestation through information sharing and educational activities, as well as campaigns; encouraging sustainable development within the forest’s boundaries; and


\textsuperscript{210} WWF website: http://www.worldwildlife.org/what/wherewework/amazon/arpa.html


\textsuperscript{212} WWF website: http://www.worldwildlife.org/what/wherewework/amazon/results.html
conduct of scientific research of species’ needs and habitat.\textsuperscript{213} WWF has closely collaborated in the process with multilateral development banks, the national and foreign governments and environmental agencies; and international and local governmental and non-governmental organisations.\textsuperscript{214}

\subsection*{5.3.4. CONCLUSION: GLOBAL NGOs AND ADAPTIVE CO-MANAGEMENT}

By presenting three of the most well-known transnational environmental NGOs, three ways of influencing the management of the Brazilian Amazon have been revealed. Although all three organisations have an impact on decision making and the choices that are made by governments on what should and should not be allowed within the Amazon, they each do it and participate in the governance of the Amazon in a different way.

Greenpeace, the centralised organisation with professionals working for its causes, relies mostly on undercover work and protests to change certain policies or ongoing activities within Amazônia’s boundaries, such as illegal logging or pollution. It does work in cooperation with other transnational NGOs such as FoEI, for example (FoEI collaborated with Greenpeace in Brazil in connection with the campaign to enlist mahogany trees in annex II of the Convention on International Trade in Endangered Species – CITES\textsuperscript{215}), or with governmental authorities as is the case of the campaign for banning the use of illegal timber at public construction sites.

Campaigns in which Greenpeace activists followed illegal timber extractors and traced their timber to ports and markets and so revealing illegal practices and the consequent publishing of reports were successful in bringing national and international public attention to the problems of Amazônia. This, together with other campaigns focused on agricultural expansion pushing within the boundaries of the forest led to specific measures which influence management practices or malpractices within the Brazilian Amazon. Such an example is the announcement of a two-year moratorium on soy beans coming from newly deforested land by two Brazilian trade associations which together control 90\% of soy trade in Brazil.

\begin{footnotesize}
\begin{itemize}
\item[\textsuperscript{213}]\textsuperscript{ }\textsuperscript{213} WWF website: \url{http://www.worldwildlife.org/what/wherewework/amazon/projects.html}
\item[\textsuperscript{214}]\textsuperscript{ }\textsuperscript{214} WWF website: \url{http://www.worldwildlife.org/what/wherewework/amazon/partnerships.html}
\item[\textsuperscript{215}]\textsuperscript{ }\textsuperscript{215} Hochstetler, Kathryn, and Margaret E. Keck, 2007, \textit{Greening Brazil: Environmental Activism in State and Society}; Durham NC: Duke University Press, p. 176
\end{itemize}
\end{footnotesize}
In this manner, Greenpeace participates in the co-management of the Amazon, albeit indirectly, through influencing legislative measures and market behaviours which on its part has an impact on deforestation rates and patterns.

As far as land management initiatives are concerned, although Greenpeace supports the demarcation of protected areas, the organisation itself does not participate directly in their management. Greenpeace Brazil’s main objective is the raising of awareness in society about ongoing environmental foul practices, and the tracing and exposure of illegal activities concerning natural resource exploitation. In the Brazilian Amazon, Greenpeace has identified cattle ranching as the number one cause for deforestation and land use change, with the sector being responsible for 80% of all Amazon deforestation.

Friends of the Earth has been involved in the Brazilian Amazon in a similar manner as Greenpeace, participating in campaigns the aim of which is to revise current policies and practices. However, it is important to stress the decentralised character of the former as compared to the latter organisation. FoEI, as already mentioned, is a highly decentralised entity, its branches having relative independence in agenda setting and the choice of tactics so long as they are compatible with and within the FoEI’s general framework of environmental issues, such as climate change, for example. This has led to the involvement of FoEI at several levels with the issue of Amazon preservation. Its Brazilian branch operates from the domestic scene, while FoE Italy could be seen as an external actor managing a programme for the conservation of the Amazon and being involved in multilateral projects such as the PPG7 or as a consultative organisation to the MMA’s Amazon Secretariat. Thus FoE is more directly involved in co-management projects through the PPG7 and projects it has designed itself, than Greenpeace is.

However, the organisation which is most intensely involved in direct co-management practices out of the three is the WWF. It has established partnerships in various projects aimed at conservation, both including the concept of extractive reserves and not. This has brought the WWF closer to co-management practices and has turned it into one of the participants, representing not only the interests of local communities but also those of the global community, interested in the problems and preservation of the ecological balance of the Brazilian Amazon. Through the ARPA programme and the partnerships forged by it, the WWF has been part of institution building, trust building and the sharing of power between
local communities and federal and local authorities, both through mediating and collaborating as well as through funding.

Transnational NGOs have had a positive influence on land management practices within the Brazilian Amazon, as they have handed the opportunity of domestic counterparts to raise awareness about local problems on a global level, have used their connections and influence to put pressure on the national government to end or establish certain practices, and have helped through raising funds for projects and programmes.

The presence of foreign global environmental organisations on Brazilian territory and their active engagement in the management and protection of the Amazon rainforest’s resources, in addition to the positive consequence of supporting the national and local movements, has also led to negative repercussions, such as the revival of the nationalist developmentalist policies and their defenders.

In an interview a military representative compared the demarcation of indigenous territories (under the pressure of transnational NGOs) to the situation in Kosovo, with a danger of the same development. In this case, just like indigenous peoples are considered by the state and even society as a hindrance to development, so are environmentalists.216

The tactics of foreign NGOs which were sometimes considered to be drastic and controversial further initiated a counterattack on behalf of Amazonian politicians who portrayed the certain areas of the rainforest as ruled by foreigners, where Brazilians were not even allowed to enter. This crusade fuelled even further the already existing hostility of local people towards foreign environmental organisations who in their eyes prevented them to develop economically because of the defence of causes which are insignificant to them.217 The larger part of Brazilian society regards transnational (and national) activist organisations engaged with preserving the Amazon as tools representing the economic interests of wealthy nations. On the contrary, the domestic and transnational economic entities which are actually engaged in


217 Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press, p. 177
commercial activity within the forest, such as logging or mining, are far less the object nationalist condemnation.\textsuperscript{218}

Another downside of international attention and influence in the area is, according to Zhouri, the international concentration on deforestation due to the illegal timber yield and the incentives it brings to domestic actors engaged with the problem.\textsuperscript{219} Zhouri claims that it has limited the focus and activities of domestic NGOs to that issue specifically, even though they are the actors which, unlike many international entities, know that the situation is far more complex and that the reasons for deforestation depend on multiple variables. Furthermore, when focusing on timber production for the international market and its FSC certification, for example, foreign actors tend to omit phenomena such as the timber yield for the internal market as an important factor behind deforestation, or developmental projects such as Avança Brasil (Forward Brasil) from the late 1990s, or President Lula’s PAC (Growth Acceleration Plan) from 2007, which include plans for the construction of huge dams and hydro-electrical plants, as well as roads within the boundaries of the Amazon. This tendency limits the scope of environmental activism and oversimplifies the problems of the Brazilian forests, including the Amazon. Zhouri further cites several case studies which prove that companies certified by the FSC and supported by transnational organisations such as Greenpeace, not only breach the principles of the FSC, but also compete with local populations over land use and production and thus their impacts on the local ecosystems are very much alike those of the traditional industrial loggers.\textsuperscript{220}

This fact only further confirms that when engaged in co-management of the Brazilian Amazon, foreign actors must work closely with domestic entities, governmental or not, and even in that case are often unprepared and badly informed on the local specifications and the best solutions and co-management practices which work in a manner that \textit{actually} preserves ecosystems rather than do so in theory. Co-management as network formation is a key requirement for transnational NGOs to be able to collaborate efficiently with local and national entities and for co-management as governance to be achieved.


\textsuperscript{220} Idem, p. 81
5.4. INTERNATIONAL ORGANISATIONS AND REGIMES

In the following section some of the intergovernmental entities which have an influence on the management of the land resources in the Brazilian Amazon will be presented.

5.4.1. INTERNATIONAL ORGANISATIONS AND REGIMES

In the same time as environmental concerns and their global impact rose, so did awareness that environmental protection required the mobilisation of international effort\textsuperscript{221}, thus the creation of an international system, responsible for the coordination of that same effort followed. One of the key points around which the global environmental debate was formed was that of rainforests,\textsuperscript{222} and as the Amazon represents the biggest rainforest in the world, it was only natural that attention was focused on it and on Brazil in particular, as the country in which the largest part of the Amazon lies.

The UN Conference on the Human Environment in Stockholm in 1972 is considered as the first summit in which the global community internationalised the issue of environmental degradation and opened up a discussion on an international level about the reasons for, and the potential solutions to the problem.\textsuperscript{223} The issue of the Amazon rainforest was raised at the Stockholm Conference and was discussed in the light of the main points of debate during the meeting, such as for example, whether environmental management can include natural resource exploitation in the form of extraction (mining).\textsuperscript{224} The developing states’ stance, including that of Brazil, was that they have to be given the right to economic growth, even if that is at the price of natural resource exploitation and the consequent environmental degradation. This standpoint was further strengthened among the Amazon nation states by the fact that at the time nearly all of them had plans for the execution of some sort of development programme within the boundaries of the Amazon.\textsuperscript{225}

\textsuperscript{221} Kolk, Ans, 1996, *Forests in International Environmental Politics: International Organisations, NGOs and the Brazilian Amazon*, Utrecht: International Books, p.15

\textsuperscript{222} Idem


\textsuperscript{225} Idem, p. 14-5
UN programmes, which directly or indirectly concern the Amazon, such as the recent REDD (Reducing Emissions from Deforestation and Forest Degradation in developing countries), have on many occasions separated Brazilian society, with a significant part being wary of accepting unconditionally such initiatives, which are market-oriented environmental projects. Although the initial aim of REDD is reducing deforestation rates in rainforests, there is a danger of converting forests into products by putting a price on environmental services.\textsuperscript{226} Before Copenhagen 2009, President Lula’s administration was split in its position towards REDD. The MMA supported a more active approach to the programme while the Ministry of Foreign Affairs brought up once again the issue of breach of Brazil’s sovereignty over the rainforest on behalf of Northern organisations and governments.\textsuperscript{227} Furthermore, activists and NGOs concerned with environmental issues addressed an open letter\textsuperscript{228} to the Brazilian government, asking it to oppose REDD and instead embark on a comprehensive land reform, which is to include the contentious demarcation of indigenous peoples’ lands.\textsuperscript{229} On the other side stood NGOs interested in ecological modernisation, together with governors of Amazonian states (wanting compensation for preserving Amazonian territories) and agricultural businesses who all support REDD and believe that the current status quo and the obstruction of REDD’s adoption protects deforestation.\textsuperscript{230}

The long standing attitude within Brazil is that the industrially developed, or the North, is trying to impose programmes and policies, including environmental, to the developing South, which on their part hinder the industrial and thus economic development of the latter. This position has been a traditional one for Brazilian delegations at international environmental forums, from Stockholm in 1972 to Copenhagen in 2009, with the development of certain


\textsuperscript{227} Idem, p. 253

\textsuperscript{228} Belém Letter: http://www.boell.de/ecology/climate/climate-energy-7852.html


\textsuperscript{230} Idem, p.264
nuances. In short, the predominating discourse is that the industrialised, developed countries are stopping developing states from using natural resources and carbon intensive modes of production, when the current state of environmental degradation and threat of global climate change is largely due to the industrial activities in the past of the same developed states. Thus Brazil, together with other developing countries which are serious economic powers such as China, is stressing on the historical responsibilities of industrialised countries, who usually are the ones who criticise the developing countries’ use of natural resources and polluting industries, and who want developing nations to employ the same or similar mechanisms as they have for the reduction of carbon release and the preservation of natural habitats and thus limit their industries in the process. In addition, the questioning of forest management practices on behalf of Northern organisations and states has been historically perceived by the South, as a matter of state sovereignty (as the G77 plus China position was at the Rio Summit, for example).

In addition to the weight international organisations, governmental and non-governmental, carry on the governance of the Amazon, international regimes, such as treaties, also have an influence on policies and practices concerning resource management within the region. Such is the example of the Amazon Cooperation Treaty (Tratado de Cooperação Amazônica; TCA). As mentioned earlier, the issue of the environmental aspects of the management of the Amazon region has been discussed extensively in the international arena since the beginning of the 1970s but an example of a concrete step towards interstate governance was taken as late as 1991 with the actual implementation of the TCA which was signed more than ten years earlier between the countries within whose boundaries the Amazon forest lies (with the exception of French Guiana).

---

231 Najam, Adil, Saleemul Huq & Sokona, Youba, 2003, *Climate Negotiations Beyond Kyoto: Developing Countries Concerns and Interests*, in Climate Policy, Vol 3, pp. 221-231


Initially the TCA did not include a text concerning environmental or social issues. Conversely, at present forestry within the Amazon is cited as one of the most important pillars of the TCA and as an issue area within the Treaty which is marked by political consensus between the signatory countries and a common vision about what sustainable development and natural resource management means.

An example of a project of the TCA is that for the organisation of training courses for the implementation of a low-impact technology of extraction, which were conducted by the Tropical Forest Institute, set up by IBAMA and CENAFLOR. This project had the additional support of the governments of the Netherlands and Germany through the Amazon Regional Programme – TCA.

The important role multilateral development institutions like the World Bank, for example, have played has already been mentioned. Financing by the World Bank of environmentally devastating projects in the Brazilian Amazon such as Carajás and especially Polonoroeste was in the centre of the campaign against multilateral financial institutions’ lack of environmental standards when deciding on which projects to finance. Attention and controversy (particularly in Germany) around Carajás was further fuelled by the fact that the project was also partially financed by the European Community. Both in Polonoroeste and Carajás, although it was initially stipulated that environmental protection, as well as the protection of the rights of the indigenous populations in the regions are to be carried out, this was done poorly or not

---

235 idem


238 The Carajás project, or also Grande Carajás, is spread on a territory of 900 000 km², which amounts to the size of Britain and France combined. It includes an iron ore (open pit) mining complex, a deep-water port near the city of São Luis, in the Northeastern State of Maranhão, a single track railway line of almost 900 km connecting the mine to the port. The original project also included the development of a town-site to “accommodate an initial population of around 10,000, new housing and supporting facilities along the railway line, environmental and Amerindian protection components, and a staff training program.” (World Bank: Pilot Program to Conserve the Brazilian Rainforest, 2008 [http://web.worldbank.org/external/projects/main?projectid=P006329](http://web.worldbank.org/external/projects/main?projectid=P006329))

at all, as later assessments of the Bank’s involvement in similar projects concluded.\textsuperscript{240} Since
the World Bank had created an environmental unit as early as 1971 and its directors had on
many occasions stressed the importance of sustainable development, environmental activists
took advantage of this normative base to press for actual implementation and change of
practices.\textsuperscript{241} After the successful Multilateral Development Banks campaign, the World Bank
conducted environmental reforms in 1987, hiring more staff responsible for the environmental
impact assessments of Bank projects and started implying more discretion towards
development projects.\textsuperscript{242}

Another form of international governmental participation in the Brazilian Amazon’s
governance is that of the already touched upon Pilot Programme for Conservation of the
Brazilian Rainforest (PPG-7), which was a joint proposal by the World Bank and European
Community at the request of the G7 countries. After the tensions around international
financing of projects like Polonoroeste and especially Carájas, in the end of the 1980s, the
Brazilian government and the seven most industrialised nations agreed that the latter would
finance projects aimed at reducing the negative impacts of development projects on the
environment in the Brazilian Amazon and Atlantic rainforest.\textsuperscript{243} The projects of the
Programme are prepared by the Brazilian governmental agencies with consultation with the
communities they affect and are implemented jointly by the federal and state government
agencies and local NGOs. A special interministerial Commission supervises and approves the
projects.\textsuperscript{244}

\textsuperscript{240} Feeney, Patricia, 1992, \textit{Environmental reform in Brazil: advances and reversals}, in Development in Practice, 2: 1, pp. 3-1


\textsuperscript{244} World Bank: Pilot Program to Conserve the Brazilian Rainforest, 2008
5.4.2. CONCLUSION: INTERNATIONAL ORGANISATIONS AND REGIMES AND CO-MANAGEMENT

In addition to national entities, foreign powers have had influence on environmental issues in Brazil, contributing both to the protection and in the destruction of natural habitats. Just as foreign activists and politicians have insisted on the protection of Brazil’s rainforests and natural habitats, international organisations and foreign financial institutions have financed the execution of destructive projects within the country’s rainforests.\(^\text{245}\) International financial institutions in addition have pressured the Brazilian government to cut back spending and personnel, which has led to an inability to fight illegal activities and organised crime.\(^\text{246}\)

Throughout the decades, international concerns over deforestation rates and development within the boundaries of the Amazon have been often considered as an attempt of breaching Brazil’s sovereignty, and have been met with predominant hostility both by the Brazilian state and the public.\(^\text{247}\)

Environmental politics have become the focus of international relations relatively later than many other policy areas. For example, the word “environment” is not used at any one time in the charter of the United Nations. In 1945, the issue of local and global environmental degradation was not one of importance to the international community. With time international organisations became more and more involved in environmental policy. Some, such as the World Bank for example, built a negative reputation of organisations which assist and finance programmes which only worsen the problem, whilst others gained a positive status as minders of the global environment. The 1972 UN Conference on the Human Environment in Stockholm (also UNCHE) marked the formal beginning of the official discourse on environmental policies. Thus, from here started the establishment of organisations with a sole focus on environmental issues and the creation of the United Nations

\(^{245}\) Barbosa, Luiz C., 2000, *The Brazilian Amazon Rainforest : Global Ecopolitics, Development, and Democracy*, University Press of America, p. 21-22, p.54


Environment Programme (UNEP), the main task of which is to coordinate the efforts and policies of the different organisations, states and other entities.\footnote{248}

Since the Stockholm Conference, global environmental conferences aiming at the establishment of an all-encompassing debate on environmental issues have gained almost forty years of practice, and yet the majority of UN member states still cannot seem to agree on a comprehensive approach to the problem of environmental degradation and protection. This became ever more evident after the United Nations Climate Change Conference in Copenhagen held in December 2009, when the participants failed to reach a deal on a post-2012 climate change strategy, and which ended with the Chair of the Conference “taking note” of the Copenhagen Accord.\footnote{249}

International bureaucracies in general have a mixed reputation, with some researchers stressing their importance, while others firmly believing that they are futile.\footnote{250} When studying the Amazon and the management of its resources, this method of holding international discussions might seem slow and thus inefficient at first glance, considering the fast pace at which issues develop within the Amazon’s boundaries. However, UN environmental conferences and institutions do influence matters within the rainforest. This happens in two ways. First, directly, with the adoption of programmes such as for instance REDD (Reducing Emissions from Deforestation and Forest Degradation in developing countries). And second, indirectly as with the Rio Summit and its organisation, which brought together an enormous body of non-governmental organisations, domestic and foreign, local and transnational, which on their part formed networks and partnerships, that worked together in the years to come, looking for solutions to deforestation practices within the Amazon.\footnote{251} Conferences and governmental preparation and participation in them also, as previously mentioned in

\begin{itemize}
\item \footnote{250} Biermann, Franf (Ed), Bernd Siebenhüner (Ed), 2009, Managers of Global Change: the Influence of International Environmental Bureaucracies , p. 3
\item \footnote{251} Hochstetler, Kathryn, and Margaret E. Keck, 2007, Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press
\end{itemize}
connection with the 1972 Stockholm Conference and the creation of SEMA in Brazil immediately afterwards, lead to institution building and the establishment of environmental agencies by those same governments, as part of norm-diffusion.²⁵²

The UN system, the entity composed of international governmental organisations, which includes all (with few exceptions) states of the world²⁵³, along with other international institutions, provides the framework for the discussion of environmental issues on a global scale, which on its part then leads to a boost in the establishment of domestic legislation and agencies aimed at environmental conservation.²⁵⁴

The most important aspects of the PPG-7, in relation to adaptive co-management, are its effect on policy and institutional building, as well as the support for the non-governmental sector concerned with environmental issues and the support for the establishment and administration of extractive reserves. The administrator of the PPG-7, the World Bank claims that Brazilian society is represented at all stages of the projects, from preparation to evaluation²⁵⁵, which would constitute the perfect setting for the operation of adaptive co-management. It must be pointed out, however, that one of the main problems that programmes such as the PPG-7 face is not the lack of financing and funds but rather the inefficiency in their distribution, which is often too slow and a large part of the resources go out for the financing of administrative costs (around 40% in the case of the PPG-7).²⁵⁶

As stated on many occasions, when introducing adaptive co-management in any region, an institutional and legislative framework has to be established, or in rare instances when it already exists, it has to be consolidated and integrated in a network formed together by the governmental and non-governmental entities which are to collaborate on the ground. Thus,

²⁵² Idem, p. 4-5


the PPG-7 has nurtured cooperation between federal and state institutions and local organisations, leading to the conception of co-management practices and thus to the building of institutions, trust, learning and problem solving. Furthermore, transnational NGOs are involved in the monitoring of the programme or in concrete projects it funds, which also includes the level of global civil society in the equation. To that end, the PPG-7 has contributed to the establishment of “good governance” traditions in the region. It is a programme which, together with the building of civil society organisations, has helped to restore, at least to a certain extent, the trust of the local populations towards international involvement in the area. According to World Bank publications,\textsuperscript{257} the projects which are funded by the PPG-7, including those regarding extractive reserves and agroforestry, are depicted as having been “demand-driven”, and are perceived as a positive feature and an indicator of the democratisation of environmental management in Brazil.\textsuperscript{258} However, authors question whether the “demand” is that of the local populations, or one that serves political agendas of governmental and non-governmental or private actors.\textsuperscript{259}

The OTCA (Amazon Cooperation Treaty Organisation), which was a result from the signing of the TCA, as an intergovernmental organisation between the Amazon countries is an interesting phenomena to study as far as environmental co-management is concerned. Its evolution mirrors to a high extent the development (or initial underdevelopment) of the issue of conservation and sustainable methods of exploitation of the Amazon rainforest. At present, environmental or social issues which were not mentioned at all when the Treaty was signed, play a central role in the programmes and projects of the OTCA. The developmentalist strategy has with time given way to an effort of constituting sustainability as a fundamental requirement in order for development in the region to be conducted. The inclusion of the local populations in the management of the Amazon’s natural resources through educational programmes and broad consultation\textsuperscript{260} is a serious step forward from the developmentalist


\textsuperscript{259} Idem

\textsuperscript{260} OTCA website: \texttt{http://www.otca.org.br/programaregional/index.php?option=com_content&task=view&id=65&Itemid=105}
policies of the 70s. In addition, the TCA includes non-regional governmental actors – Germany and the Netherlands, who participate in the OTCA through the funding of projects and programmes. Thus, the TCA is an example of an intergovernmental agreement which led to the building of institutions for the implementation of co-management practices (the Tropical Forest Institute, for example, which educates all parties involved in or dependent on the management of the forest), and the creation of networks which exceeded the regional level.

6. CONCLUSION

6.1. CO-MANAGEMENT IN THE BRAZILIAN AMAZON – SUMMARY

After presenting the empirical material, the following conclusions could be drawn regarding each one of the co-management components applied in the paper:

*co-management as power-sharing: the analysis of federal and state institutions, despite revealing the existence of councils who include civil society in their structure did not expose actual power-sharing mechanisms, which not only include society and local populations, but do so in a manner that leads to actual power-sharing or public participation in decision-making. It is only after getting acquainted with Brazilian environmental activism and the work of foreign and domestic NGOs that the gradual democratisation and opening up of institutions to public participation becomes evident. NGOs are not only regular participants in environmental councils on all three levels: federal, state and municipal, but also are partners in programmes and projects funded either by national or international financial structures, as in the case of the PPG-7, and in being partners participate in the decision making regarding the management of certain areas.

*co-management as institution building: in order for co-management practices to be established it is inevitable that some sort of institution building must be done. In the material presented, three types of institution building have come forth. One is the creation of supplementary divisions within already existing federal, state or municipal agencies, or the establishment of new institutions to cover co-management needs, as is the case with the CNPT. The second is the formation of associations and representative organisations either by the local communities, which then step into co-management structures and collaborate with governmental authorities and NGOs. Such is the example of the associations formed by the
rubber tappers and their mediation between the CNPT and the local families engaged in extractive production. The third example is of organisations set up by foreign NGOs, who then transfer their expertise to the new entities.

*co-management as network creation: the intensive collaboration and partnerships between foreign and domestic NGOs led to the need of adding one more component to the theoretical framework, which would help build a more encompassing picture of the co-management practices in the region. As the Amazon is a region which is considered to be of special importance to the global ecosystem, it attracts much more attention from foreign and transnational entities than other areas in which co-management practices have been established and which do not necessarily include the participation of transnational NGOs and multilateral development banks, as is the case with many projects concerning extractive reserves in the Brazilian Amazon.

*co-management as governance: although good governance could not be seen at all the levels examined in this paper, the creation and consolidation of extractive reserves and the presence of all three previous co-management components in their structure reveals the fact that in some areas good governance mechanisms between governmental authorities and civil society have been established. Furthermore, the inclusion of educational organs and programmes within federal or state agencies, which are aimed at disseminating sustainable forest management practices, opens up for the possibility of future cooperation of local representatives and federal structures in the execution of such sustainable development projects. As stated previously, the participation of a variety of actors, public and private, which are linked to each other through relationships in co-management projects, is governance.  

261 The establishment of good governance, on its part, leads to the building of trust. In that case governmental authorities are no longer seen only as hostile entities with no connection to the region and its specific problems.

6.2. CONCLUSIONS

As already mentioned, this was not meant to be an all-encompassing review of every actor or group of actors that influences the governance of the Amazon. Many have been left unmentioned, such as the Movement of the Landless (Movimento dos Trabalhadores Rurais

sere Terra; MST), for example, an interesting formation with a voice that is becoming ever louder. Another interesting fact left out of the scope of the paper is that USAID has granted development assistance for conservation projects in the Amazon, despite Brazil not meeting the eligibility criteria for receiving such grants. A more inclusive research of the actors participating in the Amazon’s governance, or a more in-depth study of one or several of the dimensions which have been touched upon and are connected to the Brazilian Amazon’s governance could be a challenge for the future, and could use this paper as its basis. The aim of this thesis was to study the mechanisms of collaboration between different parties involved in the management of the forest, albeit not all of them, and to present how an issue which in retrospective would have been only of local, national, and at most regional concern has moved into the spotlight of global focus. Through environmental activism, domestic and foreign, and through the establishment and consolidation of a framework of environmental institutions, again domestic and foreign, the region of the Brazilian Amazon has been transformed from one in which only the Brazilian military had a saying about what its destiny should be to a region which is governed through vertical and horizontal interplay of local, state, federal, international, global, governmental, non-governmental, private, corporate, and market entities and relations.

When bearing in mind the rate of deforestation within the Amazon, the intricate system of federal and state law covering environmental protection in Brazil and the holistic structure of environmental agencies on all three levels: national, state, and local, may seem surprising to an outside observer. Even more surprising is that despite this well-developed institutional framework, protecting the Brazilian Amazon and slowing down land-use change rates has proved to be extremely difficult and “lawlessness” and “mob law” is a common characteristic of the Amazon territories. But albeit providing a surface review of Brazil’s environmental institutions, this thesis hopefully, has pointed out the complexities multi-level governance, as the case with the Brazilian Amazon is, faces.

The practices adopted when the exploitation of land resources in the Brazilian Amazon is concerned have gone a long way in the last few decades. From the initial focus on “development at any price”, Brazilian environmental management practices within the Amazon have started, albeit slowly to democratise in the second half of the 20th century,

---

leading to the establishment of various institutions aimed at including society in the decision making procedures, at national: federal, state and local level; as well as at international and transnational, through intergovernmental partnerships or partnerships and connection in networks with well-known environmental organisations such as WWF and Greenpeace.

Environmental together with social activism has grown from disunited dispersed grassroots organisations into large networks, with connections and partnerships on a national and global scale. Problems of local communities and ecological areas have become part of the national and international agenda, and have been addressed by various intergovernmental, transnational and civil society groups. Placing the problems of deforestation and land management on the forefront of political attention in Brazil and on the international arena, has eventually led to the revision of domestic forest management policies and practices, to the creation and modernisation of a legislative framework and a body of federal, state and municipal environmental agencies. At a global level, it has led to the establishment and consolidation of a vast amount of programmes and initiatives within Europe and North America, which address and tackle the issue of bad management of the land resources in the Amazon and the insufficient representation of civil society (both local, national and global) in the decision making process.

Domestic and foreign environmental activism has also led to the revision of policies concerning the funding of development projects in areas of ecological importance, including in the Amazon, by multilateral development banks and to the financing of programmes which promote sustainable management of the Amazon’s natural resources.

From a term which does not fit within the description of any management project within the boundaries of the Brazilian Amazon, co-management, or the participation of society, has succeeded through the last few decades not only to be established as a fundamental concept within the framework of most development projects in the region, but has also been implemented in practice in various cases. Such examples were given with the establishment of the concept of extractive reserves and their consequent realisation in practice, as well as with programmes and projects aimed specifically at creating and consolidating a solid body of organisations which represent local, national, regional and international society and participate in the decisions concerning what the fate of the Amazon land would be.

Examples of co-management as power sharing, institution and trust building were seen on several occasions throughout the paper. The absence of these same components was also
noted in many cases concerning the establishment and functioning of institutions, organisations and programmes. It cannot be concluded that co-management is a phenomenon which has established itself in all management practices within the Amazon. However, it is obvious from the presented material that as a result of local, national and transnational activism, it has moved from a position of pure invisibility to one in which at least its existence is being acknowledged.

The review of co-management practices in the Brazilian Amazon has led to the realisation that an important component of the governance in regions considered of global importance was missing in Berkes’ model. And that is of co-management as network creation. This component covers the participation of transnational NGOs and organisations, which form alliances with local counterparts. They either manage an area together, in close collaboration with federal, state, municipal and financial authorities, or the local organisation manages the area alone, but using the know-how its transnational network partner has transferred. The experience gained in the field is then fed back to the transnational organisation and contributes to the gathering of experience of all parties involved in the governance of a certain region.

As dynamic and rapid as deforestation and land use change in the Amazon seem, and as grim as the future picture of Amazon conservation is often painted, one cannot help but see how far the issue of preserving the forest has gone in the last few decades. From a problem of local, national and at most regional concern, the development and preservation of the Amazon rainforest has become a global matter, which creates and nurtures complex networks of horizontal and vertical partnerships, and mobilises huge masses of activists who sometimes appear to work as one whole, in spite of in reality being a mosaic of organisations and functioning in various points of the world. The Brazilian state has thus been forced to adapt to this development and establish legislation and institutions which are to create and sustain the management of the Amazon’s land resources.

In the beginning of the paper the following questions were posed: *Who has power, thus also have impact on decisions and management and who does not? Is society part of the decision making process through co-management mechanisms?* After a study of the empirical material it can be concluded that society does influence the decision making process, either through direct participation in co-management structures, or through environmental activism and the impact it has on policies concerning the Brazilian Amazon. Consequently, *civil society does*
have the power to influence the management of the Amazon rainforest; but the extent of that influence varies in different cases.

The times when states could claim that the conservation or exploitation of areas of global importance such as the Amazon is strictly an internal matter and intervention from foreign entities is a breach of national sovereignty are obviously over. Global forces have not only been part of the problem-creation but are now engaged in the problem-solving of the region. With the complex interaction of federal, state, and local authorities; international regimes and organisations; local, national and transnational NGOs; soy-producing or timber-exporting corporations; market forces; networks and synergies between them, one could safely conclude that in areas such as the Brazilian Amazon, the management of natural resources is a case of complex global governance.
BIBLIOGRAPHY

BOOKS AND ARTICLES

Barbosa, Luiz C., 2000, *The Brazilian Amazon Rainforest: Global Ecopolitics, Development, and Democracy*, University Press of America


Doherty, Brian, 2006, *Friends of the Earth International: Negotiating a transnational identity*, in Environmental Politics, 15: 5, 860 — 880


Hochstetler, Kathryn, and Margaret E. Keck, 2007, *Greening Brazil: Environmental Activism in State and Society; Durham NC: Duke University Press*


Kolk, Ans, 1996, *Forests in International Environmental Politics: International Organisations, NGOs and the Brazilian Amazon*, Utrecht: International Books

Kolk, Ans, 1998, *From Conflict to Cooperation: International Policies to Protect the Brazilian Amazon*, in World Development Vol. 26, No. 8, pp. 1481-1493


Najam, Adil, Saleemul Huq & Sokona, Youba, 2003, *Climate Negotiations Beyond Kyoto: Developing Countries Concerns and Interests*, in Climate Policy , Vol 3, pp. 221-231


ELECTRONIC SOURCES


BBC news: http://news.bbc.co.uk/2/hi/7402254.stm

BBC News: http://news.bbc.co.uk/2/hi/americas/4917510.stm

Brazilian Geographical and Statistical Institute website:


CNPT website: http://www.ibama.gov.br/resex/cnpt.htm

CONAMA website: http://www.mma.gov.br/port/conama/estr.cfm

Environmental News Service, Brazil Fells Massive Amazon Timber Fraud Ring, June 2005, available at:


Federal Constitution 1988, article 225

FoE Italy:
http://www.amicidellaterra.it/adt/index.php?option=com_content&task=view&id=295&Itemid=225

FoEI website: http://www.foei.org/en/who-we-are

From the article: Sancionada a lei de gestão das florestas públicas, in the website of O Rota Brasil Oeste, available at http://www.brasiloeste.com.br/noticia/1770/gestao-de-florestas-publicas

FVA website:


Greenpeace Report: Eating Up the Amazon, 2006, available at:
http://www.greenpeace.org/raw/content/international/press/reports/eating-up-the-amazon.pdf

Grunwald, Michael, 2008, The Clean Energy Scam, March 27,in Time Magazine; available at:
www.time.com

GTA website: http://www.gta.org.br/

IBAMA website: http://www.ibama.gov.br/institucional/historico/


Institutional history of the MMA available at:
Interview with Lúcio Flávio in Jornal do Brasil from February 21st 2005:

Management of the Amazon on WWF website:
http://wwf.panda.org/what_we_do/where_we_work/amazon/vision_amazon/amazon_protected_areas/management/


Phillips, Tom, I'd lost the strength to carry on, May 22nd 2008, The Guardian, available at:
http://www.guardian.co.uk/environment/2008/may/22/forests.conservation

PPG-7 on MMA website: http://www.mma.gov.br/ppg7/


Sister Dorothy Stang, in New York Times Topics, available at:

UN website: http://www.un.org/esa/dsd/agenda21/ )


World Bank: Pilot Program to Conserve the Brazilian Rainforest, 2008

WWF website:

