

Opinion – The Responsibility to Protect the Amazon

Written by Gustavo Macedo

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<https://www.e-ir.info/2021/03/31/opinion-the-responsibility-to-protect-the-amazon/>

GUSTAVO MACEDO, MAR 31 2021

Although the Amazon is spread over nine South American countries, 60% of its land is inside Brazil's territory. According to INPE, in 2019 – the first year of Jair Bolsonaro's government – deforestation increased by 34% when compared to the previous year and may have been even higher in 2020, despite the economic crisis. Nonetheless, the Brazilian government has been working against its constitutional obligations and international commitments while dismantling the scarce institutional structure present in the country. The annual budgetary law project of 2021 predicts a reduction of 27.4% in the budget of the Ministry of the Environment – the lowest number in the past two decades. Meanwhile, the government has acted on reducing the infraction notices issued by IBAMA from 14.641 in 2019 to 9.516 in 2020. Consequently, the Brazilian image as seen abroad is increasingly one of a country uncommitted to its responsibilities, leaving the planet's environmental security at risk. The propensity for something to be done arises.

In the background of huge fires that burned the Amazon in August 2019, Stephen Walt mentioned the idea of using force against Brazil in his essay *Who Will Save the Amazon (and How)?*. This brought the principle of the responsibility to protect into the discussion, and declared:

It's only a matter of time until major powers try to stop climate change by any means necessary [...] Brazil isn't a true great power, and threatening it with either economic sanctions or even the use of force if it refused to protect the rainforest might be feasible.

Walt seems to have foreseen what came next. A few days later, the French president Emmanuel Macron declared the need of discussing the Amazon internationalization and an eventual intervention to protect the forest. This led to a reaction by the Brazilian government that challenged the data from national and international space agencies and called it a 'fabricated' crisis in order to limit Brazil's sovereignty over the Amazon and its resources. Speaking to the UN Security Council, Ernesto Araujo, the Brazilian Minister of Foreign Relations, denounced the connection between environmental protection with a totalitarian multilateralism.

Of course, any discussion over an external action to be taken against Brazil's will need to go through the Security Council and the approval of its permanent members. Unfortunately for Brazilians, France is not the only permanent member with veto power with whom Brazil has not been seeing eye to eye lately. In 2020, Brazil alienated its main commercial partner when members of the Brazilian government perpetrated xenophobic attacks against China. In 2021, Joe Biden took command of the US after leading a presidential campaign that attacked the Brazilian environmental policy. Episodes like these have raised some questions about whether the responsibility to protect could be used against Brazil.

The fact is that the R2P has never been used against environmental threats and its focus has always lied upon the protection of civilian populations from mass atrocities. But as with any other political language inside the Security Council, the responsibility to protect can change over time to include environmental protection. With that in mind, there are three arguments that could be employed against Brazil.

Firstly, mentioning the protection of the Amazon may seem protecting its fauna and flora from extermination. This is the thesis of the 'ecocide' prevention, which means the violation of the environmental justice principles by human

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actions through either systematic damage or ecosystems destruction or attacks to a species health and well-being. Ecocide is an idea born in the 1970s, but it is not yet considered to be an international crime by the United Nations. Assuming that lives of plants and animals are as sacred as the human ones is still a distant chapter in the history of diplomacy. Politically, this is also the weakest hypothesis for an international action. The main industrialized countries that raise an environmental flag currently are exactly those that have deforested their own lands or their former colonies' the most.

Secondly, in 2017, the Security Council adopted a historical decision, with Resolution 2.347, deliberating that the destruction and traffic of cultural heritage may be considered a war crime. Based on the Convention concerning the Protection of the World Cultural and Natural Heritage of 1972, the resolution opens space for questioning the relation between nature and culture. Those who stand up for this hypothesis would possibly explore the Central Amazon Conservation Complex located in the heart of the forest and designated as Natural World Heritage Site by UNESCO in 2013. This is despite the Brazilian Minister of the Environment, Ricardo Salles, announcing that the region will be granted for the private sector's exploration.

Thirdly, an argument can be made that there is the responsibility to protect Brazilians from other Brazilians. That is, to protect native populations from an extermination that is being overlooked or even watched by sectors of the government itself. This last concept is further away from ecology than the others, but it is the most likely one to be accepted multilaterally. In Bolsonaro's government, complaints about human rights violations have been raised. Increased murders in indigenous lands and the negligence in protecting indigenous peoples from COVID-19 has been pointed out as a strategy of the government to eliminate native populations and weaken the environment destruction resistance. If the United Nations Human Rights Council recognized the occurrence of an indigenous genocide or crimes against humanity, the Security Council could act.

In summary, there is a multitude of shades between the environmental and the humanitarian responsibility to protect the Amazon. The norm is well established in terms of the latter, and it is evolving in the terms of the former. The UN Security Council has already recognized climate change as a threat multiplier. An increasing number of resolutions, Open Debates, and 'Arria Formula' have been taking place since 2007. Yet, the approach to climate change and security seems more focused on its consequences rather than its causes. This was the case of the high-level Security Council debate on Climate and Security held on February 23, 2021. Despite the fact that the world risks the 'collapse of everything', the meeting led by the United Kingdom focused on addressing peacebuilding and climate-related conflict drivers, and avoided debating shared responsibility.

Going after the root cause of the problem by considering responsibility to protect ideas would not only set off the alarm for Brazil by permanently staining its international image, but also potentially shake up other signatory countries of the Paris Agreement that are not fulfilling their pledges.

An early version of this article was published in Portuguese at Nexo Jornal.

About the author:

Gustavo Macedo holds a PhD in Political Science from the University of São Paulo. He worked with the United Nations Office on Genocide Prevention and the Responsibility to Protect. He is the author of the report 'Making Atrocity Prevention Effective'.