A cooperative Global South?
Brazil, India, and China in multilateral regimes

Um Sul Global cooperativo?
Brasil, Índia e China em regimes multilaterais

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Abstract

Differently from the Cold War, emerging powers currently have chances to put forward their foreign policy goals. In their rise, countries such as Brazil, India, and China opted to follow similar sets of strategies within multilateral regimes. Ranging from blocking and free riding to cooperative behaviors, these states have enhanced their ability to promote topical changes in existing institutional settings. It does not mean, however, that their developing condition will necessarily prompt them to cooperate. As this paper will point out by means of a comparative analysis of the regimes of nuclear non-proliferation, peace and security, and climate change, these countries have more chances to cooperate when their interpretations of the principles and norms that compose a regime converge. Relying on how a country interprets normative frameworks and on the degree of membership a state has in a regime, this article challenges the notion that these three leaders of the so-called Global South would be relying on an all-encompassing cooperative multilateral behavior.

Keywords: Multilateralism; Regimes; Brazil; India; China.

Resumo

Diferente da Guerra Fria, as atuais potências emergentes têm maiores condições de levarem adiante suas preferências de política externa. Em sua ascensão, países como Brasil, Índia e China optaram por seguir estratégias semelhantes em regimes multilaterais. Variando de bloqueio e free-riding a comportamentos cooperativos, tais estados expandiram suas

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capacidades de promover mudanças tópicas em arranjos institucionais existentes. Isso não significa, entretanto, que sua condição emergente vá necessariamente levá-los a cooperar. Como este artigo demonstrará, por meio de análise comparativa dos regimes de não proliferação nuclear, paz e segurança, e mudança do clima, esses países têm mais chances de cooperar quando suas interpretações dos princípios e normas que compõem um regime convergem. Baseando-se em como um país interpreta arcabouços normativos e no tipo de filiação que um estado tem um regime, este trabalho contesta a noção que esses três líderes do suposto Sul Global estariam alicerçados em um amplo comportamento multilateral cooperativo.

Palavras-chave: Multilateralismo; Regimes; Brasil; Índia; China.

Introduction

One of the key debates of today’s international relations is whether emerging powers will accept, reject or try to modify Western-centered norms, principles, rules, and decision-making procedures that sanction and guide state behavior. This narrative has come to the top of the agenda with the current diffusion of power and the relative ascensions of Brazil, China, and India. Their rise, which is associated with their enhanced economic and political clout, however, is substantially different from past attempts to gain more relevance. During the Cold War, developing countries aimed to shape what they judged as an unequal world order. They vocalized their preferences through groupings, for instance, the Non-Aligned Movement, and the G-77, in which they uphold reformist stances such as proposing a New International Economic Order (NIEO).

These views, though, were not coupled with a material grounding and did not benefit from a changing international landscape. Their uniting discourses were not accompanied by effective actions, which left them with empty rhetoric. Currently, emerging powers can perform in a different manner. They do so by combining criticism concerning the global order with a wide-range set of strategies, namely: setting coalitions; creating alternative multilateral arrangements; threatening to

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3 Knowing their blurred conceptual boundaries, this article will use “developing powers” and “emerging powers” interchangeably. Se: Destradi (2010).

4 Definition of regimes, according to Krasner (1982), that will be subject of the next section.

5 The adjective “multilateral” will be applied as an attribute of “regimes”. About the concept it comes from, “multilateralism”, see: Keohane (1990) and Ruggie (1992).
opt-out from negotiations; or gaining legitimacy by exerting a compromising role between developed powers and least developed states.

On other words, such powers have more leeway to advance their foreign policy goals, a phenomenon that is studied in a growing number of publications that focus on countries from the so-called Global South. Among the topics under scrutiny, they generally converge on: these states’ challenging positions (Alden; Vieira, 2005); ability to reshape global order (Terhalle, 2011); strategies and tactics (Burges, 2012); how they have responded both to American hegemony and to changes in international society (Hurrell, 2006); so as how the liberal international order will be affected by their rise (Ikenberry, 2014).

As a matter of fact, regimes are, per excellence, where their readings of international affairs encounter each other. In comparison to bilateral relations, regimes guard a multilateral feature, which provides developing states more ground to exert bargaining power. Also, regimes encompass a bulk of norms, principles, rules, and decision-making procedures that regulate global affairs, which makes them privileged loci for developing powers to act.

But do these states share common views? If so, what prompts them to cooperate? Will they act accordingly just because they share a developing condition? In contrary reasoning, if they are entities having distinct goals and strategies and are facing diverse constraints, why they sometimes act together? This article focuses on explaining why Brazil, India, and China collaborate in some regimes while they act in discordance in others, challenging the notion that they would act accordingly for their “Southern” condition. Through an analytical framework that comprises contributions from regime and foreign policy theories, this work will recur to two cases in which the three countries participate and exert influence: the regimes of climate change and peace and security. A third case, the regime of nuclear non-proliferation, will work as a control case study, as only Brazil and China have formal membership in it.

By relying on documentation from international organizations, legal text from treaties and related literature, the analysis will be centered on two main indicators: (i) how these countries consider the norms and principles that build the core of the mentioned regimes; and (ii) their relative positions and degree of membership within such regimes. This paper will be divided in four sections: the first will present two distinct branches of literature, on regimes and on foreign

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6 The term “Global South” has roots on the conferences of Bandung (1955) and Belgrade (1961), so as on the Non-Alignment Movement and the G-77. See: Cox (1981); Alden & Vieira (2005).
policy, showing the bridges that exist between them. The following section centers on hypotheses, methods, and case-selection, while the last addresses the three selected cases.

**Regime theory**

For the purpose of assessing whether and how Brazil, India, and China can engage cooperatively in multilateral regimes, this section will rely on literature on regime theory and on developing countries’ foreign policies.

**Multilateral regimes**

The most common reading of the concept of regimes is that they are principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given issue-area. The constituents of the word regime contribute to its conceptual clarification. Principles are beliefs of fact, subjective constructions of reality that can induce one to certain actions. Norms are standards of behavior, defined in terms of rights and obligations. Rules, for their turn, can enable or obstruct the degree of agency one has. Decision-making procedures are prevailing practices for making, implementing, and halting the achievement of decisions (Krasner, 1983).

For its components, a regime is a multi-layered concept. The way one perceives a regime shapes the way the analysis will be guided. Stein (1982), for example, maintains regimes derive from countries’ voluntary agreements held under anarchy. Similarly, Haas (1982) understands regimes as byproducts of individual calculations of benefits and costs. Actors provide collective goods only to the extent they matches their own interests. A shift in these conditions would consequently propel regime alteration.

A second group of scholars identifies regimes as the arrangements in which state interactions take place. In this understanding, regimes are structures depicted as intervening variables between basic causal factors i.e. the foreign policies of states, and outcomes. For being the setups in which interstate relations occur, regimes are a middle element in the chain of events that start with an individual

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7 Krasner (1983) denominates this position “modified structured realism”.
8 For such authors, regimes are the outcomes to be analyzed.
decision and end with a result, being it cooperative or not. The problem with this view is that it minimizes the importance of norms, principles, rules, and decision-making procedures. For giving much emphasis to state agency, it diminishes the fact that states are constrained by the same rules they want to alter.

For a third group of scholars as the like of Oran (1982) and Puchala and Hopkins (1982), notwithstanding, regimes both affect and are affected by states’ interactions. According to their view, regimes and individual behavior cannot be analyzed separately due to the fact that they are inextricably linked: any changes in one of them would lead to consequential alterations in the other. In the same vein, such authors, whose theoretical contribution is associated with constructivist intakes, consider states’ actions, as they are mediated by a multilateral architecture, to be both enabling and constraining changes in the regime in question.

This article follows this last logic, assuming regimes as buffer zones that impede or slow automatic changes. They provide stability in moments in which power is becoming more widely dispersed (Krasner, 1983: viii), which dialogues to current times. For this reason, it is not because the basic conditions are altered that an outcome will necessarily follow through. In the realist tradition, a shift in interests or capabilities would lead to unmediated and fixed results. As Krasner (1983: 8) points-out, “pure power motivations preclude regimes”, but even though a state may act solely on its interests, trying to skip from existing regimes, it would still be framed by other international rules of conduct.

**Figure 1. Analytical framework based on Krasner (1983)**
This article argues multilateral regimes are displayed, as in figure 01, as the loci that facilitate international agreements, “making it easier for actors to realize their interests collectively” (Keohane, 1982: 170). Also, their foreign policy preferences do not carry non-mediated effects for the reason they are normatively infused (Puchala and Hopkins, 1982). Consequently, this work departs from the idea countries can cooperate depending on whether their views on the constituents of a regime are or not in accordance. Thus, the sense they make of a specific norm can enable them to jointly act.

**Developing countries’ foreign policies**

As mentioned, the concept of regime alone means little. It is by studying how interactions happen within a regime that one can assess what explains emerging powers’ cooperation. The way states perceive the elements that compose a regime can ease their rapprochement. The commercial G-20, for instance, was crafted by countries with a very narrow interest in safeguarding their advantages in agriculture commerce. Their matching understandings of the trade regime were pivotal for their coming together. Were their views unlike, they would hardly compose. Such a trend has become more salient with the relative ascensions of states such as Brazil, India, and China, countries that currently have more sway to transform diplomatic rhetoric into action. This ultimately guides to a pluralistic world order.

It is within multilateral regimes that these encounters and dissonances occur, since they provide live evidence for actual changes. In fact, alterations in the scope of regimes are more feasible in situations of diffusion of power, as their components become less coherent. Transformation reads in a twofold manner: (i) in the rules and decision-making procedures within a regime, which produces change in the regime; or (ii) in the fundamental principles and norms, characterizing a change of the regime, a much more drastic effect (Krasner, 1983).

In difference to mainstream literature (Nye, 2015; Schweller, 2011), that places emerging powers together as “contenders” or “challengers”, this piece upholds they are not challenging multilateral regimes in their own existence, nor they are necessarily engaging as a group. These countries do not wish to alter regimes in essence, but to adjust their operational provisions and practicality. Generally, such actors ask for more participation and recognition (Destradi, 2010), and do so not by contesting norms and principles, but by reinforcing the rules and decision-making that derive from them. Alternatively, they also try to alter such rules that were
primarily defined to fit the interests of the developed powers (Terhalle, 2011). Up to this point, current global liberal order remains unmatched and no contending options have been seriously considered.

Accordingly, with their enhanced weight, they bear more conditions to influence current and future rules in multilateral regimes. Developing powers privilege these arrangements for several reasons: (a) for regimes routinize contacts and dialogue, making it easier for countries to vocalize positions. Furthermore, (b) as most multilateral negotiations require consensus-making, developing states usually combine forces in order to enable or block decisions. Relating to this, (c) they can use their conditions as developing powers to intermediate negotiating positions between developed and least developing countries, acting as “bridges” and gaining legitimacy. In lieu of this, (d) developing countries can create alternative multilateral institutions within a regime, without trying to restart its provisions completely, but forcing them to change. BRICS’ New Development Bank is the pressing example.

As highlighted, such powers behave differently in several regimes. Reasons vary for that, but normally range around some basic conditions: (i) their different domestic institutions; (ii) how domestic elites and bureaucracies influence governmental decisions; (iii) the impact of negotiations in their regional positions; (iv) which “position” or membership they occupy within a regime; or (v) how they view the norms, principles, rules, and decision-making procedures that form a regime.

For reasons of parsimony and space limitation, this article will rely solely on the basic conditions (iv) and (v).

**Case-selection, hypotheses and method**

This article chose three different cases, the regimes of climate change, nuclear non-proliferation, and peace and security. All three fulfill the theoretical definition of a regime. Bearing this in mind, the aim of this paper is not to ascertain how regimes are created or what causes them to change. This would require a diverse analytical path in which regimes would be seen as the outcomes to be explained. As mentioned, the major objective here is to explain what prompts cooperation between Brazil, India, and China, by assessing two basic conditions: their positioning within the regime; and these countries’ views on norms and principles.

On the first basic condition, the positioning in the regime, it refers to the type of membership a state has in relation to a treaty or institutional framework. For
instance, one country can keep a position at a high-level decision-making instance such as the Security Council. Instead, it can be an ordinary member with sporadic participation as a non-permanent member. Diverse types of membership also enable different rights and obligations, such as the case of the Kyoto Protocol with Annex-I and non-Annex-I Parties, and the Non-Proliferation Treaty (NPT), with nuclear weapon countries and non-nuclear weapon countries. Largely, it is a structural-type basic condition that dialogues with realist and liberal currents of International Relations (i.e. Waltz, 1979). Associated with it lies the notion that fixed positions can predetermine behavior.

The second basic condition refers to understandings Brazil, India, and China sustain on the norms and principles of a regime, this same norms and principles being the foundation of rules and decision-making dispositions. At its core, this basic condition has a subjacent constructivist orientation, in reason it assumes actors not only reproduce normative structures, but also interact and change them. Following Kratochwil and Ruggie (1986: 770), states can alter these principles and norms “by their very practice, as underlying conditions change, as new constraints or possibilities emerge, or as new claimants make their presence felt”. Essentially, by looking into interpretations of multilateral principles and norms, reasoning follows an opposite direction from the aforementioned. The case studies of this article will confront the two mentioned basic conditions.

All three cases have inner differences. These are regarded in how the regime in question was structured and through which means Brazil, India, and China relate in them. The analysis departs from the idea their strategies can convey or divert, depending both on their views on the norms and principles that comprise a regime, and on where they sit in the negotiation table.

### Figure 2. Basic conditions, outcomes and case studies

<table>
<thead>
<tr>
<th>Case studies/ regimes</th>
<th>Do they sit on the same side?</th>
<th>Do they agree on norms and principles?</th>
<th>Do they cooperate multilaterally?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-proliferation</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Peace and security</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Climate change</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

In this sense, two of the cases, the regimes of climate change, and peace and security, have the basic conditions – as figure 2 shows – varying in a dissimilar
manner but resulting in a similar outcome. According to Seawright and Gerring (2008), they fit the definition of most-different case designs, since the prime variance in them occurs in the basic conditions while the outcome is the same. In these two cases, just one causal basic condition varies in accordance to the outcome.

Furthermore, the regime of nuclear non-proliferation functions as a control case, since it adds up to the analytical core comprised by the two already mentioned regimes and contributes for better evaluating the basic conditions. Although the nuclear non-proliferation regime adjusts well with the definition of a regime, it guards an inner difference from the other two, which is the non-membership of India. This does not mean, however, that India cannot influence discussions. Concisely, it makes an interesting control case because it provides to the test of hypotheses and for the evaluation of the relationship between basic conditions and outcome.

Among the three selected cases, the climate change regime is markedly the one in which Brazil, India, and China often cooperate. Their collaboration is visible through the formation of the BASIC, and in virtue of how they consider the principle of “common but differentiated responsibilities”. Generally speaking, they defend the maintenance of differentiation between them and the developed powers and are against assuming mandatory carbon emission targets. Although dissent can be manifested in some specific points, it does not undermine their broader sense of cooperation.

The peace and security regime is an inquisitive choice because it demonstrates the three countries can cooperate even if they occupy different positions in the regime architecture. China being a permanent member of the United Nations Security Council (UNSC) and having veto power does not preclude Beijing from cooperating with Brazil and India. Their joint abstention from the Resolution 1973/2011 is a paradigmatic example. Accordingly, the three powers do not want to reform the bulk of the UN Charter, but to place boundaries in how humanitarian interventions are operationalized.

Finally, Brazil, India, and China have little multilateral cooperation when it comes to nuclear non-proliferation. First of all, India’s condition as an outsider makes it a target for the two other countries. When it comes to NPT’s structure, Brazil and China, as in the regime of peace and security, sit on opposite sides. The difference here is that beyond being at contrasting poles, they also interpret the norms and principles of the regime in a dissimilar fashion. While Brazil upholds
a systematic view of the NPT, China focuses its efforts mostly on horizontal non-proliferation.

But what explains their cooperation? When it comes to hypotheses, the first hypothesis (H1) is that the positions Brazil, India, and China occupy in a multilateral arena is what explains their possibility of cooperation. In short, where you sit is what propels your choices. By this reasoning, it would be expected that a permanent member of the UNSC, be it developed or developing state, would not share similar views with a non-permanent player. The same reasoning with Annex I and non-Annex I parties in climate talks.

Lastly, the second hypothesis (H2) is that the way Brazil, India, and China interpret the norms and principles that compose a regime is primarily what prompts them to cooperate. Depending on their considerations, they are more prone to defend similar positions. Their deliberations on a specific norm or principle are revealed by how they behave multilaterally. Their foreign policy actions are the empirical marks.

Brazil, India, and China in multilateral regimes

This section comprises the three case studies of this article, controlling for the same basic conditions, and seeing whether they produce corresponding outcomes.

The climate change regime

Cooperation between Brazil, India, and China is a common negotiation feature of the climate change regime. All exerting leading roles at the G-77, such countries underpin similar views on the norms and principles that compose climate talks. Shared interpretations on the principle of common but differentiated responsibilities and respective capabilities (CBDR), the core of the regime, incited the formation of the BASIC, a loose negotiating coalition that also includes South Africa. The establishment of the BASIC at the Conference of the Parties (COP) in 2009 changed talks, enhancing its members’ ability to shape outcomes (Masters, 2012).

The principle of CBDR was brought about by the Framework Convention on Climate Change (UNFCCC) in 1992. Article 3 reads its central meaning: “Parties should protect the climate system (…) on the basis of equity and in accordance
with their common but differentiated responsibilities and respective capabilities” (United Nations, 1992: 9, remarked). The notion of CBDR inspired the Kyoto Protocol and its division between Annex I and Non-Annex I states, with only the former having compulsory carbon emission targets (Roberts and Parks, 2007).

Developing countries are also expected to contribute to curb climate change, but only in accordance with their levels of economic growth and social development (Carvalho, Azeredo and Lucero, 2015). In this sense, the principle of CBDR enabled them to autonomously define their national climate policies and also served as a “shield”, since the institutional set up of Kyoto exempted them from assuming mandatory obligations.

The treaty division in annexes forced a North-South separation that, throughout time, was not entirely in accordance with the growing emission profiles of several developing countries, China being the best example (Hochstetler and Milkoreit, 2014). In addition, years after entering into force, in 2005, the Kyoto Protocol already revealed to be anachronistic: it did not involve the U.S. or any major emitter from the developing world. As years went by, the BASIC opted to keep the discourse of historical responsibilities from the “North” and was able to avoid any changes in CBDR (Vihma, 2011).

In this sense, the convening of the BASIC mainly responds to its members’ interest in keeping the greatest burden on developed countries. Facing external pressures both from Annex I parties and from the more vulnerable least developing countries, they formed a coalition in order to keep their existing advantages (Hallding, Olsson, Atteridge, Carson and Román, 2011). Alongside the U.S. and sidestepping the EU, the BASIC was key in brokering the agreement at the COP-15 that avoided a foreseen failure in the multilateral process (Hochstetler, 2012).

Hence, all pertaining to the same non-Annex-I locus provided by Kyoto, Brazil, India, and China have used their initial defensive involvement at the BASIC to then proactively influence the climate change regime, for they intend to be seen as cooperative stakeholders. Indeed, the BASIC not only brings developed powers such as the U.S. to the negotiating table, but also pushes for an encompassing accord that involves demands from the G-77. Presenting itself as ready to engage and

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9 Kyoto defined there should be accomplished a decline of over 5% in developed country emissions compared to 1990 levels.

10 This is a common call in BASIC’s joint statements. Notwithstanding, Hallding, Jüsioo, Carson and Atteridge (2013) argue BASIC members’ increasing wealth and power have made it hard for them to maintain a shared “Third World” identity.
to contribute to a post-Kyoto world, the group combines both a will to slow down alterations in the normative architecture of the regime and a desire to participate.

Prior to the convening for the COP-21, parties presented their Intended Nationally Determined Contributions (INDC). These documents bring their national views and what they can actually do in order to add up to the global effort to curb climate change. Not surprisingly, the INDCs from Brazil, India, and China convey similar notions on how the sharing of responsibilities should be put in motion. In Brazil’s INDC, there is a section named “historical responsibilities and equity”. China, for its turn, urges developed countries to take the lead in substantially reducing their emissions and in providing support. Similarly, India stresses the importance of establishing an equitable global architecture based on climate justice and on the principle of CBDR.11

This does not mean, as expected, that their cooperation runs completely in harmony. Their emissions patterns are extremely diverse,12 and they disagree, for example, in how they understand issues such as emissions measurement, so as how the remaining carbon space should be shared between countries.13 Whilst India favors a per capita approach, Brazil and China favor historical emissions (Hallding, Olsson, Atteridge, Carson and Román, 2011). More importantly, the occasional differences do not harm the overall sense of collaboration. In the end, nuanced disagreements are superseded by the will to keep the coalition and its bargaining power standing.

Among all cases analyzed in this paper, this is the one that bears the greatest degree of convergence between the three developing countries. They maintain a general and lasting sense of cooperation. Essentially, Brazil, India, and China are bounded together in reason of their common interpretations of the principle of CBDR. Their struggle is to keep differentiation coupled with voluntary contributions. Not having mandatory emission targets, which grants them a Non-Annex I condition, adds up to this central explanation.

11 The Kyoto Protocol’s first commitment period started in 2008 and ended in 2012. The second commitment period goes between 2013 and 2020. Thus, it is to be superseded by another protocol, legal instrument or an agreed outcome with legal force applicable to all parties in the convention. For INDCs, see: www4.unfccc.int/submissions/INDC, access on February 20th 2016.
13 Agarwal (2002) relates equity with shares of atmospheric space, which, widely speaking, are the “amount” of carbon each country would have right to emit in order to assure its development. Audet (2013) argues the BASIC holds a “conflict discourse” that articulates the North-South duality.
Peace and security

The peace and security regime has a clear institutional division between Brazil and India, on the one side, and China, on the other. China’s condition as a permanent member of the UNSC entitles it to veto power. Whenever its interests are in place, Beijing can block possible binding Chapter VII resolutions, which deals with the assurance of peace and security. Brazil and India, for not having this advantage, have to rely on grouping together with permanent members in the moments they exert a temporary mandate. Together in the UNSC in 2011, all three along with Russia and Germany abstained from Resolution 1973 (RES 1973), which authorized member states to act in order to protect civilians in Libya.

This case will be centered at the cooperative stances of Brazil, India, and China solely at the UNSC in the year of 2011. Although looking into the UN General Assembly would also reveal interesting insights on the (non-) convergence of their foreign policies, the choice for the UNSC respects thematic, circumstantial, and analytical reasons. In substantive terms, it is the UN body that primarily deals with topics related to peace and security. Secondly, 2011 was the first moment since the creation of the UN that Brazil, India, and China seated together at the UNSC. This condition enabled them to conjugate positions towards the RES 1973. Thirdly, in analytical terms, the peace and security regime is the only, in comparison to the other two chosen for this article, in which the structural dimension clearly states out for the three countries. In this sense, it adds up to the testing of hypotheses.

In comparison to the climate change regime, a division of labor is clearer in the peace and security arena. Whilst the Kyoto Protocol determined duties to Annex I Parties, the UN Charter crystallized an institutional parting that entitles different sets of rights for countries, according to their degree of membership, which has practical consequences for interstate relations. Being a permanent member goes beyond a condition, enabling actions such as the veto. According to Dunne and Teitt (2015: 371), China has a “structural advantage” by virtue of its membership condition.

Moreover, the structure of the peace and security regime is less flexible than the other two dealt in this paper. This happens because any changes on its norms and principles depend on the agreement and posterior ratification by the five
permanent members of the UNSC. Not by coincidence, the UNSC still reflects the geopolitics of the post-World War II, as its reform plans are at standstill.\(^{14}\)

The peace and security regime is based on principles and norms derived from the UN Charter, being the principles under article 2 (4) and article 1 (3) the fundamental ones. While article 2 (4) prohibits the threat or use of force and claims all parties to respect the sovereignty, territorial integrity and political independence of other states, article 1 (3) revolves around the principle of the promotion of human rights.\(^{15}\) Both principles are frequently in conflict,\(^{16}\) and this tension was brought into how the norm of Responsibly to Protect (R2P) is interpreted and operationalized.\(^{17}\) Finnemore (1996) argues that, in practice, the corollary for intervention is near absolute rule to nonintervention. Garwood-Gowers (2013), in contrary, defends it makes sovereignty more flexible.\(^{18}\)

The norm of R2P gained impulse in international debates with the growing mass atrocities and threats to civilian populations in the 1990s and the 2000s, such as the cases of Rwanda and Srebrenica. In 2001, the International Commission on Intervention and State Sovereignty (ICISS) brought the debate away from notions on the “right to intervene” and developed R2P as a concept enabling military action. The proposal was met with suspicion by states that traditionally underscore the importance of sovereignty and non-intervention in domestic affairs, such as China.

In 2005, the UN General Assembly reframed discussions on the topic at the World Summit Outcome, stating R2P as a concept built on “three pillars”: (i) the pillar of the primary responsibilities of states to protect their population from genocide, war crimes, ethnic cleansing, and crimes against humanity; (ii) the pillar of the responsibility of the international community to assist states to fulfill their obligations; and (iii) the pillar of the UNSC’s responsibility to undertake timely and decisive response when states patently fail to protect their populations.\(^{19}\)

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14 China does not support an enlarged UNSC membership, a desire Brazil and India hold together with Germany and Japan at the G-4.
15 See: the UN Charter. Available at: <http://www.un.org/en/sections/un-charter/chapter-i/index.html>, access on February 20\(^{th}\), 2016. Article 39 grants the UNSC a wide margin of discretion to ascertain what is a “threat to the peace”. Article 51 allows for the individual or collective use of force by a state responding in self-defense to an armed attack.
17 There is still no consensus in the literature whether R2P is a principle or a norm. This paper considers it a norm, as it derives from the principles under article 2 (4) and article 1 (3) of the UN Charter.
18 Breakey (2012) writes on the tension between both components of the concept.
Actions under this third and critical pillar can include non-coercive means, for example, humanitarian assistance so as forcible measures such as sanctions or the use of force (Dunne and Teitt, 2015). The 2009 UN document “Implementing the Responsibility to Protect” focused on the operationalization of the R2P, adding up to the normative core of it.20

UNSC’s RES 1973 is a paradigmatic case in which conflict arose over the implementation of R2P. It was edited after the unanimous adoption of resolution 1970, which recalled Libyan government’s responsibility to protect its population, referred the situation to the International Criminal Court, imposed an arms embargo, and restrictions on officials. Libyan authorities largely ignored the efforts. The UNSC scaled up the tone with RES 1973, which imposed a no-fly zone over Libya, authorizing member states to take “all necessary measures (…) to protect civilians” (UN Security Council, 2011: 4). The resolution passed with 10 affirmative votes and the abstentions of China, Russia, Brazil, India, and Germany. Afterwards, a NATO-led coalition was composed to enforce the provisions.

The abstentions show these countries, even being reluctant on the content of the resolution, could not vote against it. Indeed, China and Russia were unable to exert the veto for reasons that range around: as there was real threat to the civilian population in Libya, blocking the resolution would bring reputational costs (Dunne and Teitt, 2015); there was regional consensus by the Arab League and the African Union on the need of external intervention (Garwood-Gowers, 2013); and the diplomatic ability displayed by France, the United Kingdom, and the United States to obtain the approval of the resolution (Adler-Nissen and Pouliot, 2014). It did not exempt countries such as Brazil, India, and China, though, from exerting criticism on how the resolution was implemented.

Apart from reckoning the dire humanitarian situation of the Libyan population, their criticism reflected common views on the principles of non-intervention and non-use of force, evoked by article 2(4). For these states, the NATO-led operation shifted from enforcing a no-fly zone to regime change. It was depicted as a “cynical tool for the powerful” that moved away from and interpreted selectively the dispositions of the RES 1973 (Rotmann, Kurtz and Brockmeier, 2014: 368).

For Brazil, one of the “fiercest Global South critics of the course of the Libyan intervention” (Evans and Thakur, 2013: 207), measures approved could lead to “unintended effects” to the aggravation of the conflict on the ground (Viotti, Dunlop

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This view led Brazil to circulate a concept note that qualifies its support for R2P, bringing the idea of Responsibility While Protecting (RwP). It states that “there is a growing perception that the concept of the responsibility to protect might be misused for purposes other than protecting civilians, such as regime change” (UN General Assembly, 2011: 3). The “proposed addendum” on the concept of R2P focuses on guaranteeing clearer criteria and accountability in humanitarian interventions led by the UN (Stuenkel and Tourinho, 2014).

In the Indian view, expressed through its ambassador Manjeev Singh Puri, the resolution was not based on clear information, “including a lack of certainty regarding who was going to enforce measures”. The statement fits New Delhi’s concerns about the West in consideration to the use of military intervention to uphold the principles of R2P (Hall, 2013). This cautious position (Mohan, 2014) well suits Brazil’s interpretation of R2P. According to Hall (2013), Indian arguments invoke a reluctance to endorse new principles that formally question sovereignty, so as anxieties about possible future threats to India’s own autonomy, given its internal conflicts.

China’s position was complementary. To justify its abstention, its officials mentioned the country was against the use of force when peaceful measures were not exhausted. Beijing faced the resolution with “serious difficulty” and not blocked it “because it attached great importance to the requests of the Arab League and the African Union”. In this respect, although China’s stance on intervention is lately becoming more flexible, it still takes a cautious approach as regards intervening in domestic affairs of other states (Pang, 2009), especially when it perceives a mismatch between means and ends, as in Libya (Dunne and Teitt, 2015).

Coming to a conclusion, the convergent behaviors of Brazil, India, and China in relation to the RES 1973 show that independent of their institutional condition of membership at the UN, these countries have similar interpretations of the norm of R2P. In the concrete case, their abstention demonstrates they can cooperate in a multilateral regime irrespective of their relative positions. The common distrust

21 In broad terms, RwP operates as a corollary to the principle of R2P, making the use of force, if and when authorized by the UNSC, as a last resort means of protection that should be employed in a predictable and controlled manner.


23 Idem.
Brazil, India, and China raised on the implementation of the norm of R2P in Libya had unintended effects on debating other interventions, as in the Syrian case.

**The non-proliferation regime**

Cooperation between Brazil, India, and China is not a common feature in the regime of nuclear non-proliferation, mostly, for they stand distinct views on the provisions of the Non-Proliferation Treaty (NPT), signed in 1968. Two of the players, Brazil and China, act in the opposite spectrum of negotiations within the NPT. India, for its turn, is an outsider and also a nuclear power, making common views even more improbable. As mentioned, this section will rely on the non-proliferation regime as a control case study in comparison to the other two previous cases.

To start with, the NPT recognized two categories of countries: nuclear weapon states (“have”) and non-nuclear weapon ones (“have not”). This clear-cut division largely fulfilled the interest of the nuclear weapon powers of the time. In practical terms, the NPT crystallized power among the first five nuclear states and permanent members of the UNSC, acknowledging such states with the right to possess nuclear-weapon technology. The main goal of the NPT was to avoid horizontal nuclear proliferation, something it largely failed to accomplish, since other countries succeeded in developing nuclear expertise (Verdier, 2008).

In broad terms, the non-proliferation regime leaves little space for non-nuclear weapon states to put forward their preferences. In such arena, there are no North-South negotiating blocs as happens in climate talks, and topics are more related to security concerns, leaving less ground for flexibility. States not having nuclear weapons do not have material capabilities to fundamentally influence talks. Existing groupings, such as the New Agenda Coalition (NAC) and the Non-Proliferation and Disarmament Initiative (NPDI), exert limited pressure.

The way the non-proliferation regime was structured precludes non-nuclear weapon states from changing the existing rules or proposing new ones that aim towards a less unbalanced system. As any amendments on the NPT need the acquiescence of the nuclear weapon states, it ends up being a firewall to possible changes. The nature of the regime only leaves space for weak declarations of intentions and action plans proposed by the non-nuclear weapon states, which constantly fall short in their objectives.
The NPT is unevenly structured on three pillars: (a) horizontal non-proliferation (articles I, II and III of the treaty); (b) use of nuclear energy for peaceful purposes (articles IV and V); and (c) vertical non-proliferation, or disarmament (article VI), being this last one the center of the disputes between non-nuclear weapon states and nuclear weapon states within the International Atomic Energy Agency (IAEA). Article VI reads that: “Parties to the treaty undertakes to pursue negotiations in good faith on effective measures (...) [to] complete disarmament under strict and effective international control”.  

Apart from being based on three pillars, the regime is mostly focused on the first one, of horizontal non-proliferation. This situation fulfills the core interest of the nuclear weapon states: prevent other countries from being able to develop nuclear capabilities. The framework provided by such pillar follows the realistic thinking of the Cold War.

The second and third pillars are concessions made by these states to their non-nuclear weapon peers. Such dispositions made the NPT possible, but did not receive the same attention. This happens for two main reasons: (i) nuclear weapon players do not want other states to freely develop nuclear technology, which could be eased by civilian nuclear cooperation, as the second pillar shows. Other states, by mastering the expertise, could achieve nuclear latency and imperil the dominance of the former; (ii) the third pillar, disarmament, if properly followed, would erase their material advantage.

Therefore, the regime is divided, on the one side, by five countries that primarily underpin the implementation of the first pillar, among them China, and, on the other, by states that defend a comprehensive observance of the NPT, such as Brazil. This political separation exists because the norms and principles the treaty creates are not entirely followed. In the 2000 NPT Review Conference, for instance, the New Agenda Coalition championed by Brazil proposed “thirteen practical steps for the systematic and progressive efforts to implement article VI”, which involves, among others, the entry into force of the Comprehensive

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24 The non-proliferation treaty (NPT) was signed in 1968, entered into force in 1970 and was expected to endure until 1995. The Review and Extension Conference of the NPT, in this same year, decided the treaty should continue in force indefinitely. Available at: <http://www.un.org/en/conf/npt/2005/npttreaty.html>, access on 14th February 2016.

25 The Additional Protocol of 1997 expands IAEA’s ability to strengthen the regime through tougher verification measures. It provides the authority to visit any facility, declared or not, of the signatories and to investigate states’ nuclear declarations.
Nuclear-Test-Ban Treaty (CTBT); and the principle of “irreversibility to apply nuclear disarmament” (United Nations, 2000). The effort had feeble effects and the regime was kept unbalanced. The fundamental problem, therefore, is that the three pillars, albeit written law, are not empirically respected.

Brazil historically considered the NPT to be a legal instrument in the hands of the nuclear powers, separating the world in “responsible” and “irresponsible” actors. Alongside India, the South American country remained decades outside of the regime, which arose suspicious of an undercover uranium enrichment program. It only ratified the NPT in 1998 and never accepted its 1997 Additional Protocol. Brasília underscores a strengthening of the mechanisms of verification must be coupled by disarmament measures. Also, it denies unbridled verification by the IAEA, for fears of industrial spying on its indigenous nuclear program for peaceful purposes.

For Brazil, the fulfillment of article VI is a condition for the regime to function (Brasil, 2015). Without effective progress in disarmament measures, country officials argue, the two other pillars cannot be assured, which would perpetuate an unjust order (Kassenova, 2014). In the same vein, Brazil criticizes the lack of ratification of the CTBT by the U.S. and China. For such reasoning, the country stays on the opposite side of China at the negotiating table. As they have clear differences on how they perceive the regime, their chances of collaboration are remote.

With its nuclear test in 1974, India joined the other five nuclear states, but remained an outlaw of the regime, never signing the NPT. In fact, it started suffering considerable pressure to accept the normative framework provided by the treaty. Pressures were placed on India not only by the nuclear-weapon states, but also by the members of the Nuclear Suppliers Group (NSG), such as Brazil. Following the Indian explosion of a nuclear device, the NSG imposed a three-decade embargo on civilian nuclear trade with the country.

For its dual condition of not being a member of the NPT and having nuclear armament, India is more interested in negotiating its status as a nuclear weapon

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26 On the origins of Brazil’s nuclear program, see: Mallea, Spektor and Wheeler (2015), and Jesus (2012).
27 Their distinct views are clearly seen in the passing of the UNSC’s Resolution 1929/2010 on Iran’s nuclear program. While Brazil voted against the resolution, China voiced for its adoption. On the Iranian case, see: Tourinho (2015).
28 Fuhrmann (2009) writes on the origins of India’s nuclear program.
state than in making the regime work properly. Since it is not legally bounded by the NPT, it develops its nuclear program without much constraint and do not intermesh with spats caused by the division of the treaty in three pillars. In fact, taking advantage of its geopolitical weight and regional positioning near China, India has opted to negotiate its nuclear cooperation mostly with the U.S. In 2008, following heavy campaigning pressure from New Delhi and Washington, and for the displeasing of China, the country received a waiver from the NSG’s embargo. Perkovich and Acton (2009: 28) advocate India has a “tradition” for championing nuclear disarmament that mounts back to Nehru’s government. Apart from rhetoric, this is hardly seen in practice. Differently from Brazil, however, India’s status as a nuclear weapon power grants it more means to negotiate. Also, tensions with Pakistan and the desire to seek great power status preclude the country from pursuing its own nuclear disarmament.

Lastly, China has acquired nuclear capability in 1964, pledging it would use its nuclear arming only in self-defense and never to deploy them on non-nuclear weapon states. Being one of the five permanent members of the UNSC and holder of a nuclear arsenal, Beijing calculates its position vis-à-vis the other nuclear weapon powers, namely the U.S., which partly explains why it has not ratified the CTBT (Pang, 2009). It plays a zero-sum game with Washington and also Moscow when it comes to implementing disarmament. As progress on the issue is mediocre, it sits on a different side of the nuclear spectrum as regards Brazil.

Final remarks

This article shows there is no pattern of dissent or cooperation between Brazil, India, and China in the multilateral sphere. The degree to which their foreign policy agendas can converge in the interpretation of the norms and principles that compose a regime is what ultimately contributes for them to cooperate. Consequently, what matters is not so much the topic of the regime being discussed or in which position they “sit” when negotiating global issues. These factors are important and play a role in defining their external positions, naturally, but are not essential for cooperation to be achieved, as the cases in this piece show.

29 Hymans (2012) writes on China’s nuclear program.
The major factor that explains if they are or not prone to jointly engage is how they interpret the norms and principles that compose a regime, which comes back to the second hypothesis (H2) raised in this piece. How they analyze the way such norms and principles should be operationalized in practice has proven to be decisive in answering the questions of this study. Considering the role of their respective foreign policies is pivotal, since they bridge the path between rhetoric and empirics. When these countries’ views on such fundamental basics do not match, they tend to uphold diverging stances, irrespective of the topic being discussed and the structure of the regime they are in. Hence, it is not because they pertain to the allegedly Global South that they would necessarily cooperate, as the non-proliferation case shows. This assumption corroborates the point that their international behaviors are not pre-determined by their developing condition.

The way they interpret the composing norms and principles of a regime is a sufficient condition for them to join forces and enhance bargaining power. Conformity can bring about change, prompting an evolution of the regime in question, or keep the status quo, stalling variation in them. Climate change is an illustrative example, since it was the pairing up of Brazil, India, and China that kept differentiation as the basic foundation of the regime. Were their positions apart in such core issue, more pressure could be placed on them to assume binding emission targets. Furthermore, debates on the practices of the UNSC may not have occurred if these three countries haven’t shared criticisms on the intervention in Libya.

To conclude, the nature of the regime, the other hypothesis (H1) of this paper, is not as important as how states’ foreign policy preferences intertwine in the interpretation of normative frameworks, which stresses the centrality of

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**Figure 3. Views on multilateral regimes’ normative frameworks**

<table>
<thead>
<tr>
<th>Case studies/countries’ objectives</th>
<th>Brazil</th>
<th>India</th>
<th>China</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-proliferation</td>
<td>Respect the full implementation of the NPT</td>
<td>Free-ride/be seen as an equal nuclear weapon state</td>
<td>Status-quo nuclear weapon state</td>
</tr>
<tr>
<td>Peace and security</td>
<td>Limit interpretations on R2P</td>
<td>Limit interpretations on R2P</td>
<td>Limit interpretations on R2P</td>
</tr>
<tr>
<td>Climate change</td>
<td>Keep CBDR</td>
<td>Keep CBDR</td>
<td>Keep CBDR</td>
</tr>
</tbody>
</table>
the constructivist thinking in foreign policy for this specific study. As long as the analytical framework developed in this article is contingent to the acting of Brazil, India, and China and the mentioned three cases, a valid endeavor would be to test it in other regimes these countries participate, or even with different groups of countries. The effort could prove positive for further works to test the assumptions raised in these lines.

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