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MULTILATERAL DIPLOMACY: DISSENTS AND CONTRASTS. TWO GENEBRINE CASES, A PERSONAL TESTIMONY[1]

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Introduction

Geneva and New York are cities generally seen as the two main centers of multilateral negotiation. Others, like London, Paris, Vienna, even Brussels, do not compare to these two, in terms of density and scope of the negotiations that take place in them. Unlike New York, however, where multilateral diplomacy is concentrated at the headquarters of the United Nations-UN, and is more of a political nature, in Geneva this activity is dispersed in numerous forums, of an economic, political or technical nature (in this case, most specialized UN agencies, for example). What draws attention, in the case of the Swiss city, is the negotiating environment, which is always thematically sophisticated, but which can sometimes be aggressive, on the part of developed countries, under the cover of avant-garde or technical initiatives and proposals. Furthermore, while in New York there is a more numerous and more politically articulated representation of developing countries (DCs), at least within the framework of the UN General Assembly, in the negotiations, in Geneva the more technical nature of the forums and their diversity tend to favor most expensive agendas for developed countries.

How to Deal with Dissents and Contrasts?

The Geneva context is particularly interesting as the economic-commercial and other issues seen as more technical in nature, in contrast to what is discussed in political forums, are increasingly identified with the latter; and vice versa: as the formerly technical negotiations progress, in the

1 From the original, *Vivências Diplomáticas e Autobiográficas,* In: www.mineiromatuto.com.

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scope of the environment, for example, on climate change, their political and economic implications become clearer and more comprehensive, and these then become the main plan of the negotiations.

Traditionally, forums as different as the General Agreement on Trade and Tariffs (GATT), which gave rise to the World Trade Organization (WTO), or the Conference on Disarmament (CD) are also examples of these characteristics of the Geneva multilateral negotiation: more than in New York, the agendas of interest of developed countries are proposed in Geneva, not without a certain aggressiveness and imposing disposition, due to the greater control that these countries have over many of the forums that exist there. Such trends have lost much of their strength due to the growing capacity for developing countries to articulate in defense of their common interests. Multilateral diplomacy has always been the best support for the defense and promotion of these interests in the sphere of international relations, but much more today, thanks to the evolution of negotiating institutions — for example, with the creation of the WTO, replacing GATT — but also thanks to a better understanding, in the developing world, of the value of multilateral trading. The denial of this value, as seen in the case of the present Bolsonaro government in Brazil, is anachronistic and visibly mistaken.

The Imposing Agenda of Developed Countries

Shortly after arriving in Geneva to take up my duties with our Permanent Delegation in Geneva — DELBRASGENU, in 1989, amid the commercial negotiations of the so-called Uruguay Round, promoted by GATT, I had an ordinary experience that illustrates well what was waiting for me. My wife and I went down Rue du Mont Blanc on a Sunday afternoon, in the middle of the summer, quite unconcerned, when a young, rather upright lady, coming towards us, shouted at us in an exalted tone: «*vous ne pouvez pas vous mettre dans ma trajectoire*!», something like "get out of my way" or "get out of my sight". Since, surprised, we offered no reaction, she repeated the phrase again, omitting the subject to be more harsh, in an always imperative way, «*pouvez pas vous mettre dans ma trajectoire!*», and went on his way, stomping hard.

Perhaps we had occupied at least part of the space that would mark the trajectory projected on its path by the upright lady. Her "trajectory" had to be free, unimpeded. The Geneva negotiations had some of this behavior on the part of developed countries. The international context has changed since then and the negotiating agenda has evolved, the WTO has replaced GATT,

for example, but the manifestations of these unbalanced relations are still notable in many forums.

The imposition of the agenda by developed countries came about clearly with the launch, within the scope of GATT, of a new round of multilateral negotiations on international trade in the so-called Uruguay Round, in 1986. Negotiations on disarmament, at the Conference on Disarmament (CD) have been paralyzed for years by the opposition of nuclear-armed countries to a comprehensive work program. In terms of the environment, the negotiations originally followed the interests of rich countries.

GATT and the Uruguay Round: The Environment

The World Trade Organization (WTO), only created in early 1995, resulted from the Uruguay Round negotiations, which ended in 1994. Until then, international trade was subject to the disciplines of GATT, an institution dominated by a group of large rich countries - US, Japan, Canada, plus the European Union Commission, the select and exclusive «Green Room club». Gathered in this room at GATT headquarters, on Rue de Lausanne 154, they dictated the rules of world trade: Russia, still the Soviet Union when I first arrived there, in 1989, and China were not members of the General Agreement, a kind of association limited to just over 40 countries, the "Contracting Parties", where, among the few developing members, only a few stood out, among them Brazil and India, the only ones capable of resisting the dictates of the club's leaders, however, always being remembered that the opposition to their "trajectory", the leaders, had limits[3].

3 The same trend, more or less evident, or more or less intense, was happening, and it is still verified today, in one or the other, within the myriad of multilateral forums in Geneva. Geneva and neighboring cities host many of these bodies or the convention secretariats, many of them concluded under the auspices of the UN, such as the Convention on Biological Diversity, the CITES-Convention on International Trade in Endangered Species, the International Tropical Timber Agreement , from 1983, replaced by a new Agreement in 1994 and another in 2006, with the ITTO-International Organization on Tropical Timber Trade, or the RAMSAR-Convention on Wetlands of International Importance Especially as a Water Bird Habitat. Among the political forums, and others of an economic-political nature, there are many within the structure of the United Nations, hosted at the *Palais des Nations*, an imposing building built after the First World War to house the then created League of Nations. There is the United Nations Conference on Trade and Development - UNCTAD, a historical body, the focus of the articulation in defense of developing countries - DCs, a category of countries that then, in the late 1950s, early 1960s, consolidated into the so-called Group of 77, or G-77. For this very reason, it was one of the few Geneva forums where it was possible to make the interests of the DCs prevail in the context of multilateral negotiations — there, effectively, the DCs "got into" the "trajectories" of developed countries to fight for their own interests. UNCTAD

During the Uruguay Round, we, from DELBRASGEN, especially myself and my youngest colleague, today an ambassador and with a career marked by seriousness and a high level of competence, Tovar da Silva Nunes, delegates from Brazil to the so-called «New Themes», received in the Mission, almost every week, a qualified technician from UNCTAD for very instructive and guiding informal conversations about the negotiation process, from which we could better mark our work based on Brasilia's instructions. It is worth remembering, as I describe below, that few people knew exactly what the negotiations on trade in services or on intellectual property were, from the point of view of international trade disciplines.

Also in Geneva, in the affectionately called "Palais", acts the UN Council for Human Rights, with its High Commissioner; and there, with all its tradition of high negotiations on the destinies of humanity, the Conference (of the United Nations) of Disarmament (CD) is held, to which the most imposing room of the whole is reserved, with exclusive use for its sessions. Palais, soberly decorated with De Sert's frescoes on «War and Peace», which cover the entire ceiling and give the room an air of timeless bronze.

The second time I served in Geneva, from 2014 to 2016, I presented, in the hall adjacent to this room, my credential letters as Ambassador Permanent Representative of Brazil to the Conference of Disarmament to the UN Secretary General ("Deputy") - in Geneva[4].

In contrast to New York, where the bulk of multilateral diplomatic activity is concentrated in the UN and its offices, such as the UNDP, in

was undoubtedly present, but it did not take long for developed countries to articulate their marginalization as a negotiating forum. UNCTAD, for some time now, has lost strength, as the focus of the interests of the DCs has gradually shifted to other more flexible and less stigmatized negotiating contexts, but it still constitutes an important center of research and studies on international relations, in a perspective support for economic development.

4 There are also a huge number of regional bodies in the city, some scientific, such as CERN, for research in nuclear physics, others many linked to the European Union and other European institutions. Others, still, in the most economic-commercial area, such as the EFTA-European Free Trade Association, more connected to the Nordic countries and some other non-member Europeans, at the time of its creation (1960), of the EEC (now only integrated by Liechtenstein, Iceland, Norway and Switzerland). Anyway, Geneva is a world. And it leaves behind other European cities that are also important for multilateral diplomacy, such as Vienna, London or Paris. It is perhaps compared to Brussels, on behalf of the EU. Small town, more than 70 percent of its inhabitants are international employees, with a vast diplomatic corps. With a thriving economy, even if it was not a Swiss city, and its high cost of living, it leaves most of us poor diplomatic employees on tight wages, uncomfortable in the face of luxury and high service prices, better suited to the extensive floating Arab population or tycoons and people who can live well with the financial attraction of this international urban center, if not cosmopolitan like New York.

Geneva the rule is the diversification of this work by different forums. Any of us, diplomats based in the city, inevitably end up attending meetings and negotiating sessions in many of the forums based in the city and its surroundings, without exaggeration.

However, today, the same themes, including commercial ones, dealt with under different or complementary perspectives, are negotiated in many forums, at the same time or almost. As a result, an intense work schedule for each diplomat, which often extends to late at night and weekends, further limiting the little time set aside for our private life — in this, in fact, not differing from multilateral work in other centers, like the one in New York.

Geneva becomes unique, however, for a special reason: the vanguard of the agenda, which is obviously very positive and diplomatically rewarding. More perhaps than in New York, the topics negotiated in Geneva tend to be at the forefront of the multilateral international agenda. These are themes that, only years later, will enter the agendas of other forums, elsewhere, or even in New York, in regional forums, and, always decades later, in the national agendas of each country.

The theme of climate change, with the IPCC-International Panel on Climate Change, a small select group of scientists, meeting with government representatives in the late 1980s and early 1990s, in Geneva and the surrounding area, without meriting any focal attention point at the multilateral level, much less at the regional or national levels, is a striking and current example of this dynamic. Same thing for topics like trade in services, or intellectual property. The entire environmental theme with its international discipline, in its various branches, was for several years concentrated in Geneva, in the unfolding of the 1972 Stockholm Conference.

New Themes

As I said, the first time in Geneva "as a post", that is, in a permanent position at the Mission of Brazil - DELBRASGEN, in 1989, the Uruguay Round at halfway, I was in charge of our delegation to the three «New Themes» - trade services; trade and intellectual property; and trade and investment.

These issues were called "new themes" due to the unprecedented inclusion of them in the scope of trade negotiations in the GATT, these traditionally restricted to trade in goods and tariff negotiations, in addition to related topics, such as the "balance of payments" exceptions – BOP, in the acronym in English, of each country, a theme more affected, obviously, to developing countries, for always presenting chronic deficits in this regard.

Precisely for this reason, meetings on BOP were very fun, being one of the few where we, the DCs in GATT, could achieve favorable results, with exceptions, or "waivers", in applying GATT disciplines, as "most favored nation" or "national treatment".

With the change of rules at the end of the Uruguay Round, and the creation of the WTO, the BOP exceptions have been diluted or evolved, in addition to being meaningless with the globalization process and the prevalence, in the scope of international trade, of economic liberalism initiated in the 1980, which was the consequence, in fact, of the launch of the Uruguay Round itself.

In Brazil, this turn towards liberalism and trade opening took place in the early 1990s, under the Collor government. I felt these changes in the skin, during the negotiations in the Uruguay Round, especially in the Negotiating Group on Services, but also strongly in the Negotiating Group on Intellectual Property. In the third negotiating group on "new topics", the group on "investment measures related to trade" (TRIMs), the negotiations dragged on, almost paralyzed by the difficulties inherent in the issue and by the very different positions on the topic of how to regulate, control and protect foreign direct investment.

In the two other negotiating groups mentioned, however, we, delegates from developing countries most active in articulating their interests in the negotiations, notably Brazil and India, acted within a traditionally better protectionist framework. My predecessor at the head of our delegation to these groups had been the Head of our Mission in Geneva, Ambassador Paulo Nogueira Batista, whom Ricupero had replaced months before.

Paulo Nogueira Batista was, as I felt in my first contacts with the delegations in these groups, revered and respected for his lucid interventions, and for the courage in defending common interests to the DCs, facing almost alone, and always in mutual support with India, the true "steamroller" in favor of an indiscriminate opening of trade in services and absolute protection of intellectual property rights (due to the need to protect technological advances in developed countries), the reason for including these themes in the Round in the view of the US, Commission of the European Union, and other powerful of the Green Room.

I must insist that the trade in services has never before been subject to discipline in the GATT. The «General Agreement» has always been limited to trade in goods. Services, in macroeconomics and public accounting, were the "invisible" (transactions of services in the balance of payments, such as insurance, freight, but not including, for example, transactions related to foreign direct investment).

Still in 1989, they were new, really a "new topic", which had been introduced in the negotiating mandate of the Uruguay Round due to the interest of rich countries that, in the process of globalization of the economy with the application of new information technologies, began to glimpse the potential of trade in services and the need to open markets, especially in developing countries, which are still quite closed in this area. It was still the days of the Soviet Union and the Berlin Wall. Even many developed countries, such as Switzerland and the Nordics, had their public services, such as financial or telecommunications services, controlled by the State, without any kind of opening for the entry of foreign service providers.

Only in 2002 did the UN publish the "Handbook of International Trade in Services Statistics", with a detailed description of the four "modes" through which services can be marketed internationally, taking into account the location of suppliers and consumers of transnational services.

In developing countries, there was, in fact, both in the public and private sectors, no notion of the extent of trade in services or of their significance, in terms of negotiation under the GATT. My colleague from Colombia, neighbor of the Brazil bench in the Group on Services, and my tennis partner on the weekends, was recently arrived in Geneva, directly from Bogotá, where he held high positions at the Central Bank of that country, in the services sector.

Having already participated in some meetings of the Group on Services, he confessed to me his ignorance and perplexity about what was being discussed there, as it had nothing to do with his previous work, linked to the "invisible". We were, in fact, facing a novelty, in a very abstract debate on how to apply traditional GATT disciplines, such as "most favored nation", "national treatment", "non-tariff barriers", etc., to this new type of trade, whose peculiarities presented, from the point of view of the establishment of rules or disciplines in the scope of international trade, many difficulties — with few affinities with trade in goods.

Something similar, to give another example of the characteristic avant-garde of Geneva in dealing with issues of international scope, has been going on since 2015, within the scope of the Conference on Disarmament, with consultations and groups of experts on automatic systems of robot weapons that are independent of human control.

Just in 1989, GATT published the institution's first report on "trade in services". It was then revealed, to widespread astonishment, that trade in services, on a global level, exceeded the value of goods trade on a worldwide level by around 10%. From then on, and by chance the process of globalization asserting itself in coincidence with the end of the Soviet Union and the fall of the Berlin Wall, there was an extraordinary activation of the ongoing

negotiations in the Uruguay Round Services Group.

Brazil was in a moment of transition, with the tests promoted by the Collor government to open its economy. At this point, we were, Brazil, India and some other developing countries, engaged in affirming, in the negotiating process, the principle of "special and differential treatment" for the DCs, a concept already adopted in the negotiating forums on the environmental theme, and which under the GATT, it was based on Part IV of the General Agreement, introduced in 1965, which was only of an urgent nature to facilitate trade with developing countries.

It is easy to imagine how much Brazil, India and a few other developing countries, such as Argentina, Colombia (which chaired the Negotiating Group on Services) and Egypt, were under pressure to accept a liberalizing agreement in the area of trade in services, with the consequent opening of their markets still quite protected. Financial or telecommunications services involved particularly complex negotiations.

The same naturally happened in the other groups of the "new themes", that is, intellectual property and investments, within the peculiarities of each one. In GATT, there was no negotiating experience on these topics, we typically sailed in "unchartered waters", but with a single certainty: strong interest from developed countries, especially the US, the EU, and Japan ("demandeurs", in Gattian language), to standardize these areas in the scope of international trade. In the case of intellectual property, due to the evident need to protect the rights of this type of property arising from technological development and its commercial value. It is necessary, therefore, to go beyond the existing conventions on the matter, mostly managed by WIPO and the Paris Convention, and to address them from the perspective of the market and trade relations: patents, designations of origin, records, trade secrets, copyright, practically the entire universe of intellectual property has become commercially disciplined.

In investments, there were even more delicate issues, many of them touching on sensitive areas of national sovereignty, such as the protection of investor rights or the remittance of dividends, or the movement of capital.

We knew that for us, developing countries, it would be very difficult to sustain very restrictive, defensive or market protection positions that did not involve comprehensive commitments in other areas, where we were more interested in accessing the markets of rich countries, especially in agriculture, another topic that for the first time, with the Uruguay Round, was the subject of differentiated negotiations within the scope of the GATT system.

In the "new themes", undoubtedly, the "spoilers", those who

questioned the consensus on the adoption of disciplines that would favor a comprehensive and rapid liberalization of the markets were Brazil and India, the main negotiators of the DCs, since the majority adopted discrete positions. At that time, in 1989 and 1990, at the beginning of each negotiating session, the heads of each group promoted consultation lunches or dinners, with participation restricted to the main negotiators. Of the DCs, invariably, only, Brazil and India, occasionally also Egypt. There were countless times when, on those occasions, the American delegate described me as a "spoiler" of the discussions. Simply because I brought to the table objections to "consensus" that evidently formed, along with sophisticated menus and elegant wines, around the positions of rich countries. He even once said that I always "poisoned" the negotiating group's dinners. An almost true, on the imagery level.

I have learned a lot in these informal meetings. About negotiation and about cooking and gastronomy.

Embarrassment. I believe that this was the state of mind in which Brazilian negotiators left us at the time of the Uruguay Round, the new attitudes of the Collor government, of a willingness for a relative opening of the Brazilian market. It was a foreign trade policy that was more than due, given the anachronism of a Brazil that was almost completely closed to the rest of the world.

The changes, however, came with an unprecedented characteristic in terms of international negotiations: unilateral opening, without the proposal of counterparts. Reciprocity, as we know, is an indispensable condition to be taken into account in diplomatic negotiations. I do not say that its application is always essential, but it is always good to have that element close by.

In this case, we started to give up opening our markets without major counterparts. Something like we are doing today, in the Bolsonaro government, in our devastated relations with the US of Trump, our undisputed overlord of the moment.

The Environment Issue

At that same time, the theme of the environment was emerging on the Genevan negotiating horizon, with a view to preparing the United Nations Conference on Environment and Development - UNCED, in the acronym in English, scheduled for Rio de Janeiro, in 1992, as well as the parallel negotiations of the conventions and other proposals for the standardization of "environmental" themes (climate change, biological diversity, protection of

the ozone layer, forests and desertification). In Geneva for a meeting, Filipe Macedo-Soares, then minister (of the diplomatic career, we call "minister of second class", degree just below "minister of first class", that is, the onde of the ambassador), head of the newly created and all powerful Environment Division at Itamaraty, invited me to stay with the environment desk in our Mission, DELBRASGEN. In the circumstances in which I found myself, I accepted, pending, of course, for consultation and approval by the head of the Mission, Ambassador Rubens Ricupero.

Indeed, the proposal was also in my interest. The activities on the environment in Geneva would not start until September, after the summer that started. The meetings of the Uruguay Round, on the other hand, continued at a frantic pace, and would not give me the space and time to finish my thesis in preparation for the Course of High Studies at the Rio Branco Institute - CAE. Furthermore, it would be stimulating to return to dealing with environmental issues, one of the themes that I was first assigned to at the beginning of my career at Itamaraty, at the United Nations - DNU Division, in 1973, and with which I soon became attached - even though it was considered a "minor" theme.

Yes, the Stockholm Conference on Human Environment had taken place less than a year ago, in 1972, but its follow-up was just a crawl, and it was absolutely not a priority in the international context, much less on the agendas foreign policy and domestic policy in peripheral countries, such as Brazil. Even less in Brazil under the military dictatorship, externally isolated.

The only internal measure related to the development of Stockholm was the creation of the Special Secretariat for the Environment - SEMA, linked to the then Ministry of the Interior, a tiny division whose leadership was the late Professor Paulo Nogueira Neto, a biologist scientist from São Paulo, specializing in «Stingless bees». The creation of the United Nations Environment Program (UNEP), based in Nairobi, followed in Stockholm. Professor Nogueira Neto led our delegation to the first UNEP meeting. I keep in my memory the official report written by the esteemed professor Paulo: a detailed description of the beauty of the fauna and flora seen on the way from the hotel to the UNEP headquarters, where the meeting took place, outside Nairobi. About the meeting itself, just a line or two, to say it had been great.

A bath of pure light, typical of a student of nature, amid the concern that we already had, at DNU, with the disconnection, so well symbolized in the aforementioned report, among the agenda of the Brazilian government, for whom the environmental issue was still practically ignored, and treated as a mere minor issue, "ecological", seen as only of interest to the rich countries, concerned with pollution, without considering the economic and political

complexity of this agenda as it was already outlined at the global level. Even today, the serious misunderstanding of identifying internal and international negotiations on environmental protection and sustainable development as a mere "ecological issue" is frequent.

Except for the international criticisms that are still incipient, but already notable on deforestation, predatory mining and burning in the Amazon, the environmental issue entered our agenda indirectly, with Itaipu and the dispute with Argentina on the issue of the use of shared rivers. As you recall, we had a huge and unnecessary wear on foreign policy, both in our relations with Argentina and other neighboring countries, and multilaterally, at the UN, where Brazil was isolated, suffering shameful defeats in the General Assembly — all because of our mistaken insistence on not accepting the notion of "prior consultation" in the hydroelectric use of rivers shared by two or more countries.

Undoubtedly, it is a complex and potentially very conflicting issue. Even today, Ethiopia faces difficulties in understanding with its neighbors to the north, Sudan and Egypt, due to the large dam built over the Nile in its territory (being downstream countries, they are naturally defensive in the face of possible changes in the water regime of that river).

As a connection point, the principle of sovereignty over natural resources. It is a principle that has never been seriously questioned at the international level, on the contrary. It is true that because it is a priority factor, especially on the negotiating agenda of developing countries, the fact is that it has always been included in all international instruments negotiated multilaterally, in any of the areas related to the environment (climate change, biodiversity, etc.) as in other areas (law of the sea, energy resources, renewable or not, water resources, etc.).

In such a way that the disrespect to this principle - in fact, a norm of international law - when it occurs, finds no refuge in the relations between States. As in all areas of international relations, the concept of the sovereignty of each State over its natural resources evolves and enriches itself along with the expansion of knowledge and according to the new realities. Without prejudice, of course, to its fundamental characteristics.

The same is true, for example, in science, with changing paradigms. As we know, Einsteinian discoveries about the relations of space and time, with the theories of general and special relativity, did not invalidate Newton's laws; they only expand them into the previously unexplored terrain at speeds close to that of light. In the field of international relations, the concept of sovereignty over natural resources has seen itself, in recent decades, especially since the second part of the 20th century, in the face of particularly

demanding challenges, clearly visible in dealing with issues such as the law of the sea, the environment, and others, such as water or energy resources, which necessarily, due to their transnational characteristic, interact with the notions of frontier and limits on the sovereignty of States.

However, it should be admitted that this rule, regarding the sovereignty of States over their natural resources, has periodically been argued in a distorted way, especially by regimes of authoritarian inclination, to justify the adoption of questionable public policies. This, out of mere fear and opposition to the dynamics of development and integration, the assumption of which will always be the transparency inherent in the Democratic Rule of Law. It can be seen along this line, as I describe above, how fallacious the posture of the Bolsonaro government has been, especially in the external area, when counter-arguing the criticisms of its political (inaction) and ostensible encouragement to predatory occupation of the Amazon rainforest with the allegation of "external threats" to the country's sovereignty over its natural resources.

Ricupero, always very understanding, which I see as one of the qualities of great leaders, agreed to my change of "desk" in the Mission, facilitated, at the moment, by the arrival of new colleagues, among them (then) Minister Sérgio Amaral and (then) advisor Piragibe Taragô, colleagues of "first water" and certainly much more qualified than me to take on the negotiations in the groups of my responsibility in the Round: Ricupero calmly entrusted both of them to Sérgio Amaral the groups on services and investments, and Piragibe to the group on intellectual property. I was thus able to count on the summer months to finish my thesis, before entering swiftly in the environmental negotiations in Geneva, which led me to perpetual constants - and sometimes quite long ones - to New York and Nairobi.

My departure from the Round negotiations caused some surprise, especially in the services group, since at that point we were already, in the "hard core" of the negotiators, a kind of family, due to the frequency of meetings, informal meetings, seminars, lunches and dinners we attended. I was able to explain to colleagues that I had been summoned to work in the preparatory negotiations for the Rio de Janeiro Conference - UNCED, which was effectively the case, the same ones occupying me completely until the end of my first stay in Geneva, in 1992, and then, since I was transferred to the Secretariat of State in Brasília, and head the Environment Division - DEMA after UNCED and in subsequent years.

However, it was understood that my departure was due to the change in positions that we had previously defended, due to the economic and commercial opening carried out by the Collor government. Indeed, and as

mentioned above, this opening, although more than due in its substance, in the context of a country that politically and economically needed to open up to the rest of the world and update itself in its external relations, caused we have some embarrassment in the negotiations, due to the way it was translated there, removing "the carpet" from us, so to speak, when made on the basis of concessions without credit to the notions of reciprocity or counterparts.

These are practices that Brazil sometimes tends to repeat, for better or for worse, as for example in the current Bolsonaro government, with the unimpeded elimination of the visa requirement for US citizens (although there may be some justification of a different nature, in cases like this), or giving up, in the WTO, the status of a developing country, with the loss of the advantages that this condition gives us within the scope of that organization. It is fallacious, in this sense, the argument that the counterpart for this abandonment of the condition of developing country will be the eventual entrance to the Organization for Economic Cooperation and Development - OECD, since the accession to that organization, in addition to the "benefit" of the only formal and dubious change of status, will only lead us, in a long, costly, and unrealistic process of adaptation - in all sectors of economic activity - to new obligations, specific to the normative framework of developed countries.

We all hope that one day Brazil will reach the level and quality of life of a developed country. I think, however, that the entry - or not - to the OECD will be marginal in this process, the dynamics of which will depend much more on our internal effort and public policies to combat poverty and visceral social inequality, with priority for education and health, as well as in the search for a constructive understanding with the neighbors and the rest of the world.

Disarmament: The Disarmament - CD Conference: The Treaty on the Prohibition of Nuclear Weapons - TPAN

The panels by De Sert are impressive in the room of the Conference on Disarmament, which can be accessed by entrance XVI of the Palais des Nations. They advocate, in their sobriety and in the theme of peace and war, the seriousness and the high purposes of what is discussed there. The room has a history, which begins in its days of headquarters of the debates of the League of Nations, when the CD was created in 1932. With the revival of multilateralism following the creation of the United Nations, several intergovernmental initiatives on disarmament took place in 1960, with the Committee of Ten-TNDC, the Committee of Eighteen - ENDC, always in Geneva, from 1962 to 1968, and the Disarmament Committee - CCD Conference, from 1969 to

1978. The CD, as it is today, only expanded to 65, of its 40 original members, was constituted in 1979, object of decision of the First Special Session of the United Nations General Assembly, dedicated to the topic of disarmament, in 1978. It is defined as «the single multilateral disarmament negotiation forum of the international community», being responsible for an important series of negotiations on disarmament, such as the Toxic and Biological Weapons Convention, or the Chemical Weapons Convention or the Comprehensive Nuclear Test Ban Treaty - CTBT, although some of the main understandings on containment and disarmament among the main nuclear powers, such as even the Non-Proliferation Treaty-NPT, have been concluded elsewhere.

It contrasts with the nobility of the place and the values in favor of World Peace that it represents, and with the history of successful understandings and negotiations, the general feeling of frustration that has accompanied, over the last two decades, the Permanent Representatives and delegates of the about 65 Member States participating in the weekly plenary sessions of the CD.

Since 1996, with the conclusion of the Comprehensive Nuclear Test Ban Treaty (CTBT) (which has not yet entered into force today), the CD has been paralyzed, due to lack of consensus on its «Work Program». There is no interest on the part of the nuclear-armed countries in opening negotiations in the area of nuclear disarmament, nor is there the necessary consensus among these countries on opening negotiations on the main topics on the agenda.

Of course, it is not a question of a complete halt in his work, which unfolds in various themes. The CD's agenda, previously called "Decalogue", today covers seven or eight themes, the main ones being those related to nuclear disarmament and other types of weapons of mass destruction, outer space, negative and positive guarantees regarding the non-use of weapons against third parties, and some others within a very intense dynamic, such as the disarmament of conventional weapons or the one related to biological weapons.

There are still issues within an innovative framework, such as the dealings, for the time being quite incipient, on the issue of fully automated weapons systems, that is, robotic weapons completely independent of human control, called «Lethal automatic weapons systems» - LAWS .

In addition, all the basic themes of the current CD agenda, nuclear weapons, outer space, security guarantees, in addition to other indirect ones, such as non-proliferation and the NPT, or the question of expanding the number of countries in the DC, or even the updating of the strict rules of procedure of the Conference — this whole thematic universe follows, if not on the agenda, by the absence of an agreed, but underlying "Work Program", at the level of consultations, more or less informal, more or less intense, more

or less programmatic.

An example of this activity concerns the negotiation and conclusion of the Treaty on the Prohibition of Nuclear Weapons - TPAN, approved at the Special Session of the UN General Assembly, held in July 2017 in New York and open for signature in September of the same year, at headquarters of the Organization. Because of its originality, as the first legal instrument to prohibit the development, testing, production, manufacture, use, acquisition, possession, storage or transfer of nuclear weapons, the treaty, even if negotiated within the UN, but outside the CD, practically breaks with the inaction of the CD on the topic of nuclear disarmament, which has occurred since the completion of the CTBT in 1996.

The ban on nuclear weapons is now the norm of international law. The treaty was approved by 122 countries, with Singapore abstaining and the vote against Holland, the only NATO country to attend. Other countries that are nuclear armed or share nuclear weapons did not participate and registered their opposition.

It is a fact that TPAN, «the result of a process initiated in 2013 with the Conferences on the Humanitarian Impacts of Nuclear Weapons in which Brazil has participated actively since its inception», as the Itamaraty officially says, in Note 317, of 20 September 2017, was conceived and worked on, both politically and in its objective outlines, in the environment of the CD, in Geneva.

It was possible for me to take an active role in carrying out this project, which was not yet practically discussed at the CD, before 2014. At least, not at the intergovernmental plan at the CD. In informal consultations, such as those carried out in preparation for the NPT sessions annually, in Annecy, or seminars and colloquiums promoted by the most relevant NGOs accredited by the CD, the need for such an initiative began to be vented, promoted in particular by a coalition of NGOs, entitled "International Campaign to Abolish Nuclear Weapons: ICAN".

Based in Geneva, ICAN - which ultimately won the Nobel Peace Prize for its work - understandably deserved little or almost no support at the CD, an organ formally tied to dependence on consensus not consented by the nuclear powers. It did receive expressions of sympathy from some countries, such as Austria (from which it disassociated itself when the country's progressive government, which integrated the leadership in the initiative of the aforementioned Conferences on the Humanitarian Impact of Nuclear Weapons, came to host the third of them, in Vienna, in 2014[5], was replaced by

5 The two previous Conferences were held in Oslo, 2012 and Nayarit (2013). Brazil actively

a conservative government in late 2015), Mexico and Brazil.

In our case, this support for ICAN was not immediate. I made my first statement on the CD, when I arrived, based on the instructions at the time, that, members of the coalition called the "New Agenda", we were not associated with the ICAN proposal or with a frontal opposition to the nuclear armed countries. I remember that, on the day after my first intervention, one of the small NGOs linked to the CD, entitled, I believe, "FireWall", circulated an open letter with strong criticisms, and deserved, in my opinion, for the Brazilian position, for failing to endorse this project.

On a business trip to Brasilia, to attend a seminar, I was able to talk at length with the Undersecretary for Multilateral Policy, my classmate and friend Carlos Antônio Paranhos, about the convenience of evolving in our positions at the CD, including the question of an instrument for the ban on nuclear weapons. I even proposed that if we could not negotiate such a convention or treaty at the CD, we should do so at the UN. Paranhos, like me, had already served more than once in Geneva, the most recent as alternate ambassador in our Permanent Delegation in Geneva (Delbrasgen), including the CD desk, quickly understood my suggestions, with them having agreed, which led to following our change of position, now in favor of a specific negotiation to ban nuclear weapons. Since it is not possible at the CD, my proposal is that negotiations should then take place in the UN context.

By that time, after the initial moments on the CD, we, the delegation of Brazil, had already made more frequent and open contacts with the ICAN staff, even with FireWall, with whom, from the new instructions in Brasilia, we started to work very positively. Also within the DC and in the UN-Geneva context, we obtained, together with Mexico (then in the presidency - rotating - of the CD), consensual support, first with GRULAC and then with the Geneva (informal) chapter of the Community of Latin States -Americans and the Caribbean-CELAC.

CELAC had approved, at its III Summit, in San José, Costa Rica, in January 2015, the "Special Declaration on the Urgent Need for a Nuclear Weapon-Free World". In it, the Heads of State of the region undertake to initiate, at the highest political level, negotiations on an instrument in this area.

It was thus, without major difficulties, possible to renew the support of

participated in the three conferences and subscribed to the joint declarations on the topic, including on the occasion of the IX Nuclear Non-Proliferation Treaty Examination Conference (New York, 2015), in which I had the honor of leading the delegation of Brazil, as Permanent Representative of Brazil to the Conference on Disarmament - CD).

CELAC (a group still informed in Geneva) in the CD environment (where the developing countries formally represent themselves in the so-called Group of 18). Our arrangement took place during a memorable lunch in a bucolic restaurant in a park near the Palais. It was very comforting to feel immediate support and without further collateral from the local presidency of CELAC, the ambassador of Costa Rica, and other ambassadors and colleagues from virtually all countries in South America, Central America, the Caribbean and Mexico.

The next step was taken by the UNGA's First Commission, based on previous articulations with ICAN, but also in light of the understandings that had taken place in New York previously, during the Third NPT Review Conference, in June 2015. In that Conference, they renewed - always, with strong support from CELAC, the declarations emanating from the three Conferences on the Humanitarian Impact of Nuclear Weapons, as well as the Declaration of Costa Rica itself. There, too, the proposal of a working group to negotiate an instrument to ban nuclear weapons was the subject of intense negotiations in the debate on Article VI of the NPT, which greatly facilitated the resumption of the topic by the First Commission, with the negotiation of the treaty and its conclusion in 2017. Still in New York, in the final days of the long NPT Review Conference, in June 2015, I received an invitation from our Chief of Mission to the UN, Ambassador Antônio Patriota, to have lunch. At the end of a nice "corner" restaurant in the "East-uppertown", at 70th Street, Antônio Patriota confides to me that the "closing" of REBRASDESARM, the Representation of Brazil at the Conference, was being planned at the Secretariat of State in Brasilia Disarmament. Patriota, when Minister of State, had proposed my removal to this "Representation"[6].

6 REBRASDESARM, despite the long list of ambassadors resident representatives of Brazil to the CD, among them Celso Sousa e Silva, Sergio Duarte, Calero Rodrigues, Marcos Azambuja, Antônio Carlos Paranhos, Gilberto Saboia, Filipe Macedo-Soares, Antônio Guerreiro, and which attests relative stability of the function, it would have been a "floating" post, for periods; fictitious, even, but always with representativeness. At certain times, even during my administration and that of some others, where there were restrictions mentioned below, he was effectively and functionally independent from the Mission in Geneva, with the right to the telegraph series and budgets of his own chancellery and residence. In the Collor government, in a similar trance of disabling multilateral diplomatic representations abroad, our Representation at the CD was reinstated to the Mission at the UN in Geneva - DELBRASGEN.
Later, with Celso Amorim as Minister of Foreign Affairs, the post was reactivated, in view of its evident relevance - but only in terms of internal administration. As a precaution (justified?) In the face of probable criticism for opening a new post where there are already two other independents, DELBRASGEN and the Mission to the WTO, Celso Amorim would have preferred to avoid being the post of REBRASDESARM created by decree, but only by internal ordinance. Thus, the head of the post, despite having all the prerogatives of the function, is excluded from the category of «Head of Mission with International Organizations» (which

He had accepted the offer of removal to Geneva, as resident representative of Brazil to the Conference on Disarmament, especially as a result of what many of us, diplomats with more appreciation for multilateral diplomacy, profess: awareness of the high relevance of disarmament issues in international relations and the priority that such themes have always deserved in our foreign policy, in view of the greatest national interests. Disarmament is perhaps the most consistent theme at the highest levels of the international agenda's scale of values, especially since the end of World War II, as its object directly concerns the theme of peace. As simple and as sober as that.

The Treaty on the Prohibition of Nuclear Weapons, was, as noted, opened for signature in New York, at UN Headquarters, in 2017, with President Temer, then the first Head of State to sign it, in a clear manifestation of recognition by Brazil of the relevance of disarmament, especially nuclear. A remarkable contrast to the wrong decisions or evaluations that sometimes occur on the part of the head of our diplomacy, when dismissing the issue due to questionable precarious and objectively ineffective policies to contain expenditures, a stated reason for the measure to close REBRASDESARM. The deactivation of the post, symptomatically, occurred concurrently with the creation of a new alternate ambassador position in DELBRASGEN.

means lower salaries, compared to that of the two other colleagues "Heads of missions with international organizations" in Geneva. For reasons that are barely understandable, the Itamaraty Legal Consultancy and the General Secretariat systematically denied the resources submitted by my predecessor Filipe Macedo-Soares and me (I petitioned twice), recognition of the head of the Representation as a "head of mission with an international organization.
REBRASDESARM continued without the right to be included in the formal Itamaraty organization chart, being able to define itself, more appropriately and with forgiveness of expression, as a "pull" from DELBRASGEN. Indeed, the removal of all employees, including that of the head of the Representation, took place "for DELBRASGEN". As they continue to do so, once again, the function is reintegrated to DELBRASGEN, after the "closing" of REBRASDESARM decided by the Head of the House, in an eagerness for the economy as fictitious as inoperative - in fact, it may Bear in mind that the reason for the change was to meet contingencies of a personal nature, with the creation of alternate ambassadors in DELBRASGEN, since, in practice, the physical facilities of REBRADESARM remain the same, occupied, as before, by the Representative Permanent of Brazil with the CD, its advisors, and, as always, by the significant Military Office of Support to our representation, headed, in rotation with its Navy and Air Force peers, by four star general.

ABSTRACT
In the multilateral negotiating context in Geneva, developed countries seek, often aggressively, to impose agendas that are more favorable to their interests. This text seeks to expose, from the perspective of developing countries, and Brazil in particular, the difficulties inherent in multilateral work at the time they were experienced, as well as the efforts to overcome them. The focus of attention is modulated, sometimes focusing on the GATT (institution that preceded the WTO) and the negotiations on the new themes of the Uruguay Round of trade negotiations (1986-1994), now on the nascent diplomatic articulations on the issue of the environment; or even in the negotiations on disarmament, these at a more recent moment, with the conclusion of the Treaty on the Prohibition of Nuclear Weapons.

KEYWORDS
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