INDIAN LAW RESOURCE CENTER

CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

www.indianlaw.org

MAIN OFFICE 602 North Ewing Street, Helena, Montana 59601 (406) 449-2006 | mt@indianlaw.org



WASHINGTON OFFICE 601 E Street, S.E., Washington, D.C. 20003 (202) 547-2800 | dcoffice@indianlaw.org

Brief update on the developments in Brazil since February 2019

(September 24, 2019)

Following an election campaign marked by anti-indigenous and anti-environment rhetoric, President Jair Bolsonaro adopted Provisional Measure No. 870/2019 on the first day of his term, which transferred the decision-making power over the demarcation of indigenous and quilombo reserves from National Indian Foundation (FUNAI), one of Brazil's oldest governmental bodies, to the Ministry of Agriculture, Livestock and Supply (MAPA), a government body highly influenced by the agribusiness lobby. Thankfully, Brazil's Congress voted to restore FUNAI's powers after a large mobilization by indigenous peoples and legal challenges in the Supreme Federal Court (STF).

The Ministry of Agriculture is led by Tereza Cristina, who is one of the largest agribusiness political leaders in Brazil and is known as "the poison muse." This year alone, MAPA has released 239 pesticides, 26% of which are banned in the European Union due to health and environmental risks. Another consequence of this anti-environment stance is the considerable spike in the number of fires in Brazil, up by 82% compared to the same period last year. According to the National Institute for Space Research's (INPE) Fire Program, this year also marks the highest and largest record of fires in the last 7 years. The correlation between deforestation – which has increased by 63% this year according to INPE – and fire is intrinsic. Of the ten municipalities in the Amazon region that recorded the most fires, 43% of the land had been deforested by July. In fact, the number of fires is higher in the states of Acre, Amazonas, Mato Grosso, Rondônia, and Roraima where a significant indigenous population lives. This region is also home to most of Brazil's indigenous peoples in voluntary isolation, as reported by the Coordination of the Indigenous Organizations of the Brazilian Amazon (COIAB). All of these environmental crimes are unpunished, and are incited daily by governmental authorities, such as the President, the Minister of the Environment, or state Governors. Recently, the Governor of Acre publically stated that if any farmer was fined for environmental crimes, the farmer could rely on him because "he is the boss now."

It is a fact that indigenous territories are the most preserved lands in the world. For example, in the Brazilian Amazon, indigenous communities protect 27% of the forest where water reserves provide 5.2 billion tons of water per day. These territories act as real barriers against the advancement of large scale agribusiness interests based on monoculture, an unsustainable practice that poisons and impoverishes our soils and kills our bees. The

government of Brazil, however, continues to issue permits to extractive industries and agribusinesses without consideration of the biodiversity of the forests. Yet, the international community is beginning to link environmental conservation, climate change, and indigenous land rights.

For the first time, the United Nations (U.N.) report on climate change cited "strengthening indigenous peoples and 'local communities' land rights" as a solution to the climate crises. The Intergovernmental Panel on Climate Change released the Special Report on Climate Change and Land in August, which recognized traditional knowledge and sustainable land and forest management as key to reducing global emissions and removing carbon dioxide from the atmosphere. In response, indigenous and community leaders from 42 countries - representing over 1.6 million hectares of land managed by indigenous peoples and local communities and 76% of the world's tropical forests - issued a statement emphasizing that the report's conclusions add to a growing body of evidence that shows how securing land rights for forest peoples is essential for climate change mitigation and adaption efforts.

Contrary to what is being said in Brazil, indigenous peoples are being forced to abandon their ways of life in order to guard their territories at their own peril due to the dismantling of FUNAI and environmental government agencies such as IBAMA, ICMBio and INPE, as well as criminalizing and discrediting of Civil Society Organizations.

Recently, the Munduruku peoples expelled loggers and African palm cultivators from their lands in the Sawré Muybu Indigenous Territory in Pará. Similar incidents have occurred in Mato Grosso and many other regions in the Amazon. The consequences of such incidents are undoubtedly harmful to indigenous life and to the health of the planet. Faced with escalating and increasing violence and environmental destruction, indigenous peoples are being pushed into a war that has no end. Indigenous people need the solidarity of national and international public opinion, the support of Brazilian institutions, and the cooperation of international courts so that indigenous peoples of Brazil get justice and protection, such as with the recent case in the assassination of chief Emirá Wajāpi in Amapá.

Threats to indigenous peoples and the environment are also coming from the private sector, which has contributed to major environmental disasters such as the recent mining tragedies in Minas Gerais that directly affected populations living near mining sites. For example, the Krenak and Pataxó peoples, who depend on the ecosystems of the Doce River and the Parauapeba River for their survival, have already evacuated their lands. The government of Brazil has yet to take the reasonable and necessary measures to repair the damages as a result of these major disasters. Nor has the government demanded justice from the national and transnational corporations with permits for harmful mining projects.