

Brazil's Human Rights Foreign Policy: Domestic Politics and International Implications

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ABSTRACT This paper analyses the approach to human rights in Brazilian foreign policy agendas since President Fernando Henrique Cardoso's first mandate. It discusses institutional arrangements arising from domestic processes of democratisation, as well as from human rights regime changes that have occurred regionally and globally. The paper's key contention is that the foreign policy changes—both in emphasis and positioning—which took place after 2003 were due to three variables: (i) the securitisation of the global order after 9/11 and the resumption of the double standards policy; (ii) the transnationalisation of human rights movements and the emerging judicialisation of foreign policy; and (iii) at the domestic level, non-governmental actors' and social movements' emerging demands for participation in the field of foreign policy. The paper aims to contribute to the theoretical debate on foreign policy as public policy, and to offer some new frames of reference regarding Brazil's official motivations in the field of human rights.

Introduction

This paper discusses Brazilian foreign policy practices in the field of human rights (BFP-HR) and seeks to understand the changes in Brazil's recent foreign policy agendas, especially with regard to the conceptualisation and political approach to human rights issues since Fernando Henrique Cardoso's first mandate. It does so by examining the role of government, political parties, and civil society organisations active in the promotion of these rights. The term 'practice' is not used casually here: the multiplication of actors, along with their different views and discourses on human rights, creates a new field of political conflict in which BFP-HR is embedded (Pinheiro and Milani 2012). The hypothesis is that the differentiation of practices and pluralisation of actors result in a foreign policy that is qualitatively new; as we shall see, they also give rise to demands for new institutional arrangements and changes in the interpretive frameworks guiding BFP-HR.

Contrary to myths about the continuity and the immutability of the *Itamaraty's*¹ set of guiding principles, Brazil's foreign policy is subject to changes that affect its actors and priorities, sometimes for systemic reasons or in tandem with government agendas. The traditional 'bureaucratic insulation of the Foreign Office' hypothesis does not seem to express the reality of Brazilian foreign policy in times of globalisation and democratisation of the state, as these political processes increase the complexity of decision-making and compel diplomats, who are mostly generalists, to consult experts in various fields (agriculture, trade, technical cooperation, finance, etc.). The actors involved with the issue that concerns us here bring to the fore their own opinions and perceptions about human rights, not always subject to consensus nor free of contradictions. Different actors operate as vehicles for different social representations, political culture, and interpretive frameworks; they express distinct views on how the state should behave internationally in support of human rights.

This paper presents a brief introduction to the theoretical debate surrounding the idea of foreign policy as public policy, and discusses some of the changes involving the understanding and political treatment of human rights within Brazilian foreign policy agendas. The paper then develops some explanatory hypotheses on three analytical levels in order to explain the current changes in interpretive frameworks and the emergence of new institutional arrangements in the field of BFP-HR. These analytical levels are, firstly, the external shocks produced by the end of the classical separation between *in* and *out*, as globalisation processes contribute to re-contextualise the fields of *high* and *low* politics; secondly, the evolution of the human rights regime itself² and its effects in terms of the judicialisation of policy; and thirdly, the extent to which domestic transformation³ has turned human rights into a focus of interest in the national media—even though the issue is still far from inspiring a wide debate and mobilising public opinion as is the case, notably, in neighbouring Argentina.

The conceptual debate: foreign policy as public policy

The revitalisation of the field of policy studies has prompted a series of new interpretations and analytical possibilities in regard to foreign policy (Ingram and Fiederlein 1988; Milani and Pinheiro 2013; Ratton Sanchez et al. 2006). Traditionally, foreign policy had tended to be disconnected from other public policies; it used to convey a mystique of particularity, extreme expertise, and confidentiality that made it accessible only to a few 'wizards' capable of steering it. This view was corroborated by the fact that, for many authors, only domestic policies should be considered public policies, that is, those that could impact national society directly and in the short term, such as health, social security, or education policies. Times and mind sets have changed, however: today foreign policy is also understood and analysed as public policy, similar to domestic public policy (Breuning 2007; Holsti 2001; Rosenau 1967, 1968). Hill (2003, 3) defines foreign policy as 'the sum of official external relations conducted by an independent actor (most often the state) in international relations' and considers it a policy

because it involves intent, coordination, decision-making, implementation, evaluation, and adoption of routine procedures.

This very broad definition of foreign policy must be understood in the moving context of the mid-1980s onwards, a period marked by the end of the East–West conflict, the emergence of new issues on the international agenda, systemic financial crises, the rise of new regional and global powers, the intensification of regional integration, but also the development of new communication technologies and the challenge they pose to basic forms of solidarity, hierarchy, authority, and borders. This set of factors brought about an increasing complexity to political agendas (domestic and international), leading the usual actors in foreign policy—perhaps forcing them—to much more frequently take into consideration the views and demands of secondary and non-state actors in their decision-making. The diplomat and the soldier, classically considered as the standard protagonists of foreign policy, now must get used to the company—however timid and irregular—of bureaucrats from various sectors (such as health, culture, education, and agricultural development, amongst others), of Congress members and senators (along with their advisors), mayors and governors, economic executives, non-governmental organisation (NGO) leaderships, social movements, media organisations, and academic personalities.

As soon as foreign policy begins to affect a significant portion of the population directly, increasing numbers of citizens tend to become interested in the decisions made within this particular government sphere and, in addition, to demand greater transparency about foreign policy actions—thus widening the scope of interested parties and of BFP constituencies. This growing interest and public debate can lead to a slow and gradual process of opening up and politicisation of the field of foreign policy, although still at greatly reduced levels if compared with other public policies, such as those related to education, health, and social security, for example. According to Lima (2000) and Velasco e Cruz (2004), this process is more directly dependent on the existence of internal distributive impacts, which occur when the results of external action stop being symmetrical to the various social segments (e.g. import of goods, negotiation of bilateral or multilateral trade agreements, and commitment to international regimes). However, when costs and benefits are not concentrated in specific sectors, or when the consequences of an external action are neutral from the internal distributive conflict viewpoint, foreign policy produces collective goods, thus fulfilling its classical role (such as, e.g. a defence policy to ensure domestic peace).

In the case of Brazil, the consequences of intensified globalisation processes on the politicisation of the field of foreign policy can be analysed from two main perspectives: (a) the expansion of foreign policy agendas and their increasing complexity, so that external actions of the state begin to influence the daily lives of ordinary citizens more clearly (and to be perceived accordingly by them); and (b) the greater public demand for participation in formulating and enforcing state policies in general and foreign policy in particular, a phenomenon first brought about by the democratisation wave of the late 1980s and then by the NGO boom of the early 1990s.

In the wake of the country's democratisation, the 1988 Constitution contributed to the decentralisation of Brazilian foreign policy. Although it kept the Federal Executive's provisions concerning foreign relations practically unchanged, this Constitution did expand the Legislature's role in decision-making processes. Normative principles regarding state action in international politics can be found in the constitutional text itself (Constitution, Article 4 of Title I), and even though the definition of Brazilian foreign policy guidelines is quite general, this has had an impact on the acting capability of the Executive, the Legislature, and the Judiciary. The conventional decision-making patterns of Brazilian foreign policy, which revolved around decisive Executive action and the *Itamaraty's* role, have been subjected to the effects of public policy's democratisation. Foreign policy began to reflect not only the systemic, structural constraints emanating from the international order, but also, and especially, the strategies set out by domestic actors in the context of distribution of interests and preferences within the state (Lima 2000).

In addition to constitutional provision, other factors have contributed to the politicisation of the field of Brazilian foreign policy, especially in the last 20 years. This includes, for example,

- (a) the openness encouraged by the Foreign Ministry itself, through the creation of advisory forums and the assemblage of mixed delegations—made up of diplomats, business entrepreneurs, and civil society representatives—to attend international meetings (Oliveira and Pfeifer 2006);
- (b) intense media coverage of foreign policy, thereby attracting the attention of ordinary citizens to the decisions made by the Brazilian government in international affairs;
- (c) the relatively higher visibility of foreign policy agendas during presidential election disputes in the 1990s and 2000s; and
- (d) greater interest on the part of academics and experts in monitoring foreign policy, as well as a higher number of undergraduate courses in International Relations at the university level.

According to De Faria (2008) and Pinheiro (2009), although the insulated character of Brazilian foreign policy-making has been widely recognised, this does not mean, however, that important signs of change are not discernible in its institutional pattern, particularly from the early 1990s onwards. There has been strong pressure for its processes to become more permeable to interests and demands from a wide variety of actors in the governmental, private, and social sectors (Cason and Power 2009; De Faria, Lopes, and Casarões, 2013).

Although the perspective adopted here is new and not yet consensual in academia, it seems the most appropriate to promote a wider understanding of the political and ethical content of foreign policy, especially with regard to human rights. It also allows for a broader debate about the authority (i.e. the ability to exercise power) and the responsibility of agents involved in the formulation and implementation of BFP-HR, and about the need for public accountability in terms of objectives planned and results achieved. Finally, this public outlook also tends to lend

more credibility and social legitimacy to BFP-HR on the national and international levels, before other countries of the international community, international agencies, businesses, foreign investors, and international NGOs—all of them relevant actors in driving the agendas of BFP-HR, as will be discussed in the following.

Human rights within Brazilian foreign policy agendas

Ever since Brazil made its symbolic entry into the multilateral scene during the Second Peace Conference at The Hague, in 1907, Brazilian diplomacy has been characterised by adherence to the principles of negotiation and broad consensus building (Amorim 2007). Regarding human rights regimes, the trajectory of Brazilian foreign policy throughout the Cold War oscillated between two paradigms: international integration (or globalist) and defence of sovereignty (or autonomist and sometimes nationalist). After Brazil's repeated displays of reticence concerning possible intrusions by superpowers in its national affairs, human rights issues were eventually revisited under the Independent Foreign Policy framework (1961–1964), with particular emphasis on social rights. During the military dictatorship, the theme 'practically disappeared from speeches defining foreign policy positions' (Alves 2009, 74). The military government fell silent on the human rights treaties of 1966, and between 1974 and 1976 Brazil became the subject of a complaint procedure—a political tool used by the United Nations Commission on Human Rights to investigate accusations against states violating human rights.

Change came in 1977, when Brazil joined the Commission and its foreign policy became increasingly more receptive to multilateral norms and principles on human rights. In 1985, President José Sarney announced to the UN General Assembly the Brazilian government's intention to sign two Covenants (one on civil and political rights and the other on social, economic, and cultural rights), as well as the Convention against Torture. Therefore, since the beginning of its re-democratisation process, and particularly since the promulgation of the 1988 Constitution, the Brazilian government has been guided by a policy of respect for the rules of the multilateral human rights regime. It is worth noting that according to Article 4 (item II) of the Constitution, human rights ought to be paramount in Brazil's international relations. Following the recommendations of the Vienna Declaration (1993), the Federal government released its first National Human Rights Program in 1996, and sanctioned the Program's second and third editions in 2002 and 2009, respectively. During the Cardoso government, the Foreign Ministry created the Department of Human Rights and Social Issues, and in 1997 the Presidency's special Secretariat for Human Rights was established and accorded cabinet-level rank. In 1998, the government recognised the jurisdiction of the Inter-American Court of Human Rights; in 2000 it signed the Rome Statute, the treaty establishing the International Criminal Court, and ratified it in 2002. According to Vannuchi (2010, 20), Minister of the Secretariat during Lula's government:

The way I see it, three elements stand out as the legacy of Cardoso's eight-year government: the stabilisation of inflation, the introduction of fiscal responsibility, and the affirmation of human rights. This last topic was due in large part to the work of Ministers José Gregori and Paulo Sérgio Pinheiro.

Today, Brazil can be regarded as a country that plays a relatively prominent role in the international human rights regime. In 2002, Sérgio Vieira de Mello was appointed as the United Nation's High Commissioner for Human Rights, with the support of the Brazilian government. More crucially, Brazil's qualitative standard of participation in the multilateral regime can be considered high when compared to that of some superpowers and other middle powers in the international system. The country is a signatory of, and has already ratified practically all international instruments in the field of human rights, although it is still absent from the International Convention for the Protection of the Rights of All Migrant Workers and their Families⁴ (Conectas 2010). In 2010, Brazil ratified the International Convention for the Protection of All Persons from Enforced Disappearance. It should therefore be counted among those developing countries that have ratified the highest number of international conventions and treaties in the field of human rights, alongside Argentina, Chile, Mexico, and Uruguay, which also stand out in Latin America.

There are other noteworthy initiatives by the Brazilian government in the field of health (e.g. human rights and access to medicines); in the promotion of refugee rights; in the fight against racism, discrimination, and hunger; as well as on the impact of the global financial crisis on human rights. Throughout 2009, activism within BFP-HR could be witnessed on the following occasions: the President of the Human Rights Council's (HRC) visit to Brazil, and President Lula's attendance at the Council's 11th session; Brazil's re-election to the HRC in 2008 for a three-year term; and the introduction by the Brazilian government of five proposals put to the vote and the co-sponsorship of 36 more, in addition to participation in the Universal Periodic Review mechanism of 48 countries, asking questions and making comments and recommendations to the countries being reviewed (Conectas 2010, 74).

Finally, the Brazilian government has extended a standing invitation to all HRC's special procedure mandate holders even though it has recently criticised some of the recommendations made. In the case of Olivier de Schutter, Special Rapporteur on the Right to Food who visited Brazil in October 2009,⁵ Ambassador Maria Nazareth Farani, head of Brazil's Permanent Mission to the UN Office in Geneva, went as far as to claim that the rapporteur had diverted his focus from food security and had tended to deal with agriculture-related issues instead, 'always from the interested perspective of the rich and protectionist' (Conectas 2010). In addition, in the report of Philip Alston in June 2009, the Ambassador pointed to the fact that the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions had not mentioned Brazil in his debate with the HRC, and yet in a press conference with the media, a few hours later, he alleged that the official data made available by the Brazilian government had no credibility as it was

not certified by independent sources. In her reaction, the Ambassador abandoned the usual diplomatic tone and said:

[. . .] Mr. Alston is wrong. By sharing his bias with the press, and not with this Council, the Rapporteur has seriously violated the Code of Conduct for special procedures mandate holders of the Human Rights Council [. . .]. The Code requires impartiality, truthfulness and good faith from special procedures [. . .]. With this behaviour, Mr. Alston has failed to live up to the standards of his position. (Conectas 2010)⁶

Within this context, is it possible to identify any changes in BFP-HR during President Lula's mandate? What about the government of his successor, President Dilma Rousseff—has there been any marked inflection in Brazilian foreign policy? [Table 1](#) shows a set of selected Brazilian positions at the UN General Assembly and at the HRC between 2007 and 2010, illustrating changes in human rights foreign policy during the second mandate of President Lula (2007–2010).

Regarding Rousseff, it should be pointed out that even before assuming the post, the newly elected President had declared to *The Washington Post*, in an interview in December 2010, that she would feel uncomfortable, as a woman president, not to speak out against stoning, in reference to the well-publicised case of Sakineh Ashtiani, an Iranian citizen. Brazil's membership of the HRC, which had ended in June 2011 after two consecutive terms, was renewed when the country was elected again at the General Assembly's 67th session for a further three-year term, beginning in 2013. This means that during the Rousseff government Brazil has not been present at HRC's debates and voting as often as during the Lula years. Still, some of the votes it did cast should be mentioned, in order to illustrate the country's official behaviour at the HRC and the United Nations General Assembly (UN-GA).

In 2011, which corresponds to the first year of Rousseff's term in office, Brazil took part in the 15th, the 16th, and the 17th regular sessions of the HRC. During that time, it voted in favour of the resolution that called on the Libyan government to release immediately all those detained arbitrarily; to stop attacks on civilians; to cease harassment, intimidation, and arbitrary arrest of individuals; to ensure the safety of all civilians, including nationals of third countries; to suspend blocking of the Internet and of telecommunications networks; and to respect people's wishes, aspirations, and demands. At the 16th session, Brazil voted in favour of a resolution—introduced by the USA—that strongly condemned the use of lethal violence by the Syrian government against protesters, and urged the authorities to release all political prisoners and cease arbitrary arrests of the regime's opponents. At that same meeting, Brazil abstained from voting on the resolution proposed by Russia requesting a study from the HRC on the contribution of traditional values of freedom, dignity, and responsibility for the promotion and protection of human rights. Brazil also voted in favour of several other resolutions—which were all approved by the HRC—on the situation of human rights in North Korea, Iran, Burma, the Ivory Coast, and in the Syrian-occupied territory of Gola. At the 17th regular session of the HRC, Brazil

Table 1. Synopsis of Votes Cast by Brazil at the UN General Assembly (2007 – 2010)

| Session/ year | Country and Topics | Institutional Body and Vote |
|--------------------|---|---|
| 62nd 2007/ 2008 | <p>Iran: concern about human rights violations and fundamental freedoms; abolition of public executions; religious and ethnic minorities; and emancipation of the Baha'i community</p> <p>Belarus: the continuous use of criminal justice to silence political opposition and supporters of human rights; arbitrary detention; absence of due legal process; and non-public political trials</p> <p>Sudan: to emphasise Sudan government's primary duty to protect all individuals against human rights violations, and to take to court those responsible for violations that occurred in Darfur</p> <p>Sudan: the resolution is received with satisfaction and the report is presented to the group of specialists and acknowledges the Sudanese government's efforts. The task of the group is completed, with no contract renewal</p> <p>Iran: content similar to that of the 62nd Session's resolution</p> <p>North Korea: content similar to that of the 62nd Session's resolution</p> <p>Myanmar (ex-Burma): information about the whereabouts of detained and missing persons; release of political prisoners and initiation of a substantive dialogue towards democratic transition. Authorisation for political representatives to fully participate in the process of political transition</p> | <p>Brazil abstained from voting, and the resolution (presented by Canada) was adopted by the UN-GA</p> <p>Abstention by Brazil, and the resolution (presented by the USA) was adopted</p> <p>Abstention by Brazil, and the resolution, presented by Canada and Finland (representing the European Union), was rejected</p> <p>Brazil votes in favour. The resolution, presented by Egypt (in the name of the African group) and Portugal (in the name of the EU), is adopted</p> <p>Presented by Canada. Brazil abstains from voting on the resolutions presented at the 3rd Commission and at the UN-GA Plenary, both of which were adopted. It had also abstained from the no-action motions previously presented at both bodies</p> <p>Presented by France. Despite having voted in favour of this resolution at the HRC, Brazil abstained from voting on it at the UN-GA</p> <p>Presented by France. Brazil abstained from voting on the no-action motion at the 3rd Commission. If the motion had passed, it would have eliminated the chances of adopting a resolution. Since it was rejected, the resolution was voted and adopted at the 3rd Commission and at the UN-GA. Brazil voted favourably in both cases</p> |

(Continued)

Table 1. Continued.

| Session/ year | Country and Topics | Institutional Body and Vote |
|--------------------|---|---|
| 64th 2009/ 2010 | <p>North Korea: concern about reports on torture, cruel sentences or treatments, as well as collective punishments and maintaining prison camps</p> <p>Iran: concern about systematic violations of human rights; stoning and discrimination against women; and criticism of the 2009 presidential election process</p> <p>Myanmar (ex-Burma): content similar to that of the 63rd Session's resolution</p> <p>Sri Lanka: serious human rights violations during the country's armed conflict; demand of access for humanitarian organisations; and demand for transparent investigations</p> | <p>Abstention by Brazil at the 3rd Commission and at the UN-GA. In all three cases, the resolutions were adopted. Obs.: Brazil had voted favourably at the 62nd Session</p> <p>Brazil abstained from voting on the resolutions presented at the 3rd Commission and the UN-GA. In both cases, the resolutions were adopted</p> <p>Brazil voted favourably on the resolution about Myanmar at the HRC, but abstained at the 3rd Commission and at the UN-GA. In all three cases, the resolutions were adopted. Obs.: Brazil had voted favourably at the GA's 62nd Session</p> <p>Brazil abstained from voting on the amendments package presented by the EU. The amendments were rejected during a special session of the HRC</p> |

Source: Elaborated by the author. Data compiled from Conectas 2007, 2008/2009, and 2009/2010 annuals. Available at: www.conectas.org.

joined the consensus regarding resolutions passed on the situation of human rights in Libya and Belarus. Therefore, during the Rousseff government, or at least during the period when BFP-HR was under the tutelage of Chancellor Antonio Patriota, the Brazilian government displayed a different type of behaviour, as compared to the period that had come immediately before, under Chancellor Celso Amorim. It showed less discrepancy in the face of wide consensus forged within the HRC, and appeared generally inclined towards a more assertive position to enforce human rights.

However, interpretations by the Brazilian media and by a sizeable number of human rights activists are quite critical of Brazil's official positions since 2003. On the one hand, the Brazilian press has denounced what it considers to be a serious about-turn on BFP-HR stands—mainly in the Lula government and, to a lesser extent, in the Rousseff government. Some articles and editorials in national newspapers (particularly in the two more conservative daily papers, *O Globo* and *O Estado de São Paulo*) have discussed the theme, accusing the 'tolerance' of Brazilian foreign policy towards authoritarian regimes, as in the cases of North Korea, Cuba, Sri Lanka, Iran, or Sudan. The strategic rapprochement with Iran and the Turkish–Brazilian mediation proposal regarding the impasse over Iran's nuclear programme were also targeted.⁷

On the other hand, Conectas-Human Rights—an NGO that since 2007 publishes annual reports on foreign policy and human rights—tries to ensure the prevalence of human rights in Brazil's relations with other nations. It also tries to influence debates within the BRICS group and the IBSA Dialogue Forum using the various UN bodies (especially the HRC) and the Inter-American Human Rights system as its main political targets. In a public statement released shortly after the visit of President Lula to the HRC in June 2009, Conectas recognised the increasingly important role of the Brazilian government in major issues of the international development agenda, but it declared that 'Brazil's performance in the Council, however, has been marked by ambiguity, especially when it comes to cases of serious and persistent human rights abuses in specific countries' (<http://www.conectas.org>). Conectas referred primarily to Brazil's stance with regard to human rights in North Korea and Sri Lanka.

Likewise, Conectas criticised the Rousseff government's abstention in the UN General Assembly in November 2013 on the resolution condemning human rights violations committed by Iran. In a public statement, Conectas pointed out that since 2001 the Foreign Ministry has avoided condemning Iran. In 2013, the NGO also warned against the risks of donating Tucano T-27 aircraft to the Mozambican Air Force in the current context of political crisis between FRELIMO (Frente de Libertação de Moçambique — Liberation Front of Mozambique) and RENAMO (Resistência Nacional Moçambicana — Mozambican National Resistance). The moderate sum pledged by the Rousseff government to the Syrian humanitarian crisis was also criticised: in 2013 about US \$165,000, which included support to the UN Office for the Coordination of Humanitarian Affairs and the UN High Commissioner for Refugees, was the smallest pledge among the top ten economies in the world (<http://www.conectas.org>). In

addition, the NGO participates in public hearings at the National Congress with the support of senators and representatives from various parties. In 2013, it organised a campaign through social networks (Minister, #Iwanttoknow) and managed to get 38 questions on foreign policy, which were directed at Chancellor Antonio Patriota during a public hearing in the Senate.

The Conectas example illustrates a political distinction that seems to be crucial in understanding the behaviour of state and non-state actors of BFP-HR. Some Brazilian civil society organisations tend to adopt more universalist positions in their defence of human rights, and therefore are ready to attack BFP-HR's recent conciliatory positions in relation to regimes considered authoritarian or undemocratic. The criticisms voiced by several NGOs regarding Brazil's 'compromise' with Iran are legitimate and understandable, as are the criticisms on the Brazilian change of vote in relation to human rights in China⁸ or the vote in relation to Chechnya (from abstention in 2001/2002 to a vote against in 2003/2004). These criticisms reflect a certain philosophical view of contemporary global society, that is that it should be socially integrated, respectful of universal values, and open to intervention on humanitarian grounds. In this sense, for these civil society organisations, intervention in domestic issues would not be a violation of national sovereignty as it does not target political independence or the state's territorial integrity, but simply to prevent or to end systematic violations of human rights (Minayo 2008; Piovesan 2010).

Many Brazilian and foreign activists condemn the *Itamaraty's* official determination to proceed with caution and to be wary of accusations of human rights violations worldwide. NGOs and activist networks prefer to support transnational collective actions and causes instead (Milani and Laniado 2007), and believe that the demand for a permanent seat in the UN Security Council should not be a bargaining chip in human rights international debates. Moreover, it is important to realise that having a UN Security Council permanent seat is not supposed to 'redefine global geopolitics' (Conectas 2010, 199). It is through this transnational perception and cosmopolitan understanding of the world that some social movements and networks try to influence Brazilian foreign policy agendas in the field of human rights.

However, the following questions remain unresolved: how can we establish clear boundaries between the defence of universalism and the power relations so characteristic of human rights policy? How is it possible to ignore the foreign policy objectives of states and the dynamics of a capitalist interstate system? How can alternative frameworks of interpretation be built, other than those advanced by some media organisations and activist networks, in order to account for changes in Brazilian foreign policy agendas in the field of human rights? How can Lula's and Rousseff Administrations' position in the HRC be correlated with some emerging alliances, such as MERCOSUR, UNASUR, BRICS, and IBSA Forum, the Summits of Arab, and South American countries, as well as resuming foreign relations with African countries in a changing world order? In the following section, some hypotheses will be developed

in order to try to understand this emerging pattern within Brazilian human rights foreign policy.

Establishing explanatory hypotheses in three stages

According to Hermann's model (1990), which analyses how and why changes in foreign policy occur, the adjustment of goals and means in the case of BFP-HR on a domestic level was a result of the political game between different actors, including the Presidency, diplomats, political leaderships, the Judiciary, and NGOs. On a systemic level, it resulted from Brazil's new strategic alliances with developing countries, which can be seen as a sign of Brazilian foreign policy's reorientation of its priorities towards South–South relations. The Brazilian government's choice to abstain, or vote against, in the HRC and in the UN General Assembly took place in relation to emerging economies or in areas under the direct influence of strategic partners in the current Brazilian foreign policy agenda (e.g. BRICS group and IBSA Forum), in the same way that human rights violations, especially in the case of developing countries, have been analysed based on new interpretive frameworks.

Chancellor Celso Amorim called attention to the fact that Brazilian foreign policy in human rights should be guided not only by the principle of non-intervention, but also by 'non-indifference' (Glasser 2010).⁹ From especially 2003, the Brazilian government has sought to point out that the mere reiteration of condemnatory resolutions, ignorant of national contexts and of developing societies' internal nuances, risked becoming counterproductive and causing the isolation of these countries.

We advocate an approach to the issue that favors cooperation and the power of example as more effective than mere condemnation methods . . . [supporting a] comprehensive view—not hierarchical or selective—that all countries have deficiencies and can benefit from cooperation. (2009, 67–68)

In the cases of North Korea and Sri Lanka, for instance, Lula's government changed its position at the General Assembly in 2008, and again at the HRC in 2009, when it abandoned condemnation and went on to abstain from voting. The argument used by the government at the time was that in order to combat the selectivity and double-standard policy, it was imperative to promote cooperation among countries, rather than simply to denounce violating states on the international stage. Such a view is questioned by numerous non-NGOs, including Conectas (2010, 199) which considers the principle of non-interference in domestic affairs as 'outdated in the grammar of international law and multilateralism'.¹⁰

However, for strategic reasons and also due to the manner in which the HRC operates, the political treatment that emerging and developing countries have received from BFP-HR during the Lula Administration, and partly in the Rouseff Administration, has linked support for human rights to South–South cooperation and to the potential strategic transformation of the international

order (and, by default, the human rights regime itself). As far as conventions and treaties on human rights are concerned, there has been no rupture, considering that BFP-HR has kept its international commitments regarding ratification and special procedures. This means that the government has accepted the demands made by civil society organisations and has incorporated them only at this 'second level' policy, dissociating them from foreign policy priorities concerning the reform of global governance and strategic partnerships and coalitions. It seems quite clear, as underlined by Belli (2009, 15), that 'the values, principles and general obligations surrounding human rights have reached a high degree of international institutionalisation and cannot be ignored by any state'. But that does not mean they are not open to criticism and proposals for change.

This shift of the Brazilian vote at the HRC, the 3rd Plenary Commission, and the UN-GA does not put into question the continuity of BFP-HR in terms of adherence to the multilateral human rights regime, which has always proved to be a convincing and compelling political instrument, both domestically and abroad, ever since the Universal Declaration of Human Rights in 1948. However, changes have obviously taken place in the history of Brazilian foreign policy since the 1950s and the Cold War (Albaret 2010; Green 2009), whether for domestic reasons¹¹ or global and regional ones.¹²

In the first phase of the post-bipolar order between 1989 and 1995, human rights represented a non-ideological flag for social progress, but enthusiasm for the cause waned as a result of the so-called one-track thinking fostered by the neoliberal consensus, the development of a cultural relativism averse to the recognition of universal values, and the radicalisation of fundamentalisms of all kinds, not only in the Muslim and Christian worlds, but also among Orthodox Jews and Hindu extremists (Oliven 2010). As Alves (2009, 65) points out, 'the downward trend was accentuated in the new century mainly due to the terrorist attacks in the United States in September 11, 2001'; not to mention, of course, the unilateral interventions decided and perpetrated in the name of human rights, but which in fact have nothing to do with the rule of law.

Guided by a political project that ultimately aims to ensure Brazil's place in the international arena (the idea of 'autonomy through diversification' defended by Vigevani and Cepaluni 2007), the Brazilian government has questioned, through its actions at the HRC and its reactions to reports prepared by the Special Rapporteurs, the central powers' double-standards policy, which tends to be strict with their political opponents but lenient with themselves and their strategic allies. Since 2003 Brazil denounced the fact that Western diplomats, according to the vested interests of the most advanced economies, can politically instrumentalise that human rights universalism. At the G-20 meeting in London in 2009, for instance, the Brazilian government strongly opposed developed countries' attempts to make labour law regulations more flexible in the face of the current economic and financial crisis (Amorim 2009). However, the legitimate authority of the human rights international regime in general, and of the UN Council in particular, depends on the perception by North and South leaderships

that decisions by these institutions are inspired by a sense of justice and equality, while keeping in mind that actions in this field have legal, economic, and political repercussions.

According to Belli (2009, 17), ‘the rule of law, in this case, does not replace politics, but similarly to the role played by human rights in the domestic sphere, it creates the conditions that make policy legitimate’. Analytically, it can be said that a dialectical tension has been created in BFP-HR agendas between certain strategic interests (e.g. technology, energy, and trade) driving Brazil’s willingness to build or consolidate partnerships, with Iran, Turkey, Russia, and China, for example, on the one hand, and the need to promote a universal human rights discourse while respecting the sovereignty of states, on the other.

The former Commission’s politicisation of human rights, carried out either by subtraction or by addition of countries or issues, has not disappeared and has been repeated at the HRC (Belli 2010; Florêncio Sobrinho 2009; Trindade 2009). In this context, BFP-HR has sought to identify means and adjustments in the human rights regime that, while bound by the 1988 Constitution’s universal values and monitoring tools, might reduce the eventual political costs of achieving strategic objectives in other areas of bilateral or multilateral relations.¹³ In other words,

Brazilian diplomacy began to realize that the potential costs of a position taken during examination of a particular country could be minimized if the system were perceived as more legitimate, impartial, less selective and endowed with a higher degree of moral authority. (Belli 2009, 187)

In what follows, I will offer three hypotheses, on different political scales, to try to understand the reasons behind these changes in BFP-HR.

First explanatory hypothesis: securitisation of the international order after September 11 and resumption of selectivity strategies

The first group of factors that help us to interpret these changes comprise the securitisation of international politics after September 11 and the evolution of the American security doctrine. The global reach of the US anti-terrorism policy, the invasion of Iraq without support from the UN’s Security Council in March 2003, and the photographic evidence of torture at Abu Ghraib prison (Danner 2004) have all reinforced the widespread distrust for the selective use of human rights, and the pledges of democratic and cosmopolitan governance. Few idealists had thought it possible to eradicate politicisation and the self-interested use of human rights as an instrument of power among states, but a hyperrealist view of the world became evident, in which interests were disguised as values.

Whereas with the end of the Cold War the communist enemy was gone, the events of September 11 reinforced the possibility of terrorism becoming the substitute *par excellence* of the former Soviet (or Cuban or Chinese) threat. The battle against drug trafficking also entered the list of ‘wars’ to be fought, with clear regional impacts in South America (as is the case with Colombia), Central Asia, and Africa. The

struggle for human rights and the defence of humanitarian intervention became part of that list, which was labelled by British Prime Minister Tony Blair ‘the doctrine of international community’ (<http://yalejournal.org>). Frustration became even greater with the arrival of President Barack Obama, because of the expectations generated by his campaign promises to close the Guantanamo Bay detention camp. Everything seems to indicate that the War on Terror will remain on the US foreign policy agenda, exerting significant impact on the security of states and their leaders, as demonstrated by the 2013 scandal surrounding evidence leaked by Edward Snowden regarding the surveillance activities of US agency National Security Agency. It is worth noting that during the process of Universal Periodic Review of the USA in the HRC during November 2010, several delegations (including Brazil and the UK, among others) highlighted the problem of access to Guantanamo. In the statement made by Ambassador Maria Nazareth Farani, on November 5, for example, she highlighted that

Brazil welcomes the measures announced by the U.S. to address grave violations of human rights committed under its counter-terrorism policy. [. . .] In addition, Brazil recommends that the U.S. takes measures to ensure reparation to victims of acts of torture committed under U.S. control, the accountability of those responsible for such acts, the non-repetition of such acts, the non-refoulement of detainees to countries where they may be subjected to torture, and allows access to the International Committee of the Red Cross to detention facilities under the control of the U.S. (<https://extranet.ohchr.org>)

The UK representative’s statement, for example, reads: ‘On the Guantanamo detention facility, we acknowledge the challenges in completing its closure and commend efforts undertaken to date. We encourage the administration and Congress to redouble their efforts to ensure closure in as timely a manner as possible’¹⁴ (<https://extranet.ohchr.org>).

The War on Terror is the result of a Manichean worldview devoid of subtlety or nuances, and it also attests to the contamination of the political space by religious factors. It has caused Western democracies to lose their ability to put pressure on repressive governments, as the former have adopted policies contrary to the rule of law within their own borders, or have been silent in the face of offers of cooperation to combat terrorism coming from countries considered undemocratic, such as Tunisia, Egypt, or Saudi Arabia. As Belli points out, ‘The traditional ethnocentrism of Western countries has been taken to extremes with the now unquestionable evidence that they would be willing to sacrifice human rights and fundamental freedoms in the name of security’ (2009, 119). Therefore, selectivity relates not only to the examination of some countries that should not be condemned, but also to the absence of others that perhaps do deserve to be the subject of resolutions. The US government, for instance, did not allow the Special Rapporteur on Torture free access to the military base of Guantanamo and to privately interview detainees, which effectively prevented the mission’s completion. According to Rahmani-Ocora (2006, 15), ‘how can the UN’s new HRC enjoy credibility, power and legitimacy in a world of power politics?’ Concerned about the risks of maintaining the selectivity policy, the NGO Human

Rights Watch published in June 2010 a detailed report on national practices that praised the behaviour of several Latin American countries, including Brazil, and proposed measures to improve the review system of human rights violation cases at the national level.

Second explanatory hypothesis: transnationalisation of human rights and judicialisation of foreign policy

The second group of factors influencing the positions of BFP-HR has to do with changes in the international human rights regime itself, as they have increased the transnationalisation of collective actions organised by civil society groups and the process of judicialisation of foreign policy (Callejon 2008; Dominiguez Rendono 2008; Murthy 2007; Nader 2007; Rivlin 2008; Sweeny and Saito 2009; Terlingen 2007). In 1993, the Vienna World Conference reaffirmed human rights as a priority on the international agenda, thanks to the attendance of 171 member countries, 813 observer NGOs, and more than 2000 NGOs at the Conference's parallel Forum. The UN's Office of the High Commissioner for Human Rights was created in that same year, while the Rome Statute was signed in 1998, establishing the International Criminal Court to judge various types of crimes against humanity and human rights. In 2006, the Security Council adopted Resolution 1674, which was proposed by the Canadian government and became known for introducing the notion of 'responsibility to protect'; it reiterates that sovereignty should not be a privilege but a responsibility of states towards its citizens and society. In this respect, in November 2011 Brazil submitted to the United Nations Secretary-General a concept note on 'responsibility while protecting', affirming that the use of force should be considered as a measure of last resort by the international community in the exercise of its responsibility to protect, and should be preceded by 'a comprehensive and judicious analysis of the possible consequences of military action on a case-by-case basis' (United Nations 2011, 3).

Moreover, the UN's Commission on Human Rights was dismantled in 2006 and replaced by the HRC; one of the key elements introduced by the new body was the Universal Periodical Review, created to serve as an assessment and monitoring tool of the progress made by states, every four years. Florêncio Sobrinho (2009) argues that when several key NGOs, such as Amnesty International, Human Rights Watch, Conectas, Quaker United Nations Office, and International Service for Human Rights, to name a few, interact with, question, and denounce national governments within the HRC, their expertise and capacity to engage in dialogue help challenge and improve the actions of state agents in the Council. Today, transnational collective actions led by NGOs are given support by the unprecedented development of social networks and, from a philosophical point of view, have the potential to transform the very foundations of legitimacy in international relations since these organisations can function as important advocates of universal values, alongside the national values traditionally upheld by nation states (Reis 2006).

It should be noted that having international rules on human rights implies the possibility of international *responsibilisation* of the state, including for acts against its own citizens. In 1998, within the Inter-American system, Brazil recognised the jurisdiction of the Court of San Jose, which has played a central role in shaping the international responsibility of member states by providing reparation to victims of human rights violations, and thus increasing the risks and the political costs of bad publicity given to human rights violations (Vieira 2010). Therefore, the judiciary's action (in this case, an international tribunal) has had political and economic implications for the Brazilian government, by expanding justice's reach into the field of international relations. With regard to foreign policy, *judicialisation* refers to the consequences of this expansion on the checks-and-balances system of democracy. According to Couto (2004), *judicialisation* can take place in three main ways: (1) the judiciary acts as the source of international responsibility of the state; (2) the judiciary establishes parameters for the external action of the state; and (3) obligations and reparation duties are added to the institutional and constitutional system by an international court ruling, given that international human rights law confers a collective character to the obligation to protect human rights and, moreover, that human rights treaties have constitutional status.

In this sense, the Ximenes case is paradigmatic as it led to the first ruling against Brazil in the Inter-American Court of Human Rights, in July 2006.¹⁵ The advancement of human rights policy brought about by the Court of San Jose ruling reintroduces the state sovereignty issue in the debate, as countries may well choose to adopt more defensive and reactive positions in relation to the multilateral regime and to transnational collective action. In the case of the Inter-American system specifically, NGOs and transnational activist networks can petition the Organisation of American States's Human Rights Commission in Washington, which in turn may require the state to provide information in order to then verify the veracity of facts and seek an amicable agreement between the parties. If no agreement is reached, the Commission prepares a report with recommendations to the state, which then has three months to follow them through; if the case is still not resolved, the complaint may be brought to the Court of San Jose, and the recommendations are published in the Committee's annual report (Vieira 2010).

Third explanatory hypothesis: domestic demands of non-governmental actors, bureaucratic politics, and dialogue channels

The demands of domestic non-governmental actors (e.g. the Commission for Justice and Peace, and Caritas, among others) and the bureaucratic politics approach established between the Foreign Ministry, the Presidency, the Ministry of Justice, the Congress, and various special state departments (particularly the Presidency's Special Secretariat for Human Rights) cause the areas of political conflict to expand, enhance the process of state democratisation, and engender new institutional arrangements which are more open to contradictory debates, such as the Brazilian Committee on Foreign Policy and Human Rights (CBPEDH).

Table 2. Examples of International Objectives Highlighted by the Third National Human Rights Programme—2010

| Stated objectives | Bodies responsible for execution |
|---|--|
| <p>To build and strengthen the human rights multilateral cooperation agenda, giving priority to Haiti, the Portuguese-speaking African countries, and Timor-Leste</p> | <p>Secretariat for Human Rights of the Brazilian Presidency (SEDH-PR), Ministry of Foreign Affairs (MRE), and Ministry for Social Development and Fight against Hunger</p> |
| <p>To strengthen the South–South bilateral cooperation agenda on human rights, giving priority to the Portuguese-speaking African countries, Timor-Leste, Latin America, and the Caribbean</p> | <p>SEDH-PR and MRE</p> |
| <p>To guarantee the monitoring of Brazil’s international commitments by adopting the following procedures:</p> | <p>SEDH-PR, MRE, and the Chief-of-Staff Office</p> |
| <p>(I) to prepare annual reports on the human rights situation in Brazil with civil society’s participation; (II) to prepare regular reports to UN treaty bodies, within the timeframe established by them, based on information provided by Federal Government agencies and states of the Federation; (III) to prepare follow-up reports of the relations between Brazil and the UN system containing, among other things, recommendations made by the UN HRC’s Special Rapporteurs and recommendations from the committees in charge of Universal Periodic Reviews; (IV) to define and institutionalise information flows, to be provided by officials in every Federal Government agency and in states of the Federation, related to international human rights reports and to the recommendations made by the HRC’s and the UN treaty committees’ Special Rapporteurs; (V) to define and institutionalise information flows, to be provided by officials in every Federal Government agency, related to the Inter-American Commission for Human Rights and the Inter-American Court of Human Rights; and (VI) to create a public database of all recommendations made to Brazil by the UN and the OAS systems</p> | |

Source: Elaborated by the author. Document available at: www.mj.gov.br/sedh/pndh3/pndh3.pdf.

Created in 2005, the CBPEDH was formed by a coalition of civil society organisations and state bodies (particularly from the Legislative and Executive). Its objective is to encourage citizen participation and democratic control of Brazil's foreign policy in the field of human rights. In association with the Commission on Human Rights and Minorities of the House of Representatives and the Senate's Commission on Human Rights and Participative Legislation, the CBPEDH conducts public consultations and monitors the bilateral and multilateral agendas of BFP-HR. By the very nature of its mixed composition, the CBPEDH usually produces very broad consensus, as state officials tend not to sign severe criticisms of the government. Naturally, the heterogeneous positions of NGOs also have to be considered, as some are ideologically closer to the government, while others oppose recent changes in the Brazilian vote on Iran or North Korea, for example.¹⁶

It should be stressed, however, that the contradictions that do arise within the Committee are part and parcel of a political dialectic underpinning the much needed democratic process of debating BFP-HR. In this sense, the annual reports on foreign policy and human rights published since 2007 by the NGO Conectas represent an important tool of social control. The first Universal Periodic Review for the HRC also called for social participation in its formulation, although the process has been criticised for not dedicating enough time to further discussions. In short, the theoretical and normative case for considering foreign policy as public policy has been gathering strength.¹⁷

Finally, another channel for social participation and bureaucratic bargaining needs to be mentioned; that is, the process of preparation of the national human rights programme, whose institutionalisation and media coverage since its first edition in 1996 have helped to increase the visibility of the theme and to gradually (but crucially) build a national arena of public debate on human rights. The third edition of the National Program of Human Rights (PNDH) reaffirms that the issue should take priority within domestic policies and international relations. It also incorporates resolutions of the 11th National Conference on Human Rights, as well as proposals approved in more than 50 national thematic conferences since 2003. Table 2 shows some examples of the foreign policy commitments and objectives that can be found in the PNDH-3.

Conclusion

Coming back to Hermann's model (1990), it is important to acknowledge that BFP-HR has gone through some adjustment of goals and means under both the Lula and Rousseff Administrations, particularly since 2007. The choice to abstain or to vote against resolutions condemning developing countries (particularly those which portrayed strategic relevance to Brazil) resulted from a domestic political game (in which the Presidency and the Ministry of External Relations played a major role), but also reflected a shift in Brazil's sense of identity, a preference for dialogue and mediation over confrontation and condemnation, and its strategic priorities as a rising power. Resuming a leadership role in world affairs, Brazil has balanced

human rights norms, and made them compatible with other political norms. Regionally, the support to human rights has gained a multilateral emphasis, both within MERCOSUR and UNASUR: promoting human rights in partnership with other South American key countries (such as Argentina and Chile) in a region that has gone through long-standing periods of military rule has become a priority in BFP. Globally, the Brazilian government has refused to use human rights as a political tool in order to condemn developing countries, has avoided any use of political conditionality in its development cooperation policies, and has reaffirmed its will to challenge a systemic ‘politics of humiliation’ (Badie 2014) that calls global human rights practices into question. Contrary to what some analysts might expect (Engstrom 2012), the fact that Brazil stresses the need for more pluralistic global governance structures and mechanisms or that it actively participates in human rights regime does not imply that the country should necessarily converge with all global liberal norms and Western values.

Moreover, since 2003 the Brazilian government’s BFP-HR has chosen not to deny the difficulties and challenges facing the country in regard to the fulfilment of these rights by the state, for instance in the preparation and presentation of its Universal Periodic Review at the HRC. In this respect, the Lula and Rousseff Administrations resemble Fernando Henrique Cardoso’s foreign policy. In Cardoso’s two mandates, human rights were considered a priority in BFP. Unlike the latter, however, Lula and Rousseff have adopted a critical stance that questions some of the political foundations of the multilateral regime, as well as a constructive attitude when trying to articulate positions that are sometimes widely different between countries of the global North and South. During Rousseff’s government, BFP-HR has displayed changes driven by a new sensitivity on issues involving democratic freedoms and gender politics. Therefore, from a foreign policy perspective, and even more so when it comes to human rights, changes of government and of political actors in power do have an influence—always in dialectic relation with systemic changes—on how priorities are defined, and in the way discourses and actions are constructed in the international scene.

This paper suggests three main points to be considered in future research. Firstly, in order to understand BFP-HR, it is necessary to separate at least two levels of analysis: that of the HRC and that of conventions and human rights treaties. On the first level, a very politicised debate among states takes place, in which the Foreign Ministry has the monopoly on representation. On the second level, Brazil is a staunch supporter of the international human rights regime, especially since the country’s re-democratisation process; in this context, social representation must be considered, in some cases even in light of the regime’s own rules (such as the *amicus curiae* procedure established in the Inter-American human rights system). On the first level, some strong disputes surrounding the selectivity and the double-standards policy still remain (and have perhaps been exacerbated), which ends up doing a disservice to the human rights cause and making the HRC ineffective regarding its original purpose. Theoretically, this means that it is important to develop an analytical framework capable of demonstrating the possible convergence (negative or not so positive in the case of the human rights regime)

between the international regime and Brazilian foreign policy. Clearly, the latter is influenced by any convergence or divergence between the international regime (global governance) and domestic foreign policy strategies. Moreover, there is the challenge of integrating this analytical model to the logic of state action in development cooperation, in which the human rights cause tends to be used as a condition for concession and approval of projects. How Brazil, as an emerging donor, will incorporate the human rights perspective into its international development cooperation—directed mainly to African, and Latin American countries—seems to be a relevant research topic for future inquiry.

Secondly, this paper has laid out the plurality of actors participating in BFP-HR, including political parties, the Presidency's Human Rights Secretariat, NGOs, the Judiciary, the Legislature, and the Catholic Church, amongst others. In this context, given that foreign policy is increasingly understood as public policy, how does the Ministry of Foreign Affairs react in face of the polyphony of voices and the multiplicity of actors' demands in PEB-DH? How can analytical frameworks be built that go beyond what Allison's (1971) model of bureaucratic politics proposes? It seems clear that a new framework is needed, one that takes into account the demands for social participation in the field of foreign policy, the break from the Ministry of Foreign Affairs' usual 'bureaucratic insulation' pattern, and the tensions caused by information asymmetry among political actors.¹⁸

Thirdly, the analysis conducted throughout this paper takes us to the core, classic Weberian question about the logic of ultimate ends and the logic of responsibility. On the one hand, the values advocated by civil society organisations point to a pure ethics of conviction, that is, the set of norms and values that guide politicians' behaviour in the private sphere. On the other hand, state action is guided by the ethics of responsibility that requires the ruler not to ignore the potential outcomes deriving from the use of illegitimate instruments. The distinction proposed by Weber (1998) can be useful in decoding the dilemmas and complexities analysed in this paper. According to this distinction, there would be no duality between strategic interests and support for the human rights cause, but rather a dialectical tension between the pole of universal values and that of national sovereignty, as presented in this article's Introduction. There may be ambiguities in the use of human rights that are deeply negative from the point of view of societies and individuals (especially those who suffer violations more directly), but which are instrumental to the state's interests—although different styles and approaches do exist, depending on political and diplomatic traditions. For a country such as Brazil, there will always be risks attached to the instrumental use of human rights, but this is inherent to the international political game.

Notes

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1. The Brazilian Ministry of Foreign Affairs, named after the palace that houses it.

2. For example, the recognition by Brazil, in 1998, of the Inter-American Court of Human Rights' competence and jurisdiction, followed by the establishment in 2006 of the United Nations Human Rights Council.
3. That is, democratisation, transition Cardoso-Lula/Dilma Rousseff, and improvement in the organisational standards of human rights NGOs.
4. It should be mentioned that South Africa, China, Germany, USA, France, India, and Japan, among others, have not signed this Convention either. The USA has signed but not ratified the International Covenant on Economic, Social, and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979), and the Convention on the Rights of the Child (1989).
5. The Special Rapporteur on the Right to Food conducted an official mission to Brazil between 12 and 18 October 2009. Olivier de Schutter affirmed in his report that the degree of commitment and the range of efforts deployed by the Government of Brazil had improved the situation of food security in the country, particularly child malnutrition, since 2002. He also identified a number of challenges lying ahead and included recommendations on how to meet those challenges. For a detailed report on this mission, see: http://www.srfood.org/images/stories/pdf/officialreports/20100305_a-hrc-13-33-add6_country-mission-brazil_en.pdf
6. Statements collected from the Human Rights Council extranet, which makes several official documents available for the purpose of academic research. See also Conectas (2010, p. 111–121).
7. See, for instance, Pereira's editorial (2010, p. 4) and the article signed by Fernanda Godoy, in *O Globo* (20 November 2010, p. 41), on the Brazilian abstention from voting on a resolution to censure Iran at the UN-GA. Chade (2010), Geneva correspondent of *O Estado de S. Paulo*, also published an article entitled 'Brazil wants UN to avoid censure of countries that violate human rights'.
8. It was in favour of the no-action motion in 2004, whereas previously it had always abstained, except in 1996 when it voted favourably.
9. The Brazilian diplomacy has affirmed the non-indifference of the country with respect to situations that pose a threat to global peace and international security. As Almeida (2013, 7) recalls, 'although almost a decade after its adoption by the African Union the principle of non-indifference as it applies to Brazil came out of Lula's foreign policy'. It was a clear strategy to reconcile Brazil's constitutional principle of non-intervention and the priorities of Lula's foreign policy, as far as engagement with peacekeeping, international development cooperation, and human rights were concerned. See interview given by Chancellor Celso Amorim to *Foreign Policy* journalist Susan Glasser in December 2010, available at: http://www.foreignpolicy.com/articles/2010/11/29/the_soft_power_power
10. Asano, Nader, and Vieira (2009) provide a clear and detailed discussion of some activist networks' criticism of Brazilian foreign policy limitations in the field of human rights, particularly in regard to resolutions on some specific countries' violations.
11. For example, regime change, government policy, and critical events that acted as catalysts of public opinion.
12. For example, the fight against communism, military coups in South America, and transnational exchanges between civil society organisations and human rights activists.
13. It is interesting to note that Brazil has always kept a low profile throughout its history of participation in the UN's Human Rights Commission: it has proceeded with caution when voting on resolutions about other countries and it has even made the 'preferential option for abstention' in these cases. In the early 1990s, the Brazilian delegation began to vote favourably on some countries' resolutions, such as East Timor (1993, 1997), Sudan (1994, 1995, 1998, 2001–2003), Bosnia-Herzegovina (1994), Iraq (1994–1998, 2000–2002), Iran (1994–1998, 2000), Nigeria (1997), and the Democratic Republic of the Congo (1998), among others (Belli 2010, 164–165).
14. These documents are available in the Human Rights Council's extranet.
15. In November 1999, Mr Damiao Ximenes, a 30-year-old man who suffered from schizophrenia, was admitted to receive psychiatric treatment in a private psychiatric health centre operating within Brazil's governmental Single Health System (known as SUS), situated in Sobral in the North-western federate-state of Ceará. Just a few days after his admission, Mr Ximenes was found dead with obvious signs of torture. Since then, in view of many difficulties of access to justice domestically, his relatives sought to obtain judicial protection externally, with the support of civil society organisations. The process in question led to Brazil's first formal condemnation of Brazil by the Inter-American Court, in July 2006. For more information: http://www.corteidh.or.cr/docs/casos/articulos/seriec_149_ing.pdf
16. Cf. <http://dhpoliticaexterna.org.br/>
17. It is common among foreign policy analysts from the media and some Brazilian former ambassadors to ascribe the sources of Brazilian Foreign Policy (BFP) mainly to either an individual (generally the President or the Foreign Minister) or an institution (the Foreign Ministry). This is due not only to the concentration of power in the president's hands, but also to the long-standing professionalism of Brazilian diplomats and the process of institutionalisation of Brazilian diplomacy. These two factors have contributed to the acceptance of the idea that BFP is a state policy, and not a public policy whose decision-making arena reveals a plurality

of actors, preferences, and interests. Amazingly, the majority of media analysts in Brazil tend to adopt a more conservative position in this regard, and defend the idea that foreign policy should be protected from the interests of political parties, NGOs, social movements, and ‘domestic’ ministries.

18. In the wake of demands for social participation in the debates on foreign policy, *Itamaraty* organised between February and April 2014 a series of dialogues with other ministries, public agencies, civil society organisations, business, and union representatives, with a view to develop and publish the first foreign policy White Paper. Currently, *Itamaraty* also considers the possibility of establishing a permanent forum on foreign policy.

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