

## CIVIL SOCIETY AND BRICS

### AUTHORS

*Manveen Singh, Assistant Professor, Jindal Global Law School, O.P. Jindal Global University*

*Mudit Jain, Final Year Student, Jindal Global Law School, O.P. Jindal Global University*

### ABSTRACT

*As the world endeavors to move ahead towards a new framework of development, it is imperative for BRICS to emerge as a leadership on real sustainable development and human rights. For the civil societies, the pressing concern is the challenge to human rights and development, which the BRICS economic agendas could pose. Activities and policies of BRICS can have a direct impact on economy, human rights of populations and development processes. Therefore, a significant diplomatic engagement of civil society is relevant and imperative in the current global scenario. Civil society can play a pivotal role in the sphere of human rights and sustainable development. Civil society can provide BRICS with a new perspective to look at and address global as well as domestic concerns. Furthermore, the authors will also analyse the provisions of Fortaleza Declaration (adopted in the 6<sup>th</sup> BRICS Summit) in the light of human rights, development and interests of the marginalized sections of society.*

## 1. INTRODUCTION:

BRICS (Brazil, Russia, India, China and South Africa) is an alliance of few of the most dynamic developing countries. Recently, the alliance has received global attention. This is because the group comprises of few of the fastest growing economies of the world with fifty per cent share in world's economic growth.<sup>1</sup> As a group it has a lot of potential to influence the global exercise of economic and political powers. It can be considered as a new protagonist of contemporary global sphere. It endeavors to foster long-term interests of the members by bringing reforms in global economy and financial institutions. It occupies nearly a quarter of world lands with a total of 40% of world population and having a 26% share in global cumulative gross domestic product (GDP).

## 2. BRICS AND CIVIL SOCIETY:

BRICS does not have any formal mechanisms for engagement with civil societies. The summits and negotiations which take place happen in closed intergovernmental meetings. As the world is developing, it is imperative for BRICS as a group to emerge as a leader of sustainable development and human rights. The rise of BRICS has a direct impact on trade, development of nations and human rights of its populations. Since its policies and agendas have a direct impact on economy, commodities, development processes, populations and their rights, an involvement of civil society and developmental organizations is imperative. Civil societies need to know about the ongoing processes in BRICS so that they can analyze the potential impacts on policies, practices, human rights and development in the home countries.

For the civil societies, the pressing concern is the challenge to human rights and development, which the BRICS economic agendas could pose. BRICS has given rise to a new class of entrepreneurs and facilitated the exploitation of resources for their self-interest.<sup>2</sup> Given BRICS's focus on infrastructure and growth, poverty and inequality must rather be a more fundamental issue of concern in its setting. Investments and other economic activities of BRICS can have a huge impact on food security, agriculture and exploitation of natural resources. Therefore, a substantial diplomatic involvement of civil society will provide the leaders of member states a new perspective to address these concerns. This will thus help them to formulate programmes and policies best suited to domestic requirements.

In this paper the authors will emphasize on the role of civil society vis-à-vis BRICS. Furthermore, the authors will also analyze the provisions of Fortaleza Declaration (adopted in

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<sup>1</sup>Lysa John, "Engaging BRICS Challenges and Opportunities for Civil Society", *Oxfam India Working Paper Series* Vol. 12, 2012, p. 2

<sup>2</sup>Ibid.

the 6<sup>th</sup> BRICS Summit) in the light of human rights, development and interests of the marginalized sections of society.

It is startling that BRICS does not have any formal engagement of its civil societies despite the fact that all the issues dealt by BRICS are of prime interest to civil societies. This shows that there is a misunderstanding or underestimation of the potentials of civil society to play a significant role in global governance and developmental mechanisms. However, a significant diplomatic engagement of civil society seems relevant and imperative in the current global scenario. Recent events like anti-corruption movement in India, Arab springs, civil societies' mobilization in Russian elections and influence of civil society in Senegal elections manifests the fact that civil societies, as an active stakeholder, can play a constructive role in global governance and diplomacy.

From the point of view of advocacy, the first observation is the *ad hoc* nature of BRICS. This alliance is not bound by any legal obligation or treaty. In the absence of any legal obligation, some form of political or moral suasion is required to ensure that the policies adopted are coherent and consistent with human rights and sustainable development. At present, democracy does not seem to be a concern for BRICS and no plan of broader engagement of civil society has been thought of. Thus, the scope of pressing for issues and agendas on the lines of human rights and development is at its low due to the absence of civil society.

Rise of BRICS has an impact on economic trade and development of countries and populations beyond its states. However, it is a non-legitimate mechanism of global governance.<sup>3</sup> Unlike United Nations, it is non-legitimate because of the absence of any legal obligation or treaty, inherent lack of democracy and accountability. Since its policies and agendas have a direct impact on economy, commodities, development processes, populations and their rights, an involvement of civil society is imperative. Civil societies need to know about the ongoing processes within BRICS so that they can analyze the potential impacts on policies, practices, human rights and development in home countries. Civil society can make sure that the programmes adopted by BRICS focus on real concerns and human rights of poor and marginalized sections of populations.

### **3. FORTALEZA DECLARATION AND ACTION PLANS:**

The Sixth Summit of BRICS was held in the cities of Fortaleza and Brasilia on 15-16 July, 2014. The Chairing State formulated the agenda of 6<sup>th</sup> Summit, as: "*Inclusive Growth: Sustainable Solutions*". In the context of this agenda, fundamental issues of discussion were sustainable development and social inclusion. In addition to that, agenda of establishing a *New Development Bank* and a pool of currency reserves were also discussed and made. In this

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<sup>3</sup>Rajesh Tandon and Kaustuv Kanti Bandyopadhyay, "Civil Society – BRICS Engagement: Opportunities and Challenges", *Forum for Democratic Global Governance and Society for Participatory Research in Asia*, 2013, pp.

Summit, *Fortaleza Declaration and Action Plans* were adopted. An agreement on *New Development Bank* was also adopted.

### **3.1. ANALYSIS OF SPECIFIC PROVISIONS OF FORTALEZA DECLARATION:**

We will now examine a few pressing issues faced by international community in the light of specific provisions of this Declaration and also express the concerns of civil society regarding the *new challenges to human rights and development*.

#### **3.1.1. Agriculture:**

The United Nations General Assembly had declared year 2014 as *The Year of Family Farming*. In this regard, the Fortaleza Declaration states that:

*“61. We are committed to promoting agricultural cooperation and to exchange information regarding strategies for ensuring access to food for the most vulnerable population, reduction of negative impact of climate change on food security and adaptation of agriculture to climate change.”<sup>4</sup>*

The Fortaleza Declaration emphasizes on agricultural cooperation by exchange of information. It also talks about reducing the ‘*negative impact of climate change*’ on agriculture and food security. However, the provisions of this Declaration do not talk about the interests of small and marginalized farmers. In the present scenario, special emphasis on the small and marginalized farmers, including women, is very important because it is primarily a group of developing nations. The problem of agriculture and food security is quite embedded. An approach that analyses and addresses this issue from a very grass-root would be very helpful. Such an approach would be in direct link with the small scale farmers and ensure that they are not ignored and their basic rights are not violated in the whole process of ‘*agricultural cooperation and exchange of information*’. We are not asserting that bringing globalization in agricultural sector is not workable. All we are trying to emphasize on is that there is no mention of provisions for controlling violations and safeguarding the rights of poor indigenous farmer. There is a quite possibility that the nations, while promoting agricultural cooperation and exchanging ideas, might commit violations of rights of this marginalized sections and overlook their basic needs.

#### **3.1.2. New Development Bank:**

It is well known that BRICS is ardently committed to infrastructural development and industrialization.<sup>5</sup> However, there is a conflict about its impacts on natural resources. *“The worry is that none of the BRICS countries have domestic guidelines or policies to control*

<sup>4</sup> ‘Sixth Summit: Fortaleza Declaration and Action Plan’, available at <http://brics6.itamaraty.gov.br/category-english/21-documents/223-sixth-brics-summit-declaration-and-action-plan> last accessed 23 February 2015.

<sup>5</sup> Ibid.

*violations and safeguard the rights of indigenous communities.*”<sup>6</sup> Given the stakes involved, environmental concerns and human rights seems to be taking a back seat. Displacement, dispossession and violence have been a part of reactions to development agendas of BRICS in Africa.<sup>7</sup>

For mobilization of resources for infrastructural and sustainable development projects, the Fortaleza Declaration announced the establishment of New Development Bank.

*“11. BRICS, as well as other EMDCs, continue to face significant financing constraints to address infrastructure gaps and sustainable development needs. With this in mind, we are pleased to announce the signing of the Agreement establishing the New Development Bank (NDB), with the purpose of mobilizing resources for infrastructure and sustainable development projects in BRICS and other emerging and developing economies.”*<sup>8</sup>

However, in the absence of domestic policies for safeguarding the interests of the marginalized sections of the society, these new economic agendas of BRICS might have an adverse impact on human rights and sustainable development programmes. This might be followed by issues like exploitation of natural resources, food security and agriculture, land grabs etc.

There is an urgent need for some monitoring initiative to collect data on development projects of BRICS and track down statistics on the progress and procedures being followed at ground level. This can help to ensure that the New Development Bank plays an incumbent role by employing human rights procedures and environmental safeguards in development processes.

The New Development Bank will be a new source of finance to developing economies in the world. However, this seems to be heading towards an export oriented approach to investment and growth. The concern is that such a global integration of markets may have a counter effect on indigenous economies. It can make them more vulnerable due to the excessive volatility in international currency. Therefore, the poor and marginalized sections might be exposed to a greater risk. Global investments without any domestic regulations and policies can lead to issues like land grabs and other violation of human rights of local population, which will have a negative effect on development.

### **3.1.3. Global Financing:**

The Fortaleza Declaration provides for strengthening the global financial by introducing provisions like increasing liquidity by currency swaps.

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<sup>6</sup>Supra note 1.

<sup>7</sup>Ibid.

<sup>8</sup>Supra note 4.

*“13. The Agreement (BRICS Contingent Reserve Arrangement (CRA)) is a framework for the provision of liquidity through currency swaps in response to actual or potential short-term balance of payments pressures.”<sup>9</sup>*

This might be a progressive step. BRICS countries should strive to establish monetary cooperation by trading currencies and facilitating for trade settlements in local currency.

The New Development Bank of BRICS which promises to bring reforms in global development processes must ensure that global financial regimes are sensitive to the interests of marginalized sections. The engagement of civil society in this establishment has been low despite the fact that their stakes are substantively more. Given the economic and political disruptions followed by financial crises of 2008, establishment of such an institution is crucial.

#### **3.1.4. Human Rights:**

Factoring in the human rights processes strengthens the transparency and accountability of developmental goals. Civil society can play an observant role and can help in making the proposals of the development plans available for public scrutiny before formal adoption. In the broader scheme of things, this will shape a vision of transparency and accountability around the roles played by the governments at an international platform.

Human rights must be an integral part of economic agendas and developmental planning of BRICS. *‘Human rights and development share a preoccupation with necessary outcomes for improving people’s lives.’<sup>10</sup>*

#### **3.1.5. Women:**

BRICS must build a mechanism to promote active roles of women in society. Fortaleza Declaration provides that:

*“57. ...We confirm our strong commitment to address social issues in general and in particular gender inequality, women's rights and issues facing young people and we reaffirm our determination to ensure sexual and reproductive health and reproductive rights for all.”<sup>11</sup>*

There should be cooperation and exchange of strategies and expertise to address and tackle political, economic and social barriers to women’s participation. In this regard, the New Development Bank of BRICS must include in its mandate promotion of investments aimed at bringing gender parity.

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<sup>9</sup>Ibid.

<sup>10</sup>Office of the High Commissioner For Human Rights, ‘Frequently Asked Questions On A Human Rights-Based Approach To Development Cooperation’, available at <http://www.ohchr.org/documents/publications/faqs.pdf> (last accessed 2 February 2015)

<sup>11</sup> Supra note 4.

There is a disconnect between the regional and global decision making process. This is because they are not collectively viewed as having an influence on the internal priorities of policy and decision making of which local communities have always been victims.<sup>12</sup> With the emergence of new roles, which the governments have to play at the international platform, a practice of addressing the grievances of locals must be developed. This can be done by engaging the civil societies and allowing them to play a constructive role in global governance and diplomacy.

### **3.1.6. Corruption:**

The declaration rightly recognizes corruption as an obstacle to sustainable economic development. It provides that:

*“58. We recognize that corruption negatively affects sustainable economic growth, poverty reduction and financial stability. We are committed to combat domestic and foreign bribery, and strengthen international cooperation, including law enforcement cooperation, in accordance with multilaterally established principles and norms, especially the UN Convention Against Corruption.”<sup>13</sup>*

Corruption leads to violations in all human rights- civil, political, social, cultural rights, including right to development.<sup>14</sup> Since, BRICS is a group, which is committed to accelerating economic growth and development, corruption as a subject requires significant attention. It can make every developmental effort futile. Since corruption has a direct impact on human rights of citizens, human rights standards must be incorporated in the strategies to counter it. Therefore, just a black letter legislation or commissions might not be efficient without an active engagement of civil society.

Though we appreciate that BRICS has recognized corruption as a factor leading to negative economic growth, but it has failed to provide measures to combat it. The provision of the declaration is quite vague in stating ‘*we are committed to combat domestic and foreign bribery*’, followed by ‘*and strengthen international cooperation... in accordance with multilaterally established principles and norms*’. However, it does not provide for the forum to actually redress it. Of course some deliberation might have taken place on the floor regarding the same, all that the provision of the declaration says is that the ‘*established principles and norms of UN Convention Against Corruption*’ will be followed. It does not allow any engagement or recognize the constructive role which the civil society can play.

## **4. RECENT DEVELOPMENTS:**

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<sup>12</sup>Supra note 1.

<sup>13</sup>Supra note 4.

<sup>14</sup>Office of the High Commissioner For Human Rights, ‘Human Rights and anti-corruption’, available at <http://www.ohchr.org/EN/Issues/Development/GoodGovernance/Pages/AntiCorruption.aspx> (last accessed 1 March 2015)

In the year 2014, civil society was mentioned for the first time in the BRICS communique. Mention was made in relation to the use of information and communication technologies to foster sustainable economic process and social inclusion.<sup>15</sup> Para 49 recognized that the working together of civil society, ICTs and academia has potentials and can be fundamental in fostering sustainable economic progress and social inclusion.

Ahead of the Sixth Summit, groups of civil society requested for a BRICS Tract 3 mechanism. A new website of civil society forum of BRICS was recently launched in October 2014.<sup>16</sup> *Civil BRICS* is referred to as “*innovative political process, for the first time to be implemented within the BRICS Summit in 2015, the year of the Russian Federation Presidency*”. There is an anticipation of formal mechanism of involvement of civil society through Civil BRICS in the future. Civil BRICS is a great development which will be implemented for the first time in 2015 BRICS Summit. It will promote a constructive dialogue between BRICS member States and representatives from civil societies.

Participation in ‘Civil BRICS’ is not restricted to civil societies of member states but also involves a dialogue with guest countries on key social issues like education, healthcare, conflict settlement, development etc.

## 5. CONCLUSION:

As the world endeavors to move ahead towards a new framework of development, it is imperative for BRICS to emerge as a leadership on real sustainable development. Sustainable development in this context would mean that the populations have access to essential resources to fulfill their human rights such as water, energy, food, health care and ensuring at the same time that there is no excessive exploitation of resources adverse to natural processes leading to biodiversity loss or climate change. The New Development Bank must strive to adopt such an agenda which is built on a greater vision of sustainable development, and aim to put an end to poverty, deprivation and enhance human capabilities and human rights for all.

Greater involvement of civil society is absolutely imperative as it will provide the leaders of member states a different perspective to look at and address global as well as domestic concerns. This will help them to formulate programmes and policies in consonance with human rights and sustainable development. Civil society can make sure that the programmes adopted by BRICS focus on real concerns and human rights of poor and marginalized sections of populations. It will also ensure greater legitimacy to the policies adopted. Participation of civil society is already present in other such political groups, for example G20.

Greater role and presence of civil society within BRICS is important and can contribute meaningfully to greater transparency, supervision of the workings and developments. It is time

<sup>15</sup>Supra note 4.

<sup>16</sup>‘Civil BRICS’, Civilbrics.ru, available at <http://civilbrics.ru/en/> (last accessed 1 March 2015).

we recognize that academic community, non-governmental organizations, concerned citizens and experts are relevant stakeholders in global developmental processes. They represent civil society and have a lot of potential to contribute significantly towards greater transparency, real accountability, human rights and development and monitoring, evaluating and supervision of commitments and performance outcomes.