



**Green Economy and Sustainable Development:  
Bringing Back the Social Dimension  
CONFERENCE**

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**Governance in Environmental Policy:  
Advances and Challenges to Develop a Brazilian  
Green Economy**

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# Objective

- Analysis of the governance of the Brazilian environmental policy
- Main question
  - which actors take part in the processes and what are the roles played by each one?
- Responses from
  - the institutional design of the environmental sector
  - the degree of involvement and the capacity of each actor to influence the environmental policy

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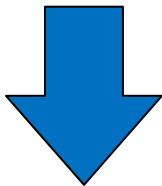
# Main findings

- Complex engineering in environmental governance
  - Attempt to overcome policy fragmentation
  - Incorporate all sectors in the structure of governance
    - Government, civil society, workers, business sector
- Fragmentation remains
  - Historical perspective
  - Lack of a culture of federative agreements
  - Lack of priority for the arenas
  - Environmental issues in policies: not seen as a priority
- Civil Society
  - New arenas and forums
- Disproportionate weight of government in decision making arenas

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# Methodology

- Historical background
- Two dimensions
  1. Governmental interaction – vertical and horizontal
    - Federal, state and municipal governments
  2. Mechanisms of intersectoral interaction
    - Governments
    - Civil society & workers
    - Business sector



- Not mutually exclusive
  - Split for analytical purposes
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# Environment and public policies in Brazil

- Background of fragmentation



- Lack of coordination and interaction among actors
  - Among federal agencies – horizontal
  - Intergovernmental relations – vertical
  - Civil society



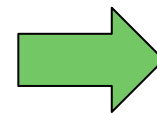
- National Environment Policy (1981) – during the military regime
  - Overcome sectorization and fragmentation
  - Foster articulation and negotiation
- National Environmental System - SISNAMA

# Environment and public policies in Brazil

- Mid 1980s: re-democratization of the country
- The National Constitution of 1988



- Pushed to the agenda
  - Environmental issues
  - Civil society
  - Local governments
    - States
    - Municipalities



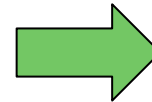
Regulation of the National  
Environmental Policy: 1990

# Structure and Functions of the SISNAMA

Type of Body	Entity	Responsibilities
Superior	Federal Government Council	Advisory body to the President
Consultative and Deliberative	National Environment Council – CONAMA	Propose the guidelines of the government environmental policy, deliberate on norms and standards
Central	Ministry of Environment	Plan, coordinate, supervise, control the national environmental policy
Executive	<ul style="list-style-type: none"><li>•Brazilian Institute of Environment and Renewable Natural Resources – IBAMA</li><li>•Chico Mendes Institute for Biodiversity Conservation</li></ul>	Implement and enforce the government policy and guidelines established for the environment
State	State agencies	Implementation of programs and projects, control and supervision of activities
Local	Municipal agencies	Control and supervision of activities in their jurisdictions

# National Environment Council – CONAMA

Representatives	N.	%
Government	76	71
Federal	41	
State	27	
Municipal	8	
Workers and Civil Society	22	20,6
Business Sector	8	7,5
Honorary Member	1	0,9
<b>TOTAL</b>	<b>107</b>	<b>100</b>



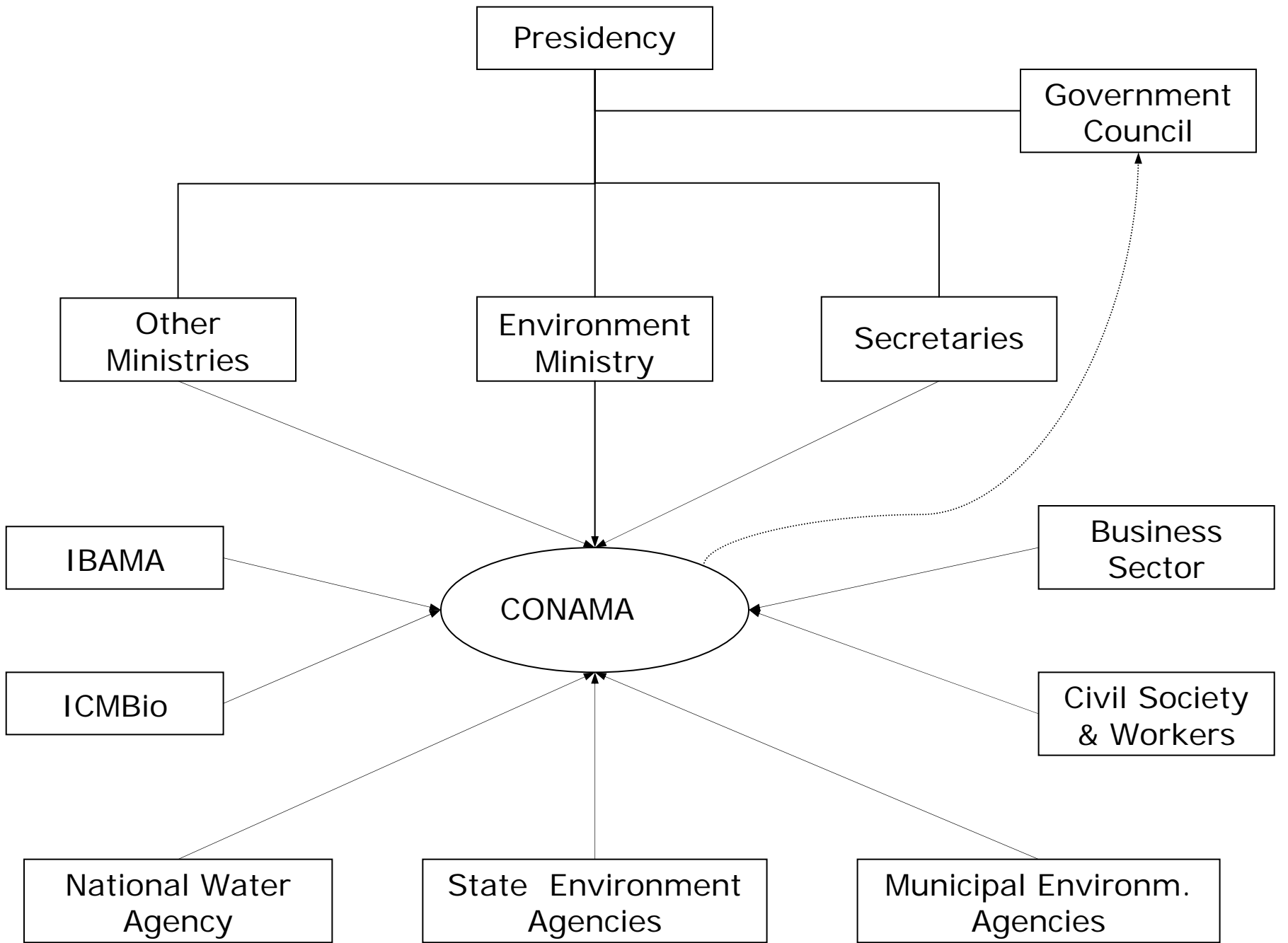
Predominance of government representatives

Predominance of the Federal level in relation to others



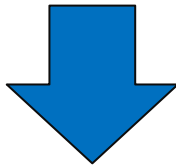
Technical Chambers and Working Groups





# CONAMA and Intra-governmental Relations

- All ministries are represented
  - Environment as an transversal issue
  - Need to incorporate environmental issues into all public policies
  - Better coordination
  - Greater synergy



- 7 of 41 have attended all meetings (17%) – last 2 years
- Ministry of Labor and Employment: 9 absences (82%)
- Ministry of Sports: 7 absences (64%)
- Special Secretariat for Policies to Promote Racial Equality: 7



Effect on policy: brief case study

# CONAMA and Intra-governmental Relations

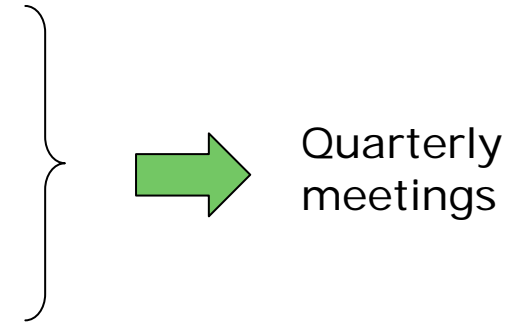
- The tension between
    - Ministry of Agrarian Development (MDA) and Environment (MMA)
      - Land use and settlements
  
  - MMA openly criticized by MDA
    - responsible for the six major deforestation areas in Brazil (2008)
- Adoption of different methodologies to measure deforestation
- Divergent and conflicting data
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- Low degree of integration and cooperation among technicians and administrators across departments and institutions that have related activities
  - Disarticulation among internal sectors
  - Low qualification of the technical staff
  - Lack of infrastructure
  - Lack of planning and sectoral integration from design to monitoring

# CONAMA and Intra-governmental Relations

- Many structures that deal with specific environment issues
    - MMA: 9 Collegiate bodies
      - Water Resources National Council – CNRH
    - CONAMA/CNRH Permanent Integration Commission
      - defined in 2006
      - members nominated in December 2007
      - first meeting in March 2008
      - superior command suspended the activities of this commission
- Absence of a commitment to negotiate
- Logic of fragmentation

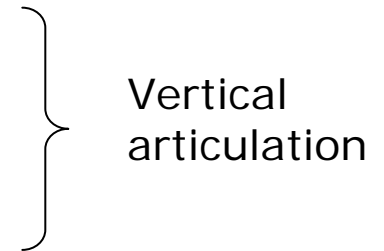
# CONAMA and Intergovernmental Relations

- State governments: 27 seats (25%) in Conama
  - All states represented
- Municipal governments: 8 seats (7.5%)
  - 5.564 municipalities

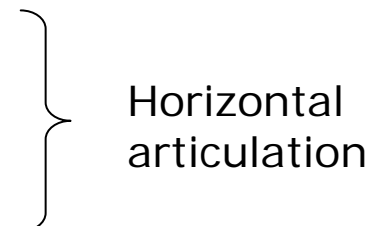


## 2 Additional spaces for vertical articulation

- National Tripartite Technical Commission (CTN)
  - promote dialogue among governments
  - parity of representation
  - shared environmental management



- Brazilian Association of State Environmental Entities
- National Association of Municipal Environmental Agencies



# CONAMA and Intergovernmental Relations

- State Tripartite Technical Commissions (CTE) – 2003
  - Demand from the 1st National Environment Conference
  - Parity in the composition
  - Dialogue between the municipalities of a given state with the environmental agency of that state



- Devoid of clear and continuous methodology of articulation to promote a shared environmental management
- Weak internal institutional organization
- Lack of support from the federal level
  - MMA, IBAMA
- Lack of support from the state level

→ CTN and CTE have never been a priority

# CONAMA and Relations with civil society

- 22 members (20,6%) in Conama
  - National Association of Municipalities and Environment - ANAMMA
  - National Council of General Chiefs of the Military Police and Military Firefighters - CNCG

members of government



- 20 members → 18,7%
- 3 members: chosen by the President
  - One open



- 19 members → 17,7%

# CONAMA and Relations with civil society

- Challenges
  - Asymmetry of information
  - Variety of issues
  - Specific technical and legal knowledge in each issue



- CONAMA's resolutions
  - low technical quality
  - standards that are not applicable
  - create doubts in its interpretation



# CONAMA and Relations with civil society

- Other spaces of civil society participation
    - State Environment Councils
    - Municipal Environment Councils
      - Prevalence of government in the decision making process
        - majority of the representation
      - Asymmetry of information
    - National Environment Conference
      - bottom-up strategy
      - 2003, 2005 and 2008
- Participation in several forums
- Effective participation is often limited
- Lack of knowledge to cover all issues
- End up legitimizing government decisions

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# Conclusions

- Complex engineering in environmental governance
  - many spaces and types of articulation:
    - intragovernmental, intergovernmental, with workers and civil society, and with the business sector
- Disproportionate weight of government representation in relation to workers and civil society
  - unbalance negotiation within the Council
- Absence of some ministries in the meetings of the Council
  - difficulty to bring the environment to a central position in all policy arenas.
- CTN and CTE
  - problems of legitimacy
  - absence of representatives of civil society

# Conclusions

- Civil society
  - New spaces of participation x effective participation
  - Legitimizing government decisions
- Governance of the Brazilian environmental policy
  - Spaces for articulation and negotiation
  - Very fragile in its operation
    - Lack of priority
    - Lack of a culture of federative agreements
    - Fragmentation
- Trends in Brazilian National Policies
  - Spaces for governmental articulation – vertical
    - Reinforce horizontal arenas
  - Civil society: Forums
    - Bottom-up strategy: local forums → state forums → national forum

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**Thank you!**

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