

Actors and institutions in the Brazilian Climate Change Policy

Atores e instituições na formulação da Política de Mudanças Climáticas no Brasil

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ABSTRACT

This research observed that all Brazilian institutions for climate change policy adopted the same governance model, characterized by three common factors: (1) institutional diversity, (2) cooperation and (3) political competition. An analysis of the Inter-Ministerial Commission on Global Climate Change (CIMMGC in Portuguese) was realized. The idea was to assess the effects of a bigger institutional diversity on cooperation and political competition among actors involved in the institution mentioned above. Some elements, such as the elevated inclusiveness of political actors and the accountability reinforcement in the political decision-making process are essential to this Case Study. The outcome of this analysis pointed out that no democratic governance absence could result from a bigger political inclusiveness in the decision-making process of the Brazilian climate change policy. The Inter-Ministerial Commission on Global Climate Change (ICGCC) did not lose its institutional dynamism and decision-making authority on goals delegated by the Brazilian National Plan on Climate Change, despite the reinforcement of accountability mechanisms in political process.

Keywords: Political Institutions; Environmental Policy; Brazilian Climate Change Policy.

RESUMO

Observou-se que um mesmo modelo de governança foi configurado na política brasileira de mudança do clima, caracterizando em comum três fatores às instituições responsáveis por essa política: (1) diversidade institucional, (2) cooperação e (3) competição política. Por meio de um estudo de caso, buscou-se tomar, como unidade de análise, a Comissão Interministerial de Mudança Global do Clima (CIMMGC). O objetivo foi observar em que medida a maior diversidade institucional, caracterizada pela elevada inclusividade de atores políticos e o reforço de accountability no processo político decisório, fomentou mais cooperação e menos competição política entre os atores políticos envolvidos na CIMMGC. Os resultados apontaram

que a maior inclusividade política no processo decisório da política brasileira de mudança do clima não incorreu em ausência de governabilidade democrática. No caso da CIMMGC, o modelo consociativo da política brasileira de mudança do clima reforçou mecanismos de accountability no processo político, sem perder, em contrapartida, dinamismo institucional e capacidade decisória nos objetivos políticos outorgados à instituição pela Política e Plano Nacional sobre Mudança do Clima.

Palavras-chave: Instituições Políticas; Política Ambiental; Política Brasileira de Mudanças Climáticas.

1 INTRODUCTION

This paper analysis the governance of the Brazilian politics on climate change, using for this purpose, the method of case study (YIN, 2001). By observing the Brazilian politics on climate change pattern, it is possible to affirm that the same consociational governance model was adopted to all institutions involved with climatic change policy, featuring in common to the institutions responsible for this policy, three factors: (1) institutional diversity, cooperation (2) and (3) competition policy. The Inter-ministerial Commission on Global Climate Change (ICGCC) has been taken as the unit of analysis, for the purpose of observing the extent to which greater institutional diversity promoted more or less cooperation and political competition between the political actors involved in the institution.

The research question was, in front of a diverse institutional composition and the rules of their decision-making process (protected by the rule of unanimity), why was not possible to point an operative paralysis or institutional inertia in their activities, when observing the political process ICGCC? The research applied a double hypothesis. The more actors directly involved in the decision-making process of Brazilian politics of global climate change, would be the biggest trends inclusiveness and democratic governance (1st hypothesis), and greater accountability in the policy-making process, which resulted in no operative paralysis or institutional immobility (2nd hypothesis).

Especially two strategies for integrated data collection were used in this study: (1) consultation and analysis of institutional reports issued, especially, by ICGCC; but also for others related to governance of Brazilian politics of climate change and institutional bodies; and (2), in-depth interviews and semi-structured interviews with the policy makers directly involved with the national policy on climate change and especially allocated in ICGCC. This one allowed mapping the horizontal character of the decision-making process ICGCC.

2 HOW THE INSTITUTIONAL DESIGN MATTERS IN THE BRAZILIAN POLITICS' GOVERNANCE MODEL ON CLIMATE CHANGE?

The environmental policy in Brazil suffers from synergistic cooperation in relation to other policies, especially the idiosyncrasy of public management around a decision-making system that hinders horizontal coordination in environmental management between the institutions (AZEVEDO-SANTOS, FEARNSSIDE, OLIVEIRA, *et al*, 2017; HOCHSTETLER, 2017). Democratic rules broadly affect the power play in political decision-making process (STEIN & TOMMASI, 2007; CAPELLA, 2007; RODRIGUES *et al*, 2015). The institutionalization of Brazilian politics of climate change has also stimulated a higher transaction cost between actors, apparently resulting in competing political and decision-making powers between institutions involved precisely for dealing with environmental issues in an isolated way and not interdependent, recurrent feature in the environmental field.

The National Policy on Climate Change established institutions which would be responsible for the governance of an essentially environmental policy with direct connections to the performance of the Brazilian economy, as demand is Brazilian policy on climate change. In its Article 7, the National Climate Change Policy determines the political-institutional framework for coordination, formulation and implementation:

[...] Art. 7 The institutional tools for the work of the National Policy on Climate Change include:

- I - the Inter-ministerial Committee on Climate Change;
- II - the Inter-ministerial Commission on Global Climate Change;
- III - the Brazilian Forum on Climate Change. [...]

The processes of formulating environmental policies (and it is no different in the case of climate change policy), in general, are characterized by highly complex due to the diversity of actors involved, including: (i) different degrees of power, and (ii) number of incentives (DONADELLI, 2017; MOURA & JATOBÁ, 2009; RODRIGUES, 2011; LEZAMA, 2004). The climate change as an environmental policy can illustrate how transversality involves the environment matter, both politically and institutionally (DOMINGUEZ, 2010; CORRALES, 2007).). And in the case of Brazilian politics for climate change, it was possible to observe the existence of different degrees of power in relation to politics, with some “key institutions” involved more directly in the formulation of Brazilian politics of climate change, as ICGCC and in the “rendering of accounts”, the FBMC.

It was requested, by the Brazilian government, to operationalize this policy, an institutional extension of powers for the ministerial coordination, especially the INTER-MINISTERIAL COMMITTEE ON CLIMATE CHANGE (ICCC) and the Executive Group (Executive Group on Climate Change [EGCC]) and ICGCC - more involved in the formulation, regulation and technical operation politics - and FBMC - more linked to the consultative and deliberative politics - agencies directly responsible for formulating and implementing the Brazilian policy of climate change, coordinate their policies of mitigation and adaption to climate change and the “accountability “ of this policy¹.

The Executive Group on Climate Change (EGCC) was created within the MIC, under the MMA coordination, which allowed that the purpose of the climate agenda contained the environmental component and could reflect the effective participation and decision of the MMA on consultation and formulation of NPCC. The most significant political breakthrough work of Executive Group on Climate Change (EGCC), according to the NPCC it was being sent to the Legislative, the proposed National Policy on Climate Change, through the Draft Act n. 3,535/2008.

The FBMC, created by Presidential Decree nº 3,515 of June 20, 2000, with the additional effects by Decrees of August 28, 2000 and November 14, 2000, was responsible for being, in terms of the institutional point of view, a consultative political space around climate change, involving a multiplicity of political and social actors directly or indirectly related to mitigation and adaptation to the climate change.

As an alternative arranged around more consociative policies, the FBMC stimulated since its genesis, a broad consultation of stakeholders around sectoral demands formulating proposals and policies that address, at the national level, actions taken with issues relating to the climate change and its triple unfolding: (i) environmental, (ii) social and (iii) economic. Since the creation and Policy regulation and the National Plan on Climate Change, the role of FBMC as a consultative space of sectoral plans contained in the Plan was highlighted. Another important role of the FBMC, e.g., aspect was the proposal of a National Policy on confronting Climate Changes (PANEMC), submitted to the Ministry of Environment in 2007 (FBMC, 2007).

The FBMC attempts to propose coordinated initiatives with existing policies to combine efforts (at the federal level as well as state and local civil society and encouraging entrepreneurial initiatives) for the purposes of mitigation, adaptation and mitigation of the impact of diverse changes climate in Brazil. The importance of FBMC was not only “illustrative”, but a fundamental propositional political space for the achievement and good progress of the Brazilian political on climate change. Through the analysis of the meetings reports of the FBMC since the imposition of the NPCC (2007), was observed a regularity of meetings, especially in the deliberation guided around the Sector Plans linked to NPCC.

When observing the FBMC, is possible to identify that the inclusiveness increased the governance, contemplating technical and political, allowed greater dialogue, not only between the managers of the respective Ministries responsible for formulating the Sectorial Plans, but also among other key actors to effectiveness of Sector Plans. This is directly related to the model of FBMC and to the governance of the Brazilian political on climate change.

In view the importance of institutional design, characterized by a diversity of intergovernmental actors involved, while there was a process of inclusiveness associated with a variety of political actors (especially other Ministries) participating in a more or less cooperative - through initiatives such as sectorial policies promoting sectoral Consultation related to climate change. The institutional development of the Brazilian politics governance of climate change, especially after the Decree 7.390/2010, defined the power regulatory and regulator of the Brazilian policy on climate change.

The demarcation was taken as a credit to prevent institutional inertia, since it was left to Inter-ministerial Committee on Climate Change (INTER-MINISTERIAL COMMITTEE ON CLIMATE CHANGE [ICCC]) the role of regulatory instrument (so its assignment in coordinate and formulate PNMC) and to the ICGCC the instrument role of “regulator” (advises on sectorial policies, inventories and eligibility of CDM - clean development mechanism projects in the country) and on the FBMC fit the role of a tool for political consultation and “accountability” of the Brazilian politics of climate change.

However, what could prevent a scenario of political competition and discordant decision-making powers that would increase the already high cost of an environmental policy transaction, such as on climate change, which required an effective diversity of actors in its governance?

The institutional model adopted in Brazil for regulating (and co-formulation) its policies on climate change is strongly characterized by an intersectional structure. In case of an environmental policy with superlative dimension and wide implications, especially from economic point of view, the institutional design of ICGCC included not only the political composition involving the theme, but the involved interdisciplinary technical nature.

3 INSTITUTIONALIZATION GOALS AND DECISION MAKING IN THE POLITICAL PROCESS AT ICGCC

The Kyoto Protocol, a subsidiary instrument to the United Nations Framework Convention on Climate Change, is widely disseminated in the Brazilian legal and academic environment as a *soft law* instrument. In other words, when an instrument is designated as *soft law* it is understood that it does not generates legal obligations between the parties, it cannot establish or implement accountability in case of noncompliance by the parties, it waives the formalities of conclusion and termination of the treaties and it does not present control of the creative sources. This position, in the matter of the legal nature of the Protocol, is truly a nonsense. First because it was pointed out by the parties as a legal instrument related to the Framework Convention, in addition, the Protocol has undergone both internationally and nationally required formalities for treaty adoption².

As a “country in transition to a market economy”, Brazil’s role in the Kyoto Protocol was restricted to compliance with the rules contained in the Clean Development Mechanism. Thus, according to art. 12 of the Protocol, Brazil should promote and benefit from project activities that result in emission reductions. The ICGCC was created by the Presidential Decree of July 7, 1999, to fulfill the role of the “designated national authority” to articulated the governmental actions resulted in the United Nations Framework Convention on Climate Change and its subsidiary instruments (that Brazil is part of).

In this way, it is the responsibility of the inter-ministerial body to carry out the obligations established in the Protocol, specially, to comply with the rules of the clean development mechanisms. It is worth mentioning that clean development mechanisms are subject to the authority and guidance of the Conference of the Parties at the meetings of the Parties to this Protocol and to the oversight of an executive council. To that end, ICGCC is responsible for certifying emissions reductions resulting from each project activity, providing inputs to government positions in the negotiations under the United Nations Framework Convention on Climate Change and subsidiary instruments, and liaising with entities representative of the civil society.

The Inter-ministerial Commission on Global Climate Change (ICGCC) followed since its institutionalization, a model of intersectoral policy coordination, which proved that coordination characterized by a wide negotiation space ended up serving as a model for other institutions created for the purpose to

assist in the decision-making process of Brazilian politics of climate change. This joint participation in the decision-making did not imply, however, in some decision-making competence sharing. In the environmental policy process, the operative capacity is given to an institution because of the environmental institutional framework drawn by the international environmental regime.

The wide participation of several ministries at ICGCC (initially, eleven and later the total of seventeen) did not, however, meant a dispersion of the decision-making power by providing a large political-institutional consultation on policy matters concerned (climate change will). Actually, there was a concentration of decision-making power, this concentration designed in order to enable dynamic and not institutional inertia. The case of climate change, within the Brazilian environmental policy process illustrates this case, especially in the two institutions with greater decision-making power in the formulation of public policies involving climate change under the leadership of ICGCC: the Ministries of Science, Technology & Innovation and Environment.

The analytical criterion for the definition of what the ministries with greater decision-making power engaged in ICGCC, where M, C, T & I and MMA, has established in some institutional assignments. During the governments of Fernando Henrique Cardoso, Lula da Silva and Dilma Rousseff, the presidency ICGCC duty of the minister of Science, Technology & Innovation (as well as the Executive Secretary of the Commission), while the vice-presidency it is up to the Minister of the Environment, with a representative of the Commission at other ministries.

Although ICGCC is an institutional organization whose model of governance demands not only a diversity of political actors (ministries), but also assign to the same decision-making power, it is considered that the institutional design of ICGCC enabled both vertical and horizontal decision-making process, thus that did not incur in institutional immobility or operative paralysis. That, however, did not prevent divergent perceptions among policy makers interviewed about Brazilian politics of climate change, as can be seen in more than one immersion in the field.

In the period from March 13 to 16, 2010, the field research took place in Brasilia - Federal District. The focus was the ICGCC and MMA. The method applied was some semi structured interviews (eleven cases) and in depth (two cases) with representatives from the Ministries of Science, Technology & Innovation and Environment, their respective Presidency and General Secretariat (MC, T & I) and Vice - President (MMA) of the ICGCC, combining this approach with the documentary analysis.

The interviews were conducted at the Department of Climate Change of the Ministry of Environment, Department of Environment and Special Issues of the Ministry of Foreign Affairs and into the ICGCC headquarters located in the Ministry of Science, Technology & Innovation. Briefly, it can be observed, during the interviews, a “split” of perspectives around which more operational and efficient mechanisms in environmental policy and relationally, in Brazilian politics of climate change.

The division of perception of policy makers, in which the position of the Ministry of Environment was minority, reflected a “more or less developmental” perspective on the adoption of economic instruments such as most appropriate mechanisms to encourage the development of a low carbon economy in the country.

This difference of perception on the use of market mechanisms, for the purpose of implementing sustainable development has been strengthened especially during the interview with the Executive Secretary of the Inter-ministerial Commission on Global Climate Change³, even though the *policy maker* has noted that the operationalization of the preventive regulatory mechanisms have been encouraged by part of all the actors involved in the ICGCC, in the formulation of Brazilian politics of global climate change matter.

The political actors behavior (directly dependent on the functions performed as well as the incentives and constraints) in the decision making process of Brazilian politics of climate change depends directly on the institutional rules that determine the roles and responsibilities of each actor in the political process on policy formulation of the Brazilian climate change. For example, the Executive Secretary of ICGCC has to be subordinated to M, S, T & I and not to the MMA, as stipulated in Decree nº 6,263.

Throughout this study, it was sought to perform cycles of semi-structured interviews (and some in depth) with policy makers (in part due to the turnover of ministerial representatives at ICGCC) and, among the new interviews, in 2011, the Department of Climate Change of the Ministry of Environment was visited, and again at of ICGCC headquarters located in the Ministry of Science, Technology & Innovation. Briefly, it was observed along the in-depth interviews, the division of “agendas” in Brazilian politics of climate change, especially as to its more or less “environmental” character.

These “decisional agenda” differences and also in choosing which the best mechanisms for mitigation and adaptation to climate change, were strengthened during some interviews, throughout the survey, conducted between 6th and June 7, 2011 with the Executive Secretary of the Inter-ministerial Commission on Global climate Change⁴, even though the policy maker has noted that the operationalization of preventive regulatory mechanisms is premise and encouragement on the part of all actors involved in the formulation ICGCC of the Brazilian politics on global climate change.

During one of the interviews, for example, the Executive Secretary of ICGCC was asked if the operationalization premise of a preventive regulatory mechanisms would be referenced on the Precautionary Principle - which was confirmed by him - even knowing that the efficiency of the Precautionary Principle has limitations and distinct perspective. This plural perspective was observed in in-depth interviews conducted in the Department of Environmental Quality and Climate Change – MMA.

This view was reinforced by the representatives of MCT & I and MMA as well as by ministerial representatives in ICGCC in 2010 and 2011, through interviews conducted in person (with the Executive Secretary of ICGCC and Director of the Department of Environmental Quality and Climate Change MMA) and by email in 2012 (with 11 ministerial representatives in ICGCC). We attempted to develop and apply the same qualitative issues, which can be seen in Table 1, as their responses percentage.

Table 1 - Perceptions of Policy Makers on Political Decision-Making Process involving the governance of the Brazilian Policy on Global Climate Change.

Questions	Perception of the <i>Policy Makers</i>				Total
	Lot	Not much	Few	None	
(1) 1. In your opinion, was important to the Inter-ministerial Committee on Climate Change “inherit” from the Inter-ministerial Commission on Global Climate Change a political process facilitated for the formulation of the National Plan on Climate Change for its longer institutionalization?	70%	20%	10%	-	100%
(2) There are institutional channels such as joint regular meetings between Brazilian Inter-ministerial Commission on Global Climate Change and Climate Change Forum. Do you think technically and politically important?	20%	30%	50%	-	100%
(3) Was there some degree of conflict of the decision-making powers between the institutions involved in the formulation of the National Plan for Climate Change?	-	10%	-	30%	40%
(4) The participation of the Brazilian Climate Change Forum was relevant to the formulation of the National Plan for Climate Change?	80%	20%	-	-	100%

Source: By the authors

On Table 1, it is only possible to visualize the panel of questions that was made to the policy makers and the percentage of responses. All the interviewees worked in the biennium 2010 and 2011, directly with the governance of the Brazilian political of climate change and were selected according to their respective technical functions in ICGCC due to the determination that they ought to be in the *status* of ministerial representatives in the ICGCC.

It was observed that only one question was not answered by all the interviewees precisely the question that addressed the perception of the policy makers on the degree of conflict of the decision-making powers between the institutions involved in the formulation the National Plan for Climate Change. Apparently, the policy makers who did not answered to this question preferred to refrain from pointing out a conflict between the institutions involved in the formulation of the Brazilian political of climate change, a process in which the ICGCC was directly involved.

The absence of a response to be observed concomitantly with personal interviews cited in this topic, indicates not a degree of conflict, according to this survey, but a very clear distinction between the responsibilities of each agency involved in the formulation of the Brazilian policy climate change. However, while it is possible to infer (through second question) that the policy makers perception, allocated into the ICGCC, see as something positive the “consociational” character of Brazilian policy on climate change governance. From their point of view, the technical basis was the most relevant element of this policy.

The differences in the institutional space qualification of the ICGCC and FBMC, for example, was frequently emphasized. In the case of FBMC, would occur less technical decisiveness and greater accountability for their consultative, inclusive and rendering of accounts character. This aspect has even been emphasized in an interview with the Executive Secretary of ICGCC, in charge. According to José Domingos Gonzalez Miguez, Executive Secretary of ICGCC interviewed at the time, the ICGCC is different from the Brazilian Forum on Climate Change:

(...) It consists of technical team from the Ministries, whose main goal is to properly address this Brazilian policy [of climate change]. The very character of the Commission is much more technical because of their assignments, different from Forum [refers to the Brazilian Forum on Climate Change] which is a more political space⁵.

The development of sectoral policies related to climate change in the last four years, from the point of view of the interviewees, in interviews and previously mentioned cycle, was seen as a positive aspect of inclusive political dimension of the issue and the derived horizontal accountability, understood the measures of political inclusiveness as required by the interviewees. This, according to the hypothesis of this research, results in a democratic operational governance in Brazil on climate change policy.

Returning to the analysis of the carried out interviews, a comparison between FBMC and ICGCC, for example, the first one is characterized by a more political and less technical dimension in its activities in the Brazilian climate policy guidelines for policy makers of ICGCC, observing in this case, a more participatory approach from the standpoint of the relationship between government and civil society, while ICGCC would characterize itself by a more technical body, although it was emphasized in the interviews, the recognition of a political dimension in the deliberative process of the work developed by ICGCC.

The ICGCC, as the Designated National Authority, is responsible for the issuing of Opinions on CDM (clean development mechanism projects). The ICGCC analyses the projects, the eligible requirements and the possibility to convert the project’s results into carbon credits, as well as the accreditation of the “operational entities designated”. It also checks and validates the results in terms of effective cutting of the GGE emissions. This role was formally recognized in 2002, when the ICGCC was nominated the “designated national authority” by the CDM Executive Board.

The political aspect of the technical decisions involving the decision making of the ICGCC can be divided into four key policy objectives that can be seen in Table 2:

Table 2 - Objectives and Political Decision-Making Process, in CIMMGC.

POLITICAL OBJECTIVES	DEMAND A NETWORK SHARED DECISION MAKING?	
	Yes	No
(1) Coordinating and promoting within the federal public administration, policies to reduce GHG emissions, to adapt and reduce socioeconomic vulnerability to the negative effects of climate change.	X	
(2) Dispose exclusively eligibility criteria of CDM projects		X
(3) To aid in assistance to the Ministry of Foreign Relations, on the placements of negotiation on climate change by the federal government in the international context	X	
(4) Deliver opinions on plans, programs and projects of sectoral policies, technical standards and legislation relevant to the national policy to mitigate and adapt to global climate change	X	

Source: By the authors

All four key policy objectives are directly linked to an interdependent environmental policy process, since the matter that is governed by the ICGCC policies is interdependent. However, it is important to point that out of the four policy objectives mentioned, only the second goal requires a decision-making process in the ICGCC, not including other co-involved institutions as an institutional instrument for the performance of the National Plan on Climate Change, like FBMC or Executive Group on Climate Change (EGCC) linked to Inter-ministerial Committee on Climate Change (ICCC) and MMA. Therefore, the political process surrounding the CDM - clean development mechanism - will be analyzed under the three analytical categories: (1) political inclusiveness, (2) accountability in decision making and (3) democratic governance.

It's the endogenous decision process, however, that will be operationalized analytically for the purpose of answering a question: how, in this case, the institutional design of ICGCC served as the political vector and not institutional inertia in the face of a scenario whose rule-making decision occurs under the principle of unanimity? It was sought, through the document analysis qualitative technique, combined with the semi-structured interviews, answer the question.

The CDM is constituted as a key-element to the Brazilian climate change policy data. Unlike the other three policy objectives ICGCC, which are the responsibility of the institution, but politically active in networking with other institutions responsible for policy and National Plan on Climate Change and its consequent management responsibilities, the CDM - clean development mechanism is the sole and exclusive jurisdiction of the ICGCC and, as a market instrument for the Brazilian policy of climate change, an active fundamental policy.

Given this information about the rules applied on the decision-making process, based on the principle of unanimity, is possible to affirm that the institutional responsibility is unequal. The greater the number of actors with veto power, the greater the chances of decisional paralysis (TSEBELIS, 2009). An institutional design the way the ICGCC was, with its decision process anchored on the rule of unanimity, generates an operative paralysis and institutional immobility. What, in theory, would interfere in the political leadership that is in the ICGCC's goals.

The imperative of the rule of the decision making, based on the principle of unanimity does not interfere in decisions about the eligibility criteria for CDM projects. This non-interference derives directly from the decision-making process surrounding the processing of submission and approval of a CDM project configuration. When we consider, along the trajectory of ICGCC, total approved projects (386), with approved exceptions (04), in a review (11) and no highly disapproved, is attested from the analytical point of view, a high performance Brazilian projects, which is politically capitalized by the Brazilian

government. CDM projects are designed within a framework of four determinations: (1) submitted activities, (2) approved activities, (3) activities approved, qualified or (4) activities under review.

The direct participation of the ICGCC in this process occurs only after The Designated Operational Entity certify the additionality of the project and thus eliminating *prima facie*, a possible process of decisional paralysis around the approval or disapproval of a project. According to ICGCC itself, project activities are considered to be submitted only after verification by the Executive Secretariat, that all documentation regarding the status of project activities is within the resolutions of the institution: "After this check, the documentation is published at electronic media, on the electronic website of the Ministry of Science and Technology" (BRAZIL, INTER-MINISTERIAL COMMISSION OF GLOBAL CLIMATE CHANGE, 2009: 35-36).

Whereas the veto power that could be exercised by a representative in ICGCC, works to prevent the development of policies, the character of previous quality control of the CDM projects by the Designated Operational Entity, considerably reduces the transaction cost around approval / validation for CDM projects.

Although the "weak sustainability", contained in the very principle of the CDM, for example, is debatable, the adherence of the proposed CDM gained special consistency by the market players and especially, for the Brazilian government. The CDM is seen by the Brazilian government as a resource and strategic opportunity for promotion and development of instruments to minimize the socio-economic costs of climate change for the country. This perspective is clearly highlighted in the National Plan on Climate Change (NPCC).

CDM is the main existing economic instrument for the promotion of voluntary measures to mitigate GGE emissions. The success of this instrument, in Brazil, and the still existent potential, for the implementation of new project activities, under the CDM, are noteworthy. In this sense, the National Plan will preserve the CDM project activities additionality in Brazil, considering that this is an effective economic instrument to promote actions to mitigate emissions of greenhouse gases in the country (PNMC, 2008: 14).

The Brazilian government's political incentive for the adhesion of economic agents to the CDM as a viable, economical and environmentally market mechanism (albeit environmentally sustainable outcomes for many types of projects are inconsistent), is reflected as an end result of political incentive, in the number of the Brazilian CDM projects certified by the CDM Executive Board (INTER-MINISTERIAL COMMISSION OF GLOBAL CLIMATE CHANGE, 2009).

One of the most important assignments of the ICGCC for the Brazilian politics of global climate change, and one of its policy objectives is to certify the voluntary involvement⁶ of participants in a CDM project and, in the case of the host Party, that the activities of the CDM project contributes to sustainable development of the country (BRAZIL, INTER-MINISTERIAL COMMISSION OF GLOBAL CLIMATE CHANGE, 2009). This aspect concerning the granting of the character of sustainable development for CDM projects reflects a problem as the decision-making process surrounding the approval / validation for the CDM projects.

By observing the decision-making procedure on the approval / validation of a CDM project in Brazil, it was noticed that it increased the transparency in the process of review and approval. All of this, under the responsibility of ICGCC, the Designated National Authority. It also grants and classifies what can be called a sustainable project.

Although there are five criteria to rate the sustainability of the projects⁷, there is no civil society consultation at the approval / validation stage. There is only a later disclosure of the methodology, the measured contribution and the implementation sector of the project with the environmental and social benefits.

The deliberation on the project's sustainability (environmental and social) is reduced due to the criterion of exclusivity granted to ICGCC operative, supported by the National Policy on Climate Change

and the NPCC itself, lacking political and institutional incentive for the opening of the internal decision-making process involving eligibility of CDM projects. The democratic control over the characterization of sustainability of CDM projects would be low, which, however, does not feature a *stricto sensu* in ICGCC bureaucratic insulation, it is believed.

When members of ICGCC were interviewed, they reinforced, mostly, that a greater space negotiation increases the operational costs of CDM projects, that's why the decision on the eligibility of the projects is not open to the civil society. Therefore, this decisions constitute the FBMC key initiative in the governance of Brazilian policy on climate change.

By owning differentiated institutional tasks of FBMC, the lack of participation of social actors on the definition of eligibility of the CDM projects, grants the ICGCC the political process in this regard, low social accountability (although there is an effective horizontal accountability) and serious risk of loss of criteria of environmental sustainability of the projects, in favor of less sustainable approaches. The risk of decisional paralysis, therefore, was strongly reduced by the existence of an institutional mechanism: the exclusive jurisdiction granted to ICGCC eligibility.

Although an institution characterized as a technique in its political process, ICGCC, as it was revealed by the description of its activities and policy analysis of the decision-making process, reflected in its institutional design the consociational model of the Brazilian political of climate change. This was due to the sharing of power and greater participation of political actors, allowing higher quality and democratic representation in the decision process involving a climate change policy.

Politically designed as an institutional instrument for the performance of the National Policy on Climate Change, the ICGCC more cooperated than competed politically around of which political model to be formulated and operationalized by the Brazilian government. The reasons for this are identified by rules and institutional arrangements of the National Policy on Climate Change itself. It is considered that the reproduction of this consociational institutional model stimulated the spread of sectoral policy initiatives relating to climate change, enhancing greater policy making - from the point of view of dispersion and capillarity - and horizontal accountability itself and to a lesser extent social, derived from the institutional model adopted in Brazil.

It was identified, in this kind of institutional design, used to shape the Brazilian institutions' responsibility on climate change, an institutional governance model guided, since the establishment of ICGCC, to a polyarchical institutional arrangement and understanding. Here, a consociational model is the vector of the Commission political decision. Therefore, a more polyarchical institutional design (characterized by inclusiveness and participation of multiple political actors) was the model adopted for the institutional instruments of the National Policy on Climate Change. Although the model was characterized by a character of power-sharing and political representation mentioned, it keeps natural assignments to each institution in the political decision-making process. Those assignments prevented the decisional paralyzes on the development of the policies related to climate change and also, in the case of ICGCC, it didn't paralyzed the delivering of opinions on CDM.

Reminding Stein and Tommasi (2006), policies are a direct result of the decision-making process and do not constitute exogenously, with respect to institutions for which policies are formulated. The ICGCC therefore retained all the other institutions consociative characteristics, involved in the Brazilian politics of climate change, namely: political inclusiveness and a character of strengthening in the horizontal accountability (and less social) in its decision-making political process without incurring in institutional immobility and decisional paralysis.

4 FINAL CONSIDERATIONS

The National Climate Change Action Plan, as well as policies, marginal ministerial programs to NPCC, funding mechanisms (Climate Fund) and political participation (as public consultations directly linked to marginal policies to climate change policy) indicate high degree of decisional horizontality (intersectoral and interagency coordination of governmental measures) and policy responsiveness (diversity of actors

and institutions and “accountability” involved), reinforcing the character of polyarchical process of climate change policies cycle in Brazil, although the existing cooperation has been often contradictory.

A political environment that facilitates cooperation, in this regard, facilitates the governance and reduces the transaction costs involving more interdependent policies, on the institutional point of view, something that international institutions which finance programs and projects in the climate change area recommends in their reports. In political environments, with more cooperation, public policies tend to be of a better quality, less sensitive to political shocks and more adaptable to the changing on the economic and social conditions.

The result was not only to create more responsive institutions to the environmental quality - placing climate change as an environmental political problem and not just economic - and the more consensual democratic game, but also in fostering actions and cross-cutting policy measures as Public Queries, the Sector Plans and Funding related to climate change.

Sectoral Plans, for example, stimulate greater political horizontality of the topic and greater wingspan of marginal initiatives in mitigating and adapting to climate change by political actors directly or indirectly linked to National Climate Change Plan and, moreover, engender further policy goals, although in some cases contradictory in relation to the control of the effects of climate change contained in the National Plan on Climate Change policy itself.

A feature of the governance of the Brazilian policy on climate change was the horizontality policy involving dozens of political actors directly or indirectly linked to the Brazilian policy of climate change. All the political process unlocking, around the National Climate Change Plan - from the point of view of negotiation between the actors to devise an agreed policy possible, due to the pre-institutionalization of the process - enabled, formally, the “rapid” development of National Climate Change Plan before the National Policy on Climate Change enactment.

The results showed that the inclusivity characterized by the political coordination model did not produced decisional paralysis and institutional inertia but, on the contrary, fostered governance into the decision-making process. In creating the ICGCC, for example, the Brazilian government opted for a more consociational institutional model - without losing the technical character of politics - to formulate and regulate the Brazilian policy on global climate change.

There was, in this regard, not only institutional reinforcement - institutional and cross-sectoral - but a more horizontal and responsive institutional strengthening in the political process, especially due to the ICGCC institutional design and to the responsibilities and clearly defined political objectives in the Policy and in the National Plan on Climate Change.

NOTES

¹The Inter-ministerial Committee on Climate Change (MIC) and Executive Group on Climate Change (EGCC) (Executive Group on Climate Change) are the institutions responsible for inter-ministerial coordination involving Brazilian politics of climate change and the regulatory character of the National Policy and Plan on Climate Change.

²The Convention was signed by Brazil in New York on 9 May 1992; Approved by the National Congress through Legislative Decree n. 1, dated February 3, 1994; Entered into force on March 21, 1994; The Brazilian Government deposited the instrument of ratification of the United Nations Framework Convention on February 28, 1994, and became effective in Brazil on May 29, 1994; Internally, was promulgated and published by the Presidential Decree n. 2,652, dated July 1, 1998.

³The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner (art. 2).

⁴Approved by Legislative Decree n. 144 of June 20, 2002, ratified by Brazil on August 23, 2002 (according to the rules of the Protocol, Article 25.3) and promulgated and published internally by Presidential Decree n. 5,445, dated May 12, 2005.

⁵BASTOS, Branca. Interview, March 14, 2010.

⁶MIGUEL, José Domingos Gonzalez. Interview, March 14, 2010.

⁷MIGUEZ, José Domingos Gonzalez. Interview, on 14th of March and 6th of June, 2011.

⁸MIGUEZ, José Domingos Gonzalez. Interviewed, 14th of March, 2010.

⁹The principle of voluntariness infers the absence, in the legal systems of the Parties, mandatory rules to require the achievement of reduction of GGE emissions through the CDM projects. However, although the Brazilian legal system does not prescribe rules requiring the completion of the CDM in the country, it is possible to identify mandatory standards related to eligible activities such as CDM, especially in case of reforestation in areas of permanent preservation, provided by the Brazilian Forest Code.

¹⁰The criteria, according to CIMMGC would be: "(1) Contribution to local environmental sustainability; (2) Contribution to the development of working conditions and net job creation; (3) Contribution to the distribution of income; (4) Contribution to empowerment and technological development; (5) Contribution to regional integration and coordination with other sectors." Available in: http://www.mct.gov.br/index.php/content/view/320869/Contribuicao_para_o_Desenvolvimento_Sustentavel.html Last access February 3, 2013.

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