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Bachelor Thesis

The EU's Influence on Brazil's Climate Policy

Analyzing the Influence of the Normative Power
Europe on Third Countries

Public Governance across Borders

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Abbreviations

AA	Association Agreement
BRICS	Group of the Emerging/Emerged Countries Brazil, Russia, India, China and South Africa
CFSP	Common Foreign and Security Policy of the European Union
EEAS	European External Action Service
FTA	Free Trade Agreement
GHG	Greenhouse Gas
MEA	Multilateral Environmental Agreement
Mercosur	Common Market of the South / span. <i>Mercado Común del Sur</i>
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TSD	Trade and Sustainability
UNFCCC	UN Framework Convention on Climate Change

Abstract

Since its foundation the European Union has developed from an economic collective of states to a multinational political entity with a diverse selection of policy fields. All its external actions are guided by a complex framework of norms, which also respect the global task of climate and environment conservation. Analyzing Brazil's climate change mitigation policies in a single-case study, this study tests whether Manners' and Tocci's approach of a Normative Power Europe is applicable. The research is based on the question: "*What is the perceived legitimacy and effectiveness of instruments used by the EU to persuade Brazil to respect climate standards?*". Using scientific studies, but also paying respect to government documents, legal texts and news articles, this question is answered.

Key arguments that support the Normative Power Europe approach are the findings that diplomacy, communication and the establishment of multilateral treaties are at the core of European foreign policy. However, the study suggests that the European foreign policy is currently not effective in regards to exerting influence in Brazil concerning the implementation of climate change mitigation policies.

1. Introduction

While the current trade-relations between the European Union and Brazil are based on an agreement from 1999, the relations between the European Union and Brazil have been gaining influence in current news as the EU-Mercosur free trade agreement has been finalized following almost two decades of negotiations (European Commission, 2019c). Just shortly after the European Commission and the government of Brazil communicated this success, several European nations threatened to not ratify and drop the agreement if the Brazilian government lead by Jair Bolsonaro would not increase its efforts to stop the major wildfires in the Amazon region (Tagesschau, 2019b). In particular French president Emmanuel Macron described the Amazon rainforest as a globally shared good in the fight for climate protection. Bolsonaro answered by calling Macron's proposition to support the Brazilian government financially and discussing the topic of the Amazon wildfires at the G7 summit a "colonial mentality" (Tagesschau, 2019a).

Brazil is rising from a developing country to a major player on the global stage. It moves away from the western nations as major trading partner and shifts towards the booming state of China. This mash-up in Brazil's diplomatic relations gave it the possibility to negotiate better terms in free trade agreements (Baylis, Smith, & Owens, 2017).

While there have been many case studies on the Normative Power Europe, the case of the Mercosur trade agreement is special on its own. The Normative Power Europe approach, which was initially theorized by Ian Manners, defines a third power besides the military and civil power. Normative instruments are therefore instruments that help spread one party's interests by using ethically normatively good instruments rather than forcing one's decision upon another party (Manners, 2002; Tocci, 2008). The EU-Mercosur free trade agreement is seen as a unique success for the European Commission in the summer of 2019 since it would create the largest free trade zone in the world (Grieger, 2019). Thus, the Mercosur-Agreement would have opened up new opportunities to the EU to express influence in the Mercosur states. Though shortly after the proclaimed success major wildfires and a lack of climate conservation obligations within the Mercosur treaties sparked a public outrage. At the time the Fridays for Future movement had already been well established in Europe and the people had developed expectations to the governments to increase their efforts for climate protection. In order to grasp how the EU can act as a normative power the scope of the research has to be narrowed down on a specific field to keep the research feasible. This study will focus on European efforts to protect the world climate and reach the goals of the Paris climate agreement. The question on

how to reach the Paris goals has not yet seen much attention from the direction that the EU may influence the politics of other countries as normative power. Studying the influence of the European Union on the climate protection policies in Brazil is an interesting case as Brazil's current president Jair Bolsonaro is a climate change denier (Tharoor, 2019). That said, a success of the Normative Power Europe in the case of influencing Brazil's climate protection policies would show the global power the European Union can exert.

In an increasingly globalized world, many problems such as trade and the conservation of the planet cannot be regulated on the level of nations anymore but require a more international approach to be tackled. Sometimes states that play a key-role in the solution of these problems are not cooperative and need to get stimulated to act in a favorable manner. This paper shall assess the legitimacy and effectiveness of policy options the EU has to attain this stimulation in third countries on the example of Brazil by asking:

What is the perceived legitimacy and effectiveness of instruments used by the EU to persuade Brazil to respect climate standards?

To answer this question three sub-questions need to be answered first:

SQ1: Which instruments can be applied to influence policies in a third country?

SQ2: Which of these instruments are available to the EU in its relations to Brazil?

SQ3: To what extent has the EU made use of the possibilities offered by these provisions?

To answer SQ1 I will analyze what instruments are available in general in international relations to influence policies in other countries. The answer to this sub-question will rely heavily on scientific publications in the field of international relations.

To answer SQ2, documents like free trade agreements, international treaties and statements by leading politicians will be studied to give a first overview. Additionally, a comparison of the two countries can give insights about the bargaining positions of the EU and Brazil. This question may be harder to answer since there is a legal aspect to it, which might be interpreted differently by different actors.

SQ3 focusses on the instruments that have already been used by the European Union in the past to make Brazil's government change its political course.

2. Theory

While the European Union was originally designed as a collective of states with a common market and a common economic policy, the treaties nowadays go far beyond the purely economic policy field. Article 3(5) of the Treaty on European Union (TEU) forces the EU to “(...) contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples (...)”. While the term *sustainable development* does not necessarily imply a focus on climate conservation, Article 21 TEU defines the basics of external actions by the European Union and clarifies that the EU positions itself internationally in support of an improved quality of the environment and the preservation of limited natural resources.

Article 191 of the Treaty on the Functioning of the European Union (TFEU) goes on to describe how the EU tries to reach its nature-conservation goals: By fighting the cause of environmental damage and by working together, within legal constraints defined in multi- and bilateral treaties, with third countries to achieve its goals.

Normative Power Europe

Hedley Bull stated 1982 that “Europe is not an actor in international affairs, and does not seem likely to become one...” (Bull, 1982). For decades Bull’s theory has been the prevalent foundation for scientific works in the field of European studies. Bull manifested the idea that civilian power is exclusively exercised on the level of national governments, while supranational organizations are merely focused on narrow fields of cooperation.

Two decades later Manners disputed this idea and described the EU as “a promoter of norms which displace the state as the center of concern.” (Manners, 2002). Manners argues that the European cooperation has been deepened since the founding of the European Coal and Steel Community. While he admits that it is hard to prove that the EU (and its predecessors) are solely responsible for the ongoing phase of peace, the EU is still to be seen as a global civilian power. Manners uses the definition of civilian power by Twitchett and Maull who declare that three key features are essential for a civilian power: the centrality of economic power to achieve national goals, the primacy of diplomacy to solve issues on the global stage and the willingness to use supranational institutions to achieve international progress (Maull, 1989). According to Manners the shift towards a military power Europe was boosted by the introduction of the Rapid Reaction Force in 1999 and the agreement on a common European security and defense policy.

The view that the EU is concentrating its abilities to build a military force is contested though. In the EU's security strategy from 2003 the military option is not considered to be the first choice in order to defend European interests. The European Commission acknowledges that future threats cannot be dissolved by military means (Sjursen, 2006). This is a continuation of the European experiences with the Cold War, where diplomacy i.e. civilian power was considered to be most fruitful.

While some political researchers are in favor of and others are criticizing the increased military engagement of the EU, Manners offers a third option of how the EU can use its inherent power: the Normative Power Europe.

Normative Power Europe focusses on the ideas and the ability to introduce conceptions as "normal" (Manners, 2002). This is represented by the way the EU handles external relations and makes them conditional on a catalogue of norms like the European convention of human rights and fundamental freedoms and the universal declaration of human rights. The idea of the 'good guy EU' is contested as scientists argue that often ideals coincide with other rather ordinary objectives which lead to suspicion about hidden agendas (Sjursen, 2006).

Manners contends that the normative basis of the EU is comprised of five norms which are peace, liberty, democracy, the rule of law and respect for human rights. These norms are flanked by the minor norms of social solidarity, anti-discrimination, sustainable development and good governance (Manners, 2002). All these norms developed from the historic context in Europe which was influenced by the post-war era and the iron curtain that cut through Europe. These norms are spread unintentionally by others replicating the European way of life, Manners calls this *contagion*. In contrast to this stands the *informational* diffusion, which is based on (policy) initiatives of the EU and its parts. A third way of spreading the European norms is by institutionalizing the relations to third parties, by becoming either a member of a global organization or by admitting third countries to join the EU or certain long-term projects. Thus, making *procedural* advancements. The fourth way that Manners defines is *transference*, which he also calls 'carrot and stickism'. Using the transference strategy, the EU shapes policies in third countries by rewarding and sanctioning them if they act according to or against the European norms. A fifth factor of *overt diffusion* stems from the physical appearance of the EU in other states, for example in the form of embassies of the member states. The last factor *cultural filter* defines how individuals react to knowledge and norms within a country and how they form a political identity.

In his conclusion Manners argues that the EU itself is not only built on its normative basis, but it is forced to act accordingly on the international stage. Consequently, he argues that

'(...) the most important factor shaping the international role of the EU is not what it does or what it says, but what it is' (Manners, 2002).

Over the years the theory by Manners has been discussed and refined. Nathalie Tocci argues in her paper *Who is a normative foreign policy actor?* that the definition of what is 'normative' by Manners is insufficient. Tocci claims that if being a normative power is simply defined by one's ability to set global standards, then every major player on the global stage would be a normative power. In addition, she rejects the idea of using standardization as basis in the field of normative foreign policy as all foreign policy instruments aim at shaping the norm in international affairs (Tocci, 2008).

Consequently, Tocci suggests that an ethical non-neutral definition must be used. In order to distinguish this second definition from the neutral standardization Tocci warns that the norms must be objectively and universally good. Misassumptions about the objectivity and universality lead to an imperialistic and power-based approach to define normativity, similar to the first definition by Manners. Applied to this thesis this constriction means that the EU cannot attempt to achieve its goals in the sector of climate policy by exporting its values, as EU-set standards only tell one part of the story (Närger, 2014). In order to differentiate the non-neutral approach from pure coercion or culture imperialism a framework that is universal and unchangeable must be defined (Tocci, 2008). Three dimensions are crucial to this framework: the goal(s) of an actor, the way it introduces its foreign policy and the impact of that policy.

Normative foreign policy is built on the interplay of these three dimensions which must all be considered universally and objectively good. This means that not only the goal must be a normatively good one such as peace, prosperity or justice, but also the means which are used to implement it must align with these constraints. While war that is not legitimated by international law would fail to fall within these constraints the theory rather focuses on the implementation of peaceful means and the question of 'how' they are used. The normative approach is cooperation rather than coercion (Tocci, 2008). Lastly the impact comes into play in Tocci's framework of normative foreign policy. While most literature ignores the actual outcome of foreign policy, Tocci argues that the effect can be used to check for the actual intent of an actor (Tocci, 2008). To achieve objective universality, international treaties on climate protection that are accepted by both stakeholders, Brazil and the EU, will be used as external reference point as suggested by Manners (Manners, 2002).

Role Theory

While Manners' theory on Normative Power Europe provides a framework to put the foreign policy of the European Union into context, Elgström's and Smith's role theory from 2006 will help to explain why the European Union is acting in a certain way.

Within the discussion of international relations the EU is depicted on the one hand as a state-like actor on the international stage, on the other hand the EU is often treated as a loose collective of states with a weak diplomatic coordination of its member states (Närger, 2014). Therefore, Elgström and Smith stress that the European Union may exist within gaps of the present literature. This perspective is reinforced by the finding that the EU is often compared to states instead of employing a unique perspective on the EU (Elgström & Smith, 2006). As discussed, the need for such a changed perspective on the EU is supported by Manners' Normative Power Europe framework. Unlike states, the EU is focused on milieu goals, which refer to a change of the political environment, and not on possession goals, which are defined as national interests (Närger, 2014).

'The normative ambitions of the EU, exemplified by the inclusion of normative conditions in most of its international agreements, demonstrate its conscious efforts to shape its environment' (Elgström & Smith, 2006).

Therefore, the behavior of the EU on the global stage is based on the structure of the European Union, as well as its normative basis, since the EU is peculiar in the configuration of its foreign policy instruments which consist of a mix of international and supranational elements (Elgström & Smith, 2006). While this mix results in the problem that one can hardly grasp a coherent European foreign policy, it underpins Manners' claim that the European Union is a distinct actor in the field of foreign policy.

Elgström and Smith argue, that through the adaption of the sociological role theory the institutions and actions by the EU can be understood (Elgström & Smith, 2006). Roles, as defined by Elgström and Smith are determined by the inherent conception of an actor about its behavior and the expectations towards an actor by others. However, the roles that are employed by an actor are an effect of constant interactions and clashes of the expectations and self-conceptions (Aggestam, 2004a, 2004b; Elgström & Smith, 2006). This leads to the definition of roles as a *'set of norms and expectations which constrain a foreign policy actor's behaviour'* (Närger, 2014).

Still, actors within the framework of international relations may employ several roles in different situations (Aggestam, 2006). The analysis of the research question will show that the European Union employs several roles when covering the issue of climate change and acts inconsistently towards Brazil as it does not always meet the terms that are defined within the Normative Power Europe framework.

Närger splits the term *role* into three dimensions: the *role expectations*, the *role conceptions* and the *role performance*.

The role expectations are the expectations that other actors prescribe and expect from the European Union. These expectations are fed by the participation in international organizations as well as the role-beholders behavior in the past which might give an idea of expectable future behavior on an actor (Aggestam, 2006).

The role conceptions on the other hand are based on the self-perceived responsibilities and behavior of an actor. Such a perception is supported by the underlying norms and ideas an actor is based on. In respect to the European Union, these norms are drawn out of the five basic norms that are described by Manners. However, it is important to note that an actor will not define itself within one single role, a foreign policy actor will rather maneuver between several roles (Närger, 2014).

Lastly the role performance defines the actual behavior of an actor. While this dimension is connected to the role conception of an actor, it describes which role is actually chosen in a situation and “defines the potential range of options and strategies” (Aggestam, 2006) available to an actor.

Normative Power Europe therefore acts as a framework to analyze the European foreign policy. Actions must meet the criteria defined within the framework and both be aimed at a normative good goal and acted out in an ethical good way in order to be considered legitimate. The role theory will help to explain why the EU deviates from normative behavior occasionally.

This study intends to apply the framework of Normative Power Europe and role theory in the empirical study of the European foreign policy addressed towards Brazil.

3. Methodology

This chapter features a discussion of the methodology on the answering of the research question. That includes a discussion of the applied research design, the operationalization of the theory and concepts and an outlook on which data will be used in the study.

Research Design and Case Selection

As discussed in the section on the Research Question, this study shall test Manners' Normative Power Europe theory by applying it to the relations to a single country and measuring the legitimacy and effectiveness of the employed policy instruments.

The influence of the European Union on third states can best be shown in a qualitative study, since this way a connection of effects to specific actions by the European Union can be traced. In order to answer the question on how the EU can influence third countries as normative power a literature review of treaties, scientific literature and news articles will be the most feasible option.

For this study the case of Brazil was chosen since Brazil and the rainforest that makes up large parts of the country are crucial for the success of the Paris climate agreement. There are several reasons why this is the case:

1. The case of Brazil has been on the news in summer 2019 quite constantly as wildfires roamed through the Brazilian rainforest without adequate response by the Brazilian government. Consequently, many EU member states including France and Austria made Brazil's commitment on its climate goals a condition for their governments to ratify the EU-Mercosur free trade agreement.
2. The Brazilian government is led by the right-wing politician Jair Bolsonaro, who is critical towards the man-made climate change theory (Tharoor, 2019). Additionally, the Brazilian government announced that Brazil would exit the Paris Agreement. Thus, it will be interesting to see if and how the EU can influence other nations even if the imposed norms contradict the nation's policies.
3. In contrast, both, the EU and Brazil, have ratified the Paris Agreement as well as other multilateral agreements on climate conservation and thus bound themselves to the same goals, which offers neutral reference points as demanded by Manners.

4. Lastly, the recent developments in Brazil from 2019 allow for an analysis of the different roles employed by the EU and possible changes that were made in the deployment of these roles in response to Brazil's actions.

As stated earlier due to these factors, a successful deployment of normative instruments by the European Union could demonstrate the influence the EU can globally apply and thus hint at other policy fields and regions where the EU could employ normative instruments.

Operationalization

As the research question is quite complex it will be most practical to split it up in the three sub-questions that were mentioned previously.

To answer the first and second sub-question it will be most feasible to use mainly scientific papers that analyze the existing treaties and law texts, as a deep analysis of the treaties and law texts would go beyond the scope of this study. The use of existing analyses by other scientists provides a profound basis for further analysis. Additionally, the analysis of the treaties that the relations between the EU and Brazil are built on stipulates a deeper understanding of the instruments that are available to the European Union. The second sub-question that deals with the current relations of the two actors can be answered by using dossiers of the governments of the two entities as well as scientific papers that comment on the existing relations. Once again, the scientific papers used will give an in-depth picture of the relations, but the additional analysis of government documents may result in a better understanding of the matter. Besides, it offers the opportunity to analyze the relations of the two actors especially in the narrow field of climate protection policies. For the third sub-question a rather broad mix of press releases issued by the governments of the two entities, articles that were published in the media, as well as scientific papers that may comment on interventions by the European Union will be harnessed. As discussed above, this approach is chosen to incorporate sources that comment on contemporary developments in the diplomatic relations of the EU and Brazil. However, the incorporation of news articles bears the risk of this study not being neutral as local news reports will most likely be in Portuguese for the majority of the cases, which means the analysis either relies on translations or reports from international sources. If too few news sources are consulted there could be a biased view on how sanctions or other interferences were received in Brazil. By comparing a greater amount of international news sources this bias should vanish. The dependence on news outlets stems from the nature of the question, which is, at least

partially, aimed at current diplomatic developments. In general, scientific papers cannot react fast enough to such events.

As mentioned in the theory chapter the European Union is built on many norms and values regarding human rights and climate protection which means that the TEU and TFEU will also have to be included in the analysis of the data. Additionally the treaties of the European Union as well as statements by politicians and officials and historic documents will also come into play when looking at the institutions of the European Union as Manners argues that the European Union cannot be judged by the same measures that are applied to nations (Manners, 2002).

Thus, no original data will be collected but rather existing literature and norms will be linked together to answer the research question.

The main concepts of the research question are the internal policies on climate protection in Brazil and the term Normative Power Europe. While the theory chapter already covers the term Normative Power Europe as concept on how the EU can influence other nations, the internal policies on climate protection are not yet defined. Following the approach of Manners to ‘make things normal’ the internal policies on climate protection should be aimed at reaching the Paris climate agreement, since this is a common treaty that both, Brazil and the EU, are part of.

While the chosen approach offers a deep insight into the options the EU has to influence domestic policies of a third country, it also bears some limitations: While the research aims at answering the question which instruments the EU can apply to influence third countries’ domestic policies the analysis could easily become overwhelming if the research is too broad. In order to deal with this issue, the research looks at the very narrow field of climate conservation policies in Brazil, while still applying and testing the quite broad Normative Power Europe theory. However, this means that the outcomes of this study will not be universally applicable but can only be used to analyze the Normative Power Europe regarding climate conservation measures.

4. Analysis

Instruments of Foreign Policy

To start off the analysis, the first sub-question “Which instruments can be applied to influence policies in third countries?” needs to be answered. This will be done by analyzing instruments that are common in international relations. To understand how the European Union can influence internal policies in countries like Brazil it is important to examine which foreign policy instruments are available to governments in general and to the EU in particular. As political decision-making processes are often affected by different factors and are usually gradual and incremental, it is hard to connect these decisions to a specific date. The factors influencing a particular decision may lie internally or can be policies exerted by another country or government.

Thus, to show the impact of foreign policy it is important to understand the nature of them first. The 21st century has shown a development within foreign policy. As social, political and economic structures evolved and interlinked, the diplomacy and foreign policy developed from nation-centered politics to an interwoven system of mutual interference in domestic affairs, a process that is often summarized as globalization (Smith, 2016). This historic development explains the conventional image of foreign policy being based on military measures in order to protect a country’s boundaries and sovereignty. Furthermore, the changes towards global politics were boosted by newly arising challenges such as global terrorism, pandemics, international crime and climate change. These challenges also changed the perception of security as a whole: had it once been used to describe the integrity and stability of a state and its physical borders, today’s definition aims at measuring the wellbeing of the citizens within the states (Smith, 2016). One example that shows how the three aforementioned facets of social, political and economic foreign policy merged is the response to the terrorist attacks on the World Trade Center in 2001. The international community answered by implementing defense mechanisms and development plans (e.g., capacity building) for the countries in the middle east region.

Developing a European Foreign Policy

The first attempts of a common European foreign policy can be seen as early as 1952 when the European Coal and Steel Community was founded. The founding states Belgium, France, Germany, Italy, Luxembourg and the Netherlands linked war-relevant economic sectors after the two devastating world wars that were fought out on the European continent as one of the main battlefields. Just shortly after, the Treaty of Rome paved the way for the European Economic Community that created a more closely integrated common market in 1957 by reducing internal trade barriers and introducing a common external tariff. At the same time the Council of Ministers, the European Commission, the Common Assembly and the European Court of Justice were implemented (Närger, 2014). By introducing these overarching institutions, the European Economic Community started to replace the former intergovernmental approach and introduced supranationalism in its structure.

As these institutions held only a coordinating role of the common market, the policy actions were aimed only at its members. Part of this strategy was based on the bipolarity during the Cold War, when Western European States were unsympathetic towards weakening NATO (Närger, 2014). An exception to this behavior was shown during the negotiations about the conclusion of the General Agreement on Tariffs and Trade.

The Hague summit of December 1969 changed the perception of the European Economic Community as a global player, because the member states unified behind the idea of creating a European Political Cooperation (EPC). The EPC was supposed to create a forum in which member states could consult on topics of foreign policy and formulate common actions in regard to international issues. However, it took until 1974 to establish the European Council, a conference of the leaders of governments to consult on internal and external issues. As the term *consultation* suggests, the EPC as well as the European Council were intergovernmental approaches, which lacked a clear strategy due to the different interests of the represented member states (Närger, 2014; Smith, 2016). Nevertheless, the formulation of a common foreign policy was always a key topic for the European Council. Already at the first meeting in 1975 the Council passed a declaration on Cyprus and on the Conference for Security and Cooperation in Europe and held up its engagement until today, with regular interventions in existing or impending crises (De Schoutheete, 2012).

The expansion of the European Community towards the south and closer to the Iron Curtain not only stabilized Europe in the struggle for influence during the Cold War, but also prepared the European Community to spread its influence on countries in the east. The European

Community gained clout with the implementation of the Single European Act in 1986, that changed the foreign policy of its members by making cooperation on foreign policy mandatory, rather than keeping it voluntary. Additionally, the Western European Union was revived mainly on the initiative of the French president François Mitterrand and created a council of ministers of foreign affairs and defense that met twice a year (Närger, 2014).

After the fall of the Soviet Union and following the German Unification the Treaty on European Union (TEU) was signed in Maastricht, due to the joint efforts of Mitterrand and the German chancellor Kohl. The TEU now based the European Union on the three pillars of European Community, Police and Judicial Cooperation and the renamed EPC, which was now called Common Foreign and Security Policy (CFSP) (Dehousse & Magnette, 2012; Smith, 2016).

However, the European Union and its foreign policy proved to be underdeveloped when conflicts in Yugoslavia arose and the European Union failed to formulate an answer towards the ethnic cleansing that happened in the area.

Tonra and Christiansen describe the analysis of the foreign policy of the European Union as failure-oriented:

“It’s failures, more often than its successes, provide the analyst with an important ‘reality check’ in any assessment of the EU’s capacity in the international environment.” (Tonra & Christiansen, 2004)

Consequently, the EU was considered as weak provider of security on the global stage, which moved its members towards the Treaty of Amsterdam in 1997 and a stronger integrated CFSP. The creation of the High Representative for CFSP is noteworthy as it established a single voice of the European Union on the international floor. Additionally, the Petersberg tasks, which were formally a responsibility of the Western European Union, were included in the CFSP and thus provided the European Union with a military option (Närger, 2014).

At the start of the 21st century the European Commission, the European Parliament and governments of various member states pushed for an introduction of a European constitution. While the ratification of this constitution failed due to reservations from member states, planned institutional changes towards the European foreign policy were included in the Lisbon Treaty which was finalized in 2007. While the treaty did not change the goals of the CFSP, it boosted the European striking power in international affairs by replacing the long-standing three pillar system of the Union with a single legal personality. Subsequently, the High Representative for CFSP and the Commission-member of external affairs were replaced by the High

Representative for Foreign Affairs and Security Policy. The European External Actions Service was also created as a result of the Lisbon treaty, a full-fledged diplomatic service responsible for the CFSP, the Civil Planning and Conduct Capability, a Crisis management department and the European Military Staff (Närger, 2014). With the introduction of Lady Catherine Ashton as High Representative for Foreign Affairs and Security Policy the attention for the strategic partners of the EU was boosted (Smith, 2016).

Even though the EU started to create a military service its foreign policy remains to be based on communication and argumentation.

“Thus a large part of what passes for European foreign policy is about the way in which information is gathered, analysed and shared, the way in which member state representatives interact and debate issues amongst themselves and, finally, the ways in which language is used to give effect to the conclusions of those deliberations.” (Tonra & Christiansen, 2004)

The answer to the question “Which instruments can be applied to influence policies in a third country?”, is twofold: first, there is a forceful option. This does not necessary include the armed intervention, but the pure threat of military power can already influence policies (Manners, 2002). Additionally, the policies can be forced upon third countries by introducing trade-barriers and sanctions on trade.

On the other hand, there is the rather peaceful option of diplomacy and international treaties that is preferred by the European Union (Närger, 2014; Tonra & Christiansen, 2004). This option includes how leaders of the European Union act and voice their opinion, as well as member states’ behavior towards treaties and their obligations.

Historic Developments

This section, as well as the following sections, will focus on the historic and current relations between Brazil and the European Union. These sections will not only analyze treaties and historic ties between the stakeholders, but also the current position the two actors find themselves in. This will help answering the second subquestion “Which of these instruments are available to the EU in its relations to Brazil?”.

Brazil has been tied closely to European states due to its history as a Portuguese colony until its independence in 1822 and due to its shared border to the French overseas département *French-Guyana*. While the partnership is highly influenced by economic considerations rather

than shared norms and values, Europe modeled for the Brazilian welfare and justice system (Gratius, 2013).

The European Union has been the most important trading partner of Brazil for decades, and Brazil functioned as European bridge head in South America, being the largest trading partner of the EU in the region. Since the beginning of the 21st century and the proposal of an interregional free trade agreement (FTA) between the EU and the common market of the south Mercosur, Brazil has been changing its focus from the EU and the USA to emerging markets in Asia. This can partly be attributed to the stagnation of the negotiations for an FTA, which took until summer of 2019 to be finalized, as well as the financial crisis of 2007 which hit the EU and USA stronger than Brazil and other emerging states (Gratius & Nolte, 2013). Brazil is part of BRICS, a term that stands for the five largest emerging and emerged markets Brazil, Russia, India, China and South-Africa. In the year 2012 Brazil's exports to the BRICS-states were comparable to those to the EU (Gratius, 2013).

As the European Union is still an important trading partner for Brazil, it bears the power to exert its influence by imposing trade-related policies such as sanctions and other trade barriers.

International Organizations and Treaties

As mentioned above, there is no free trade agreement between the European Union and Brazil, as the EU-Mercosur FTA is not yet ratified. The initial euphoria about the conclusion of the negotiations by the European commission and the governments of the Mercosur states was soon after perceived as a damp squib with several European governments giving statements that they would veto against such an agreement. The Mercosur consists of the 4 major economic powers of the South American continent Argentina, Brazil, Uruguay and Paraguay. Venezuela, which joined Mercosur in 2012 was voted out by the other member states since it had not transferred Mercosur rules on free trade and human rights in 2016 after just 4 years of membership (Zeit Online, 2016).

However, while the EU-Mercosur free trade agreement may be the most recent and therefore most popular connection between Brazil and the European Union, there is also a number of multilateral environmental agreements (MEA) that are ratified by both stakeholders. As already explained in the theory chapter of this thesis, only agreements that are ratified and therefore accepted as desirable by both parties may be used as grounds for normative interaction in order to distinguish an action from being imperialistic. In the aforementioned theory chapter, the

focus remained mostly on the Paris climate agreement, which is the most recent large-scale MEA, but a further analysis on other agreements may give a broader base for discussion and intervention.

While the World Trade Organization (WTO) is mainly focused on multilateral trade relations, it has identified the link between environmental and climate protection and trade. Since the GATT-negotiations, where the issue of environmental damages and its mitigation were discussed for the first time in a global forum the WTO respects the influence of trade on the environment (Hufbauer & Kim, 2009). In a joint study by the United Nations Environment Program and the WTO from 2009, the actors acknowledge that WTO trade rules do not beat climate protection policies. Consequently, the WTO admitted that some trade restrictions might be necessary in order to reach the goals of the UN Framework Convention on Climate Change and Kyoto Protocol (Tamiotti, 2009).

Table 1 (cf. p. 17) which was created using information from the *WTO Matrix on trade measures pursuant to selected multilateral environmental agreement* provides an overview over trade-related multilateral environmental agreements and their respective status in the EU and the countries within the Mercosur. Here the Mercosur states are represented by their country codes: Brazil (BRA), Argentina (ARG), Paraguay (PRY), and Uruguay (URY). Looking at the ratification status of the different agreements it becomes obvious that environmental protection is not only a topic forced upon the Mercosur states by the EU, but it is also a respected challenge within Latin-America with Brazil and Uruguay having ratified almost all Multilateral Environmental Agreements that the EU is also part of. The MEAs are clustered in 4 categories which are *Nature and Biodiversity*, *Climate Change*, *Waste* and *Chemicals*. For the answering of the research question the last two categories are of minor interest, therefore the MEAs in these sectors will be disregarded in the analysis. While the MEAs in the section *Nature and Biodiversity* might have an impact on policies regarding climate change, the major focus will lie on the second category of MEAs covering that specific topic.

Category	Multilateral Environmental Agreements	EU	BRA	ARG	PRY	URY
Nature and Biodiversity	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	X	X	X	X	X
	Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR)	X	X	X	0	X
	International Convention for the Conservation of Atlantic Tunas (ICCAT)	X	X	0	0	X
	United Nations Fish Stocks Agreement (UNFSA)	X	X	0	0	X
	Agreement on Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (PSMA)	X	0	0	0	X
	International Tropical Timber Agreement (ITTA)	X	X	0	0	0
	International Plant Protection Convention (IPPC)	X	X	X	X	X
	Convention on Biological Diversity (CBD)	X	X	X	X	X
	CBD: Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization	X	0	X	0	X
	CBD: Cartagena Protocol of Biosafety	X	X	0	X	X
Climate Change	Vienna Convention for the Protection of the Ozone Layer	X	X	X	X	X
	Montreal Protocol on Substances that Deplete the Ozone Layer	X	X	X	X	X
	UN Framework Convention on Climate Change (UNFCCC)	X	X	X	X	X
	UNFCCC: Kyoto Protocol	X	X	X	X	X
	Paris Agreement	X	X	X	X	X
Waste	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	X	X	X	X	X
Chemicals	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	X	X	X	X	X
	Stockholm Convention on Persistent Organic Pollutants	X	X	X	X	X
	Minamata Convention on Mercury	X	X	X	0	X

Table 1. Multilateral Environmental agreements signed by the EU and members of the Mercosur [X = Treaty ratified; 0 = Treaty not ratified] (World Trade Organization, 2017).

MEAs on Climate Change

Looking at the five multilateral environmental agreements that are both signed by the EU and all members of the Mercosur, two of them stand out, as they are covering the depletion of the ozone layer specifically. As recent publications by NASA and other respected scientists declare that the ozone layer is recovering since the introduction of the two MEAs in 1985 (Vienna Convention) and 1989 (Montreal Protocol) these two agreements will be disregarded and only the more recent and broader agreements will be covered. These are in particular the UN Framework Convention on Climate Change (UNFCCC) with the amendment of the UNFCCC Kyoto Protocol and the Paris Agreement.

The UNFCCC

The United Nations Framework Convention on Climate Change entered into force on September 22, 1994. Today it is considered as a baseline for climate protection policies due to the universality that it bears, as 197 governments are party to it. The declared objective of the framework is the “stabilization of greenhouse gas concentrations” (World Trade Organization, 2017) and to give ecosystems and economies the chance to adapt to climate change to ensure that food production and economic development is not threatened (World Trade Organization, 2017). The UNFCCC does not provide any instruments to restrict trade but acknowledges that domestic actions which are implemented by countries who are party to the UNFCCC may impact global trade in order to reduce greenhouse gas emissions. The UNFCCC splits its members into three groups: The Annex I, the Annex I and II and the Non-Annex states; Annex I states are states that were considered as developed countries during the foundation of the UNFCCC, these were namely the OECD countries and the former USSR including its satellite states. These states obliged to reduce their greenhouse gas (GHG) emissions in article 4 of the treaty. The Annex I and II countries that were made up of the Annex I countries that were also OECD members at the time committed themselves to finance the monitoring body of the UNFCCC that should build capacity in Non-Annex-countries and make climate-conserving technology available to them (UN, 1992). All countries acknowledged the Conference of Parties, which is a conference of delegations from all member states, as the supreme decision-making body that should meet once a year.

The Kyoto Protocol

The Kyoto Protocol amended the UNFCCC in 2005 when it entered into force. Before that it was already open to signature since 1997. The Kyoto Protocol widened the scope of GHG emissions and called for a reduction of the emissions of a total of six gases, instead of just focusing on carbon emissions. Additionally, the Kyoto Protocol introduced a binding reduction goal for its members, with the EU-15 countries aiming for a reduction of 8% compared to the base level year 1990, while other states followed less stringent plans. These goals had to be achieved in the timeframe from 2008-2012. In supplement to the reduction goal the creation of carbon sinks through reforestation projects was put on the agenda (Santilli et al., 2005; Van der Mensbrugge, 1998).

Overall, the Kyoto Protocol used economic instruments as its main greenhouse gas reduction accelerator. The most important tool that was created by the members of the Kyoto Protocol was the global trade on GHG emission certificates, that acts similar to the regional European trading system. In contrast to the European system though, the global trade works on a state to state level and not on a company to company level. Additionally, developed countries can offset their own emissions by implementing GHG reducing projects in developing countries (Santilli et al., 2005). The EU was a driving force in the implementation of the Kyoto-Protocol and the strengthening of global measures on climate protection, while other developed countries criticized the Kyoto Protocol for overburdening developed countries and leaving out uprising developing countries (Santilli et al., 2005).

The Paris Agreement

Following almost a decade of negotiations the Paris Agreement was adopted in 2015 and is expected to enter into force in 2020 (Bodle, Donat, & Duwe, 2016). Similar to the Kyoto Protocol, the Paris Agreement is seen as addition and not as replacement to the original United Nations Framework Convention on Climate Change. The publication and adoption of the Paris Agreement fell into a time, where there was already a considerable amount of momentum to increase efforts on climate protection. Therefore, the newly adopted agreement goes far beyond the former UNFCCC and Kyoto Protocol and introduces legally binding aspects for the first time in multilateral environmental agreements on climate change. The overarching goal of the Paris Agreement is to bring the global GHG emissions to a peak as soon as possible and then reduce the output of greenhouse gases globally in order to keep the global temperature rise between 1.5°C and 2°C. The importance of the Paris Agreement is underlined by the number

of heads of states and governments that were present at its adoption. In contrast to the preceding agreements it does not only introduce legally binding objects in an MEA but also breaks with the bifurcation of members to some extent (Bodle et al., 2016). The Paris Agreement now speaks of a shared responsibility that *all* parties must burden. However, obligations on mitigation and adaption of climate change may vary amongst nations due to amendments to the treaty.

The Paris Agreement is in general rather of procedural nature with a clear objective to keep the temperature rise well below 2° Celsius compared to the pre-industrial era but is lacking specific instruments or pathways to achieve this goal. Members of the Paris Agreement must regularly prepare ‘nationally determined contributions’ to achieve the common goal, which have to be more ambitious than the previous ones. However, the contents of these nationally determined contributions are not legally binding and parties are only obliged to enact measures ‘with the aim of achieving the objectives’ (Bodle et al., 2016), so there are no measures in place that can be taken if a nation does not comply with its own nationally determined contribution.

Nevertheless, analyzing the legal structure of the Paris Agreement, it is straightforward that it is in fact a treaty under international law and as such the whole treaty is legally binding to its members once it enters into force. Once again, the wording in the treaty is often unprecise or does not imply legal rights and obligations. Therefore, it is possible that governments interpret the contents of the Paris Agreement differently.

Covering the problem of deforestation that is especially apparent in Latin America and more specific in Brazil in the summer of 2019, the Paris Agreement only refers to the REDD+-framework, that was already part of the convention since 2013 and does not add to it. Contents of the REDD+-framework are the aims to reduce forest degradation and deforestation and enhance efforts of conservative and sustainable forest management. The most important instrument of the framework are so-called “results-based payments” that reward developing countries for successful forest management. Brazil received its first-ever success-based REDD+ payments of 96 million \$ in 2019, following an analysis of the deforestation in the years 2015 and 2016 (Sax, 2019).

Putting the UNFCCC and the following amendments to it in Kyoto in 1997 and Paris in 2015 in context to this study and the normative power theory, it must first be noted that these commitments by the European Union (respectively its predecessor), its member states and Brazil qualify to be used as ethical non-neutral reference points that both partners can refer to in bi- and multilateral negotiations.

The Paris Agreement and the preceding conventions aim at achieving a prosperous and sustainable economy while conserving the climate at a point below a 2°C temperature rise. Apparently, this is a goal that is accepted as universally good and as such complies with Tocci's first condition. Additionally, the Paris Agreement is supported by the Treaty on European Union and the Treaty on the functioning of the European Union as the goals and their implementation is in line with the respective passages on environmental damage and the goals of the EU. Since the Amazon rainforest is unique it may also be considered as limited natural resource that is to be protected by the European Union as noted in Article 21 TEU. As mentioned above this must happen by working together with third countries to fight the environmental damage at its cause as Article 191 TFEU implies.

As the framework within the UNFCCC and its amendments do not deliver clear policies, it is almost impossible to measure its implementation or impact. As the goals of the MEAs have to be transferred into such policies by the governments voluntarily and pressure from outside is not intended we can consider the implementation to be ethically good. The impact of the Paris Agreement cannot be measured though, as it has not been enacted yet.

Now that it is established that the norms are in accordance with Tocci's theory, the normative impact according to Manners must be examined.

The multilateral environment agreements and the institutions that are created around them, as well as the annual meetings at the Conference of Parties institutionalize the relations between the European Union and Brazil. Therefore, procedural advancements in the exertion of influence on a normative basis have been made.

In conclusion the MEAs on climate change and the EUs engagement in them can be considered as expressing normative power as defined by Manners and Tocci.

EU – Mercosur Free Trade Agreement

The free trade agreement between the European Union and the common market of the south will not only have an impact on trade relations but institutionalizes negotiations on several other policy fields. The protection of the climate and the environment is already included in the existing agreement, which is seen as the basis for a broader association agreement between the two stakeholders (Grieger, 2019). The other two pillars of the association agreement are the political dialogue pillar and the cooperation pillar. To understand the importance and the impact of the negotiated FTA it is necessary to compare the two global stakeholders. First of all it is notable that – if ratified by the EU and Mercosur member states – the proposed agreement would create the largest single-market in the world with over 770 million consumers (Grieger, 2019). However, there are major controversies about topics such as the environment, climate change, agriculture and food safety as well as the rights of indigenous people.

From an economic point of view the free trade agreement would boost the industrial and some agricultural (e.g. wine, whisky and other spirits, chocolates) exports from the EU to Mercosur member states. In return the EU would gradually eliminate tariffs of 92% of the imports from the Mercosur, which are mostly attributed to the agricultural sector. Environmental and human rights activists voiced their concern that this newly gained freedom could accelerate deforestation in the Mercosur states, jeopardizing the common fight against climate change (Grieger, 2019). These assumptions are disputed by the Sustainability Impact Assessment report of the London School of Economics and Political Science, which was commissioned by the European Commission to analyze the impact of the free trade agreement between the EU and Mercosur. The report concludes that “overall, the [Association Agreement] is expected to have a negligible impact on CO₂ emissions” (London School of Economics and Political Science, 2019). Splitting up the expected changes in CO₂ emissions it becomes clear that the European Union will increase its output by about 0.03% to 0.05% while Brazil will increase its output by 0.16% to 0.18% due to the FTA. These numbers are countered on the other hand by Uruguay and Paraguay which are expected to lower their emissions due to a lower output in high-energy consuming fields such as the metal-industry and the energy sector. Even though these numbers may appear marginal, members of the European Parliament are condemning even the slightest increase as they call for a massive reduction of greenhouse gas emissions in order to reach the goals of the Paris climate agreement (Cavazzini, 2019).

Comparing the environmental policies in EU and Mercosur countries it becomes apparent that the Latin American countries are lacking behind European standards. On a global scale however, members of the Mercosur are comparable to countries with similar GDP levels.

Focusing on Brazil it is obvious that the country performs not only above Mercosur average but also outperforms other middle-income countries in terms of the adoption of climate change policies and the GHG per capita emissions (London School of Economics and Political Science, 2019).

The EU-Mercosur free trade agreement includes a chapter on Trade and Sustainability (TSD). Within the chapter both parties and member states of both parties require themselves to “promote sustainable development” (European Commission, 2019d). In Article 2 of the TSD the parties of the agreement define how sustainable development shall be achieved:

“2. Each Party shall strive to improve its relevant laws and policies so as to ensure high and effective levels of environmental and labour protection.

(...)

5. A Party shall not through a sustained or recurring action or inaction, fail to effectively enforce its environmental or labour laws in order to encourage trade or investment.”(European Commission, 2019d)

In Article 5 and 6 of the TSD chapter the parties reiterate their commitment to implement common multilateral environmental agreements, specifically the UNFCCC and the Paris Agreement (European Commission, 2019b, 2019d).

The EU and Mercosur formulate that the sustainable development can only be achieved by cooperation. Part of this cooperative approach to the issue is the formation of a Sub-Committee on Trade and Sustainable Development as established in Article 14 (European Commission, 2019d). The committee will monitor the implementation of the sustainable development provisions of the EU-Mercosur free trade agreement. If disagreement on the implementation arises, the parties are encouraged to discuss and consult on the issue. If no decision can be reached in bilateral discussions, a mediating group of experts can be consulted. This “Panel of Experts” (European Commission, 2019d) shall evaluate the complaint and may give recommendations to solve the issue. The panel’s recommendations are binding to both parties and if they fail to comply, the complaining party may implement counter-measures in order to force the other party to fulfill their obligations (European Commission, 2019b).

However, the EU-Mercosur-FTA differs from other free trade agreements the European Union has concluded in its precautionary principle clause. Usually, the precautionary principle clause allows for one party of the treaty to adopt precautionary measures if harm for the environment or occupants cannot be completely ruled out. However, the EU-Mercosur free trade agreement

adds strict stipulations to these one-sided measures: they must be reviewed periodically, must be based on pertinent information and the party adopting these measures is obliged to seek for additional scientific information to review the matter (Grieger, 2019). As Brazil's government put emphasis on this difference in its final summary of the treaty, it is to be expected that the Brazilian government wanted to keep international limitations of its environmental and safety policies as low as possible.

Concluding from this analysis of international and multilateral agreements that the EU and Brazil are part of, a preliminary answer to the second sub-question "Which of these instruments are available to the EU in its relations to Brazil?" is rather unfruitful.

The UNFCCC and the Kyoto Protocol do not oblige Brazil to a reduction of greenhouse gas emissions. The Paris Agreement includes Brazil in the shared responsibility for the environment and forces it, as well as all other countries, to present nationally determined contributions. However, at the moment there are no consequences or instruments that other members of the MEAs can apply if one country does not meet their GHG reduction quota.

While the EU-Mercosur free trade agreement does provide measures in its Trade and Sustainable Development chapter to counter climate change, these provisions are based on the UNFCCC and the Paris Agreement. That said, even if the instrument of dispute settlement in the association agreement is working, the baseline for decisions on climate change are effectively the nationally determined contributions, which, as described earlier, are voluntary GHG reduction goals of each country. The way the dispute-settlement is constructed, with long phases of consultation and argumentation before binding results are published, reinforces the earlier findings that the foreign policy of the European Union is based on diplomacy and communication. This finding however underlines the normative power of the European Union, as the normative approach according to Tocci is based on cooperation rather than coercion as established in the theory chapter of this paper. This normative approach can also be found in the association agreement with the Mercosur in the TSD chapter where cooperation as instrument to achieve the goal of climate conservation is specifically mentioned.

These findings offer additional answers to the second sub-question, regarding policy instruments that are available to the EU. Especially the diplomacy that is strengthened within the TSD chapter must be noted here.

Bilateral Treaties and Diplomacy

Outside of the global and multilateral framework of treaties there are also bilateral connections tying Brazil and the European Union together. In this section these diplomatic ties will be analyzed in greater detail and their importance for the climate and environment conservation will be discussed. The most notable connection is the strategic partnership between the European Union and Brazil, which will be explained in the following part.

Strategic Partnership

As described earlier Brazil is considered a *strategic partner* by the EU since 2007. This title allows for a deeper cooperation in various policy fields and a privileged dialogue about mid- and long-term goals (Gratius, 2013). When comparing strategic partners of the EU it becomes clear that the European External Actions Service negotiated these partnerships with established, emerged and emerging partners in an uncoordinated manner and on a country-by-country basis (Hess, 2012).

Furthermore, the negotiations with the partners were highly dependent on the nationalities of the persons involved and the historic ties of EU member states to the global partners. While Brazil has gained this status mainly because Portugal, Sweden and Germany were in favor of the newly formed relationship, there was also opposition to the Europeanization of the engagement with third countries. The opposing member states argued that governments of third countries that are left out of the bilateral treaties may retaliate because they could perceive the partnership as setback of their own bilateral relations to the EU. For example, in the case of the EU-Brazil treaty on strategic partnership, Argentina as second-largest state in the Mercosur-Area could be critical towards the newly established transatlantic alliance (Hess, 2012).

While there is indeed no scheme on how to become a strategic partner of the European Union, the partners are selected due to their (expected) impact on the global and respective regional system. Looking at the addition of the emerging and emerged partners to the four “established partners” – namely USA, Russia, Canada and Japan, as the High Representative of the Union for Foreign Affairs and Security Policy Catherine Ashton called them, there is a shift from a bipolar world order to a nonpolar world with regional superpowers. Especially the deepened relationship to the BRICS-states shows a greater interest of the European Union in the global south. Other traits of strategic partners of the EU are either major economic power on the global scale or high growth rates.

Due to their economic power, all strategic partners are members of the G20. This makes them interesting trading partners for the EU, which has negotiated free trade agreements with almost all strategic partners (Hess, 2012). As bi-regional negotiations stagnated over the last decades, because of the less-integrated regional institutions, e.g. Mercosur, the strategic partners function as interlocutors to the EU in the respective regions (Gratius, 2013).

However, the focus has changed at the beginning of the last decade, when the EU issued statements that highlighted the bilateral partnerships rather than the bi-regional relations. The regional powers were no longer perceived as vehicle for deeper bi-regional negotiations but gained importance as independent partners themselves. This change of perception can be attributed to the aforementioned stagnation as the regional organizations were lacking institutionalization compared to the highly integrated EU. Other reasons for this shift may be the notable growth of the partners since the turn of the millennium which made them too important on a global scale to just consider them as part of their region. Lastly the partners are often not representative for their region or hesitate to speak for it as they fear to be considered as regional hegemony and bullies on their respective continent (Hess, 2012).

Strategic partnerships are defined as a bilateral treaty with two stakeholders having common interests and shared values. In practice these values may not be as deeply rooted as one might expect: Brazil denies any interference in domestic issues and rejects democratization and human right clauses in bilateral treaties (Gratius, 2013). Policies and the further development of the relations are discussed in annual summits. Part of these discussions between the EU and Brazil are the policy fields of energy and environment (EEAS, 2016).

When trying to position the strategic partnership in Manners's structure of global presence of the EU, it can be seen as a procedural advancement in the relationship. The negotiations with Brazil have been institutionalized and Brazil has been admitted as long-term partner by establishing the status of strategic partnership. While it may not have been intentional by the EU, the stagnation of the EU-Mercosur relations and the connected loss of reputation of the EU in Brazil and South America has led to a diminishing contagion. This leads to a rather mixed conclusion, as the expressed normative power has increased in one field but decreased in another. The institutionalization in the relations to Brazil grew, while decreasing the interest of the Mercosur to follow Europe's example in building a strong regional institution.

Looking at the second sub-question, the EU has gained influence on the national level in Brazil and can interact more closely with the different administrative levels offering financial and administrative support for certain policies but lost its influence on the regional level.

Brazil as economic partner

While the EU acted as compelling alternative to the hegemon USA as trading partner and modelled for a successful integration of the Mercosur in the first years of the 21st century, Brazil shifted its focus under the presidency of Lula da Silva. From 2004 on, Brazil devoted itself to the emerging nations within the BRICS collective and no longer strived for a stronger cooperation to the traditional western powers. Instead the strategic partnership with the European Union was used to position Brazil as a global power with leadership claims.

This shift in interests is also visible in Brazil's trade relations: While the imports and exports to and from the EU made up 25% of the total trade volume of Brazil in 1990, the importance of Europe decreased over time. In 2012 only 19.9% of the imports to Brazil stemmed from the EU and 18.6% of the exports were directed towards Europe. Today, China acts as the main trading partner to Brazil with Europe coming in second (EEAS, 2016). While a third of the exports of Brazil are based on agricultural products to China and Europe, the EU is also the biggest competitor in that segment. This fuels conflicts about European subsidies and protectionism towards its farming sector. The European agricultural policy on the other hand justifies protectionism towards the Brazilian service sector (Gratius, 2013). Here, the different roles the EU finds itself in can be observed: on the one hand, opening up the farming sector could increase the cooperation and therefore support a further spread of influence, which would help the environmental goals of the EU. On the other hand, the EU perceives itself as a defender of its internal market and the local agricultural industry.

Environmental Issues

While Brazil is vital to the EU in order to reach the global environmental protection goals due to the world's largest rainforest areas that are located in Brazil, the goals and declarations of the two players do not converge. While Brazil is the world's largest producer of biofuel and relies heavily on renewable energy itself with a share of 45% on the national energy mix the booming economy led to an increase in ecological damage. However, the economic interests of Brazil, result in a growing need for energy. Both developments hurt the Amazon rainforest, as the agricultural as well as the timber procuring sector rely on deforestation of the rainforest to grow further. Additionally, the energy production, which is heavily reliant on sources of renewable energy, is in need of large-scale power plants, that advance the deforestation as well. For example during the construction of a hydropower plant in the Madeira river in the warly

2000s, which faced protests from local and international NGOs, a large area within the Amazon was flooded (Pinto & De Oliveira, 2008). While satellite images suggest that in 2019 the deforestation of Brazilian rainforest surged to a record high, Jair Bolsonaro denied these numbers, which originally stemmed from Brazil's own National Space Research Institute, calling them lies and repeating the nationalistic phrase “the Amazon is ours” (*‘a Amazonia é nossa’*) (Phillips, 2019; Pinto & De Oliveira, 2008; Watts, 2019). By using this slogan Jair Bolsonaro blocks international players from influencing the deforestation attempts in Brazil. Bolsonaro underlined his policy by opening up formerly protected areas of the Amazon rainforest for the cultivation of sugarcane which is used as a basic substance of biofuels (Albert, 2019).

The European Union uses the partnership instrument to impact Brazil's climate protection measures. The partnership instrument translates “political compromises into concrete measures” (EEAS, 2016) by financially supporting policies within Brazil. This is a clear example of the European Union expressing informational diffusion of its norms, thus expressing normative power. Additionally, the support of the EU for companies in Brazil that invest in eco-friendly technologies also acts as overt diffusion as defined by Manners.

Besides, the European Union understands that it will not be able to reach its goals of climate protection by itself, especially after the USA opted out of the Paris Agreement. It is now dependent on China, but also on other fast-growing industries such as Brazil and its regional and municipal levels if the national government acts restrained. In its global trends analysis on challenges that arise until 2030 the authors working at the European Strategy and Policy Analysis System call for actions on climate change that have not been seen before (Gaub, 2019). These suggested policy options hint to a growing contagion, as Gaub does not only call third countries to action but also holds the European community responsible. A successful transformation to an eco-friendly, sustainable economy could boost the EU's normative power on aspects of climate change. The interaction with the different levels of governance within Brazil that is implied by the European Strategy and Policy Analysis System aims at informational and overt diffusion with the EU and its policies being present in third countries.

Responding to the second sub-question of this thesis and looking for specific instruments that the European Union can apply in order to shift the Brazilian government in a favorable direction the answer is threefold: starting with the strategic partnership, which is mainly based on creating a forum for discussion and consultation, thus underpinning once again the finding of the arguments-based foreign policy. Secondly, the partnership instrument that is used to support

official but also economic players within Brazil is based on payments and rewards for energy efficient development. The third policy option that opens up to the EU is based on the strong dependence of Brazil on its exports to the European Union. While the trade between the two partners has decreased over the last years, it still makes up for about a fifth of Brazils in- and exports. The EU can therefore use trade sanctions in order to coerce Brazil into specific policies.

While the last option is - theoretically - available to the EU it would contradict the picture of a normative power EU for two reasons: for once it would infringe the principle of normative good implementation as it uses force to achieve its goal. On the other hand the outcome may violate the rules of a normative approach as the EU is a big competitor of Brazil especially in the agricultural sector and any coercive action against Brazil may be laid out as an attack of the EU on the Brazilian economy, rather than an incentive for Brazil to change its environmental policies. The first two options that are named in this preliminary conclusion are supporting the normative approach since they are based on communication and development through financial aids.

To figure out whether these tools are normative Tocci's three-dimensional model will be used: as the goal of the partnership instrument and the consultation in the forums of the strategic partnership aim at improving the fight against climate change, the goal is considered normatively good, as discussed earlier. The implementation can also be considered normatively good, as the strategic partnership forums are based on equal footings and the partnership instrument does support local businesses. These two bilateral instruments are adding to the normative instrument of dispute settlement which was discussed in the section on multilateral agreements.

The Usage of Policy Instruments by the European Union

The following section addresses the third sub-question: "To what extent has the EU made use of the possibilities offered by these provisions?". This helps to contextualize the European position and will make it possible to categorize the EU within the framework of military, civil and normative power.

The policy-instrument that was highlighted the most in this thesis so far is the institutionalization of relations between the European Union and Brazil. This includes the bilateral agreements, such as the strategic partnership status of Brazil, but also multilateral agreements as the EU-Mercosur free trade agreement and MEAs as the UNFCCC and the Paris

Agreement from 2015. Due to the inaction of the Brazilian government to comply with the Paris Agreement several governments declared not to ratify the EU-Mercosur FTA, including Ireland, France and Luxembourg (Becker & Mueller, 2019). It is debatable if these uncoordinated measures of member states can be considered as EU foreign policy, but the European Commission has changed its tone towards the Association Agreement following the forays by the member states. Had there been nothing but approval of the agreement in the first month after it was reached, the latter position of the Commission supported the critique of the governments on the position towards climate change and the wildfires in the Amazon region (Becker & Mueller, 2019; Tagesschau, 2019b).

With its first position the European Commission defended the free trade agreement as the only possible instrument to reach a binding commitment on the fight against climate change with the members of Mercosur. Mina Andreeva, a spokeswoman of the European Commission, argued: “This is the best way to create legally binding commitments with countries that we want to respect our environmental standards” (Fahy & Baczynska, 2019). After the wildfires and the Brazilian response to them were discussed at the G7 summit in Biarritz in August 2019 the European Commission declared it as necessary that the topic was brought up at the forum (Becker & Mueller, 2019). The German government as representative of the largest states within the EU still sticks to the agreement for the reason that the EU could gain leverage on the climate conservation policies of Brazil (Becker & Mueller, 2019).

The shift of the position of the European Union and the reactions by the governments of the member states expose different roles the EU finds itself in. On the one hand there is the role expectation by the French government to change the course over Brazil’s continued inaction towards the climate change mitigation. This expectation is substantiated by the engagement of the European Union within MEAs. Countering that role expectation is the role performance by the EU that is supported by its self-conception of an economical player and the expectation by the German government to protect the European economy by pushing for a ratification of the association agreement.

As the EU-Mercosur association agreement is currently under legal scrubbing and as it is uncertain whether it will ever enter into action, the provisions offered by the Trade and Sustainable Development chapter of the free trade agreement could not be implemented.

In addition to the obstruction of the association agreement the Finnish government, which held the EU presidency at the time, proposed a ban on meat products from Brazil in order to build

up financial and economic pressure on the Brazilian government under Jair Bolsonaro (Fahy & Baczynska, 2019). However, these trade sanctions were not enacted.

While all these actions and the communication around them were officially not targeted at Brazil, but at the governments of the European states and the European Commission, they can still be considered as foreign policy, as described by Tonra and Christensen (cf. Developing a European Foreign Policy). Due to the public discussion of the issue it can be concluded that the intended addressee was in fact the Brazilian government which was supposed to reinforce its fight against the wildfires.

Additionally, EU-Brazil Sector Dialogues Support Facilities were enacted within the partnership instrument in Brazil in order to achieve climate change mitigation and enhanced communication with the newly elected government in Brazil. In 2019 the European Commission decided to extend the funding for three more years, starting in 2020 (European Commission, 2019a). The European Commission aims

“1) to build common ground with Brazil, 2) to facilitate EU-Brazil dialogues, 3) to promote EU values, 4) to promote EU visibility, in the media and through public diplomacy activities” (European Commission, 2019a)

with the extension of the partnership instrument. Within the planned EU-Brazil sector dialogues the European Commission intends to organize events such as conferences and seminars on a central and local level of government to support the achievement of common goals. Additionally, the European Delegation in Brazil is commissioned to identify and execute policies that are supportive of the shared objectives (European Commission, 2019a).

Lastly the European Union is part of the UNFCCC and the Kyoto Protocol. While formally these two multilateral environmental agreements are administered under the regime of the United Nations, the Annex I and II states, which finance the climate adaption and mitigation actions within these treaties are mostly made up of European states (Santilli et al., 2005). Brazil on the other hand is considered a non-annex state, which is excluded from financial responsibilities. As mentioned in the section on environmental issues within Brazil, the government has already profited from the international funds for climate mitigation. Due to the above-mentioned financing scheme of the MEAs they are considered as instruments that are used by the European Union to share its norms on climate protection.

Concluding on the last sub-question three measures that were taken by the European Union stand out: on the one side there is the Partnership Instrument that is funded by the European

Commission and controlled by the EEAS, which can clearly be considered a foreign policy action by the EU. This finding is based on the fact that it is organized and overseen by the supranational institutions of the European Union and all relevant decisions to the Partnership Instrument are made on a supranational level. The second foreign policy described in the previous section is the communication of the European heads of government on the topic of climate change mitigation in connection to Brazil and Mercosur. While no legal provision or instrument was used to influence Brazil's policy, the threatened obstruction and the implied trade sanctions which were brought to the table by European leaders are a use of diplomacy as policy instrument (Tonra & Christiansen, 2004). The third collection of policy instruments that were used recently by the European Union to influence Brazilian policies on climate change consists of the multilateral environmental agreements.

Analyzing the three presented policy instruments from a theoretical point, the usage of the Partnership Instrument fulfills the criteria of informational diffusion of norms from the European Union to Brazil as the EU intentionally spreads its norms by educating local administrators. Due to the formalized aspect of the planned conferences and the institutionalized communication within them, the EU also makes procedural advancements of sharing its values with Brazil. Lastly, the EU overtly diffuses its norms within the Brazilian population by appearing in the media and through public diplomacy measures (Manners, 2002). As these tools are aimed at educating the population or the government officials on different levels on a common goal, the Partnership Instrument that is currently in use can be described as normatively well implemented.

The diplomacy used by the European leaders is more complex to put into context: the threat to block the FTA on the European side or to put up sanctions against Brazilian exports can best be described as acts of transference. This means that the European Union rewards Brazil for favorable actions and punishes it for poor behavior such as the inadequate fight against the wildfires in the Amazon region (Manners, 2002). The implementation of the policy was harming Tocci's core principles partially, however. While the blocking of the agreement may be a normatively neutral action, as it would not change the status quo, the enactment of trade sanctions would actively hurt Brazil's economy with the goal to coerce the government into a stronger fight against climate change. Using power to force the Brazil into climate change mitigation however is normatively bad and as defined by Tocci and therefore does not pass as a legitimate instrument within the Normative Power Europe framework (Tocci, 2008).

The use of MEAs as policy instruments follows the same scheme of ‘carrot and stickism’ that is described by Manners. As the tools within the UNFCCC and its amended frameworks are rewards-based only, they align with Tocci’s definition of normatively good and foreign policy and are legitimated within the Normative Power Europe framework.

5. Conclusion

Summary

The aim of this study was to answer the question “*What is the perceived legitimacy and effectiveness of instruments used by the EU to persuade Brazil to respect climate standards?*”. Using the answers to the three sub-questions from the previous chapters the main research question will be answered.

Using the single case of Brazil as unit of analysis the study focuses on the environmental policies in the South American country. Brazil is incorporated in the regional organization of the Mercosur and the much more loosely organized set of emerging states BRICS. It therefore offers several points of entry for the European Union. In addition to the use of instruments on the national level the European Union uses the multinational organizations as well as the local and municipal levels to spread its influence using bi- and multilateral treaties. Using the single case study approach, a deep understanding of the available normative instruments regarding Brazil and its climate change mitigation policies could be achieved. The additional input from international news sources to the scientific studies helps to put the current position of the two actors into context. This is especially valuable as the negotiations on the EU-Mercosur free trade agreement and the decrease in climate change mitigation commitments by the Brazilian government are ongoing processes.

The first sub-question aimed to find out which provisions can be used to influence third countries in general. The answer to this question was twofold: the study formulated a forceful option to change internal policies in other countries. The retaliatory strikes after 9/11 were an example of this option using military power. As proven later the option of applying trade sanctions on products from Brazil and forcing the government into a favorable direction is a more logical approach for the European Union, as its entity is still built on trade and economy. The second option that was identified was the option of diplomacy as policy tool. The analysis identified the communication between EU member states as central in its foreign policy. Additionally, the EU commonly utilizes the construction of multilateral and bilateral treaties to

spread its influence. To get a conclusive answer to the main research question these findings need to be combined with the answer to the second sub-question which asked for provisions and policy instruments that are specific to the relations between the EU and Brazil. While Europe's economic influence on Brazil has decreased over the last years, especially Brazil's agricultural economy is still heavily dependent on its exports to Europe. This offers the EU the possibility to exert influence on Brazil's policies by threatening with or even enacting trade sanctions. Other policy instruments available to the European Union are the strategic partnership with Brazil and the EU-Mercosur free trade agreement. While the association agreement has not yet been ratified by the participating governments it can already be used as lever. Using the tools from the Trade and Sustainable Development chapter of the agreement the EU could gain unique instruments to influence Brazil's climate mitigation policies in the future.

Regarding the normative power approach that is described by Manners and Tocci, these instruments – with the exception of trade sanctions – fulfill the aspect of being ethically normative policy instruments. They are aimed at achieving the goal of climate change mitigation, which is considered to be ethically normatively good, and is universally accepted as the broad support of the UNFCCC, Kyoto Protocol and Paris Agreement shows.

The third sub-question formulated in this study tests the real-world performance of the European foreign policy in contrast to the theoretical possibilities that are offered by the common treaties.

Especially diplomacy and communication shape the real-world foreign policy of the European Union. After the heads of government of several European states had come forward with criticism towards a further intensification of the relations towards Brazil because of its poor performance in the fight for the environment, this assessment spilled over on the European Commission, which changed its tone as the news on the Amazon wildfires kept on coming. However, the European Union failed to transmit a clear signal to Brazil, as it did not speak with one voice. While some governments are strongly voicing their complaints about the Amazon wildfires and the EU-Mercosur free trade agreement (e.g., France), others (e.g., Germany) are still supportive of the association agreement. This undermines the attempts by Lady Catherine Ashton, who hoped for a stronger influence of the European Union by directing clear messages to the partners of the EU.

The second foreign policy tool that has been pinpointed within this study is the Partnership Instrument and the EU-Brazil Sector Dialogues Support Facility. Using the Partnership

Instrument, the European Union continues to build bridges towards the Brazilian government, which is currently transforming to a right-wing, nationalist institution. Coordinated by the European Delegation to the Government of Brazil several events and conferences are planned within the next three years to achieve a better coordination between officials from Brazil and the EU on central but also on municipal levels.

Lastly, the engagement of the European Union and its member states in multilateral environmental agreements has been discussed. This engagement is the policy tool that has been in place for the longest time out of the three options referred to in the paper. However, it has also proven to be the weakest as the UNFCCC and its amendments lack provision that allow direct interference if a state does not comply with its nationally determined contributions.

Manners declares a policy to be normative if it aligns with the basic European norms of peace, liberty, democracy, the rule of law and respect for human rights. Tocci clarifies that a policy can only be normative if its goal, its implementation and its impact is universally considered as ethically normatively good. Therefore, the discussed and above-mentioned policy instruments that are enforced by the European Union are in line with Tocci's and Manners's definition of normative policies as they are rooted within the TEU and TFEU and agreed on in multilateral treaties.

Focusing on the research question it is obvious that not all policy-options that are available to the European Union have been used so far. Especially the trade-relations between the European Union and Brazil have offered a point of entrance for the EU to enforce its norms on the Brazilian government, but it has not been enacted by the European leaders. The use of such an aggressive policy tool would have fallen into the category of utilizing civil power as it would not meet Tocci's condition of normatively good implementation, so refraining from the use of it supports the argument that the European Union behaves as a normative actor in this case. The obstruction of the association agreement is considered a diplomatic action rather than an economic one, as it would only change an expectation on future trade-relations instead of a change of the status quo, that trade-barriers would achieve.

This finding is supported by the ongoing efforts of the European Union to forge an association agreement with the Brazilian government for over two decades. Within such an agreement the European Union would gain leverage over Brazils environmental policies as discussed in the section on the EU-Mercosur free trade agreement.

However, this study has also revealed that the existing normative approaches of the European Union show poor results. While the Brazilian environmental policies have been improved

continuously over the years as the REDD+ payment for the years of 2015/2016 shows, the situation has been getting dramatically worse in 2019 with large-scale deforestations being authorized by the government. The election of a climate change denier like Jair Bolsonaro in January 2019 demonstrates how the population of Brazil reacts to the international methodology to mitigate climate change: Brazil's population reacts rather muted to the global climate mitigation efforts. This cultural filter as it is called by Manners shows the rejection of the European norms within Brazil's population.

The observed rise of nationalism in Brazil may hurt the global attempts to achieve climate change mitigation in the future. The introduction of MEAs show the need for global cooperation in order to limit the climate change and the blockade by an emerging state will negatively impact these efforts. The change of mind of the Brazilian government hits the UNFCCC especially critically, as one of the main instruments provided by the framework are the REDD+-payments aimed at afforestation and sustainable forest management. The Amazon, that is considered exceptionally valuable, is located mostly on Brazilian grounds, continued deforestation would reverberate the global attempts significantly. Therefore, the European Union and the global community must find and employ adequate instruments to achieve acceptance for climate protection within Brazil's population and thus eliminate the current cultural filter effect. A strong support for climate protection within the country could be an incentive for Brazil's government to return to its climate change mitigation commitments.

This finding undermines the original expectation that a successful implementation in Brazil would show a greater influence of the Normative Power Europe.

Concluding on the research question *“What is the perceived legitimacy and effectiveness of instruments used by the EU to persuade Brazil to respect climate standards?”*, it becomes apparent that the European Union has been focused on carrying out a normative foreign policy that is legitimate within the Normative Power Europe framework. However, these instruments have shown to be ineffective at correcting Brazil's course within the global fight for climate change mitigation. At the moment, diplomacy still proves to be the most important foreign policy tool of the European Union, but within the diplomatic discourse several European states have indicated that the role of the European Union might change in the future and struck a new tone by bringing possible trade sanctions to the table. An analysis of the effectiveness of policy instruments in the future could evaluate if the course of the EU has indeed changed and assess the effectiveness of such a changed strategy.

Reflection

While the finding that the current approaches by the EU are not effective helps to put the current foreign policy of the European Union into perspective and to evaluate and plan further steps, it also demonstrates a shortcoming of this study: the EU-Mercosur free trade agreement offers more effective policy instruments for the implementation of climate change mitigation policies than any other bi- or multilateral treaty has ever before. However, the treaty has not been ratified yet and it is uncertain if it will ever enter into force. A future study on this topic could analyze how the newly proposed Partnership Instrument on creating a vivid dialogue and the EU-Mercosur association agreement impact the Brazilian efforts on climate conservation.

As this study focusses on current relations and gives insights on the situation at the time, a more in-depth analysis could clarify the role of the European Union and its members in the negotiations on the global environmental agreements such as the UNFCCC, the Kyoto Protocol and the Paris Agreement. Using such an analysis it could be assessed how deeply the issue of climate change is rooted within the European system of norms. This could be supported by incorporating a set of expert interviews from both sides in order to figure out how the different stakeholders assess the value of climate change mitigation. Additionally, using interviews future studies could analyze Manners's cultural filter in more detail.

Similar to Narger's (2014) study, the single-case study approach to the topic of environmental policies in Brazil is double-edged: on the one side it allows for a profound analysis of the European foreign policy regarding climate change mitigation in Brazil. On the other hand, the findings can hardly be universalized and applied on other regions or even other policy fields within South America.

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