

United Nations Human Rights Council - UNHRC

Report

Threats and Violations of Human Rights in Brazil:  
Isolated Indigenous Peoples

March 2020

Summary

# Sumário

I.	Introduction .....	3
II.	Obligations of the Brazilian State Towards Human and Environmental Rights .....	4
III.	The Isolated Indigenous Peoples of the Amazon.....	8
IV.	Environmental Policy Setbacks in Brazil .....	10
	1. Actions of the Ministry of Environment .....	10
	2. Eroding of IBAMA .....	13
	3. ICMBio.....	15
	4. Impairment of FUNAI Operation.....	16
	5. Eroding of Indigenous Health .....	20
	6. Economic Depredation of the Amazon .....	21
	7. Demarcation of Indigenous Lands .....	24
	8. Increased Rates of Deforestation and Invasions of Indigenous Lands.....	26
V.	Conclusion and Appeal .....	28

## I. Introduction

The Inter-American Court of Human Rights, through Consultative Opinion (OC) 23/17, established that there is a strong interdependence between human rights, the environment and sustainable development. For human rights to be fully satisfied, a ‘minimum environmental quality’ must be respected, which is part of the notion of an ‘existential minimum’ needed for a human being’s full development. Current advancing deforestation and environmental degradation in the Amazon represents a severe threat to the full realisation of the human rights of indigenous peoples, especially of those who have chosen to avoid contact with national society.

From a broader perspective, deforestation and environmental degradation in the Amazon does not only violate the rights and threaten the survival of indigenous peoples of the Amazon, it also compromises global ecosystem services and threatens the existence of other living organisms.

The decisions taken by Jair Bolsonaro’s government since the first day of his mandate, in January 2019, have weakened the country’s environmental control policies and contributed to reduced inspection, increased deforestation on public lands and, consequently, the violation of the rights of indigenous peoples.

For the Brazilian State, in a definition given by the National Indian Foundation (*Fundação Nacional do Índio* - FUNAI), the term ‘isolated indigenous peoples’ refers specifically to indigenous groups with no permanent relationship with society, or with little frequency of interaction, whether with non-indians or other indigenous peoples<sup>1</sup>. There is a great diversity of contexts for ‘isolation’ in Brazil, from small groups to a single individual. These groups are the survivors of successive massacres and are threatened by the spread of disease, and for these reasons avoid contact with other agents at any cost. In addition to the need to ensure that their territories remain protected, the decision itself to live in isolation must be guaranteed in accordance with the already established instruments, including the United Nations Declaration on the Rights of Indigenous Peoples, which guarantees the right to self-determination, among others, and Convention No. 169 of the International Labor Organization (ILO)<sup>2</sup>, which guarantees the right to free, prior and informed consent.

The decision to live in isolation is the very expression of the right of free determination, which must be protected and assisted by the State. In this sense, actions which aim to force contact and cause environmental destruction on their territories are clear violations of the fundamental human rights of peoples living in isolation. Contact situations, which are often forced and in many cases cause the introduction of germs and diseases<sup>3</sup> even before the presence of the coloniser, generate huge populational losses and the weakening of indigenous health and the demographic balance<sup>4</sup>.

---

<sup>1</sup> See: <http://www.FUNAI.gov.br/index.php/nossas-acoas/povos-indigenas-isolados-e-de-recente-contato>

<sup>2</sup> Included in the legal order by Decree No. 5051 of 19 April 2004.

<sup>3</sup> ALBERT, Bruce; RAMOS, Alcida R. 2002. *Pacificando o branco: Cosmologias do contato Norte-Amazônico*. São Paulo: Editora UNESP.

<sup>4</sup> RODRIGUES, Douglas A. 2014. *Proteção e Assistência em Saúde dos Povos Indígenas Isolados e Recém Contatados*. Amazon Cooperation Treaty Organization, 130p.

Despite the traumatic history of contact, Brazil is the country with the largest number of isolated indigenous peoples in South America. The Brazilian State recognises the existence of 115<sup>5</sup> records of isolated indigenous peoples. Brazil also has the oldest public policy in terms of guaranteeing the rights of these peoples to self-determination.

It is understood that the measures presented below substantially undermine the protection of the rights of isolated indigenous peoples and obstruct the possibility of advancing or enforcing human rights which are internationally recognised and provided for in domestic law. For this reason, they must be denounced and the State must be held accountable.

## **II. II. Obligations of the Brazilian State Towards Human and Environmental Rights**

The State of Brazil has undertaken a national and international obligation to protect the environment and the human rights of indigenous peoples. In addition to constitutional provisions, the State is also bound to the American Convention on Human Rights, the Protocol of San Salvador, which establishes the right to a healthy environment, and other human rights treaties within the Universal System. The United Nations Declaration on the Rights of Indigenous Peoples, which recognises and reaffirms fundamental universal rights recognised in the United Nations Charter, in the context of indigenous cultures, realities and needs, is also of note. The Declaration underscores the commitment of States to take measures which guarantee respect for the wishes and decisions of indigenous peoples on matters that concern them.

Within the scope of International Instruments on indigenous rights, there are also the resolutions from the two International Decades of the World's Indigenous People<sup>6</sup> and the Millennium Development Goals, in addition to all the general treaties on Human Rights, which have universal application. Specifically regarding indigenous peoples, the International Covenant on Economic, Social and Cultural Rights, as well as the International Covenant on Civil and Political Rights and the The International Convention on the Elimination of All Forms of Racial Discrimination are of note. In 2004, Brazil also ratified Convention No.169 of the International Labor Organization (ILO), adhering to the most comprehensive international law instrument on this matter, which seeks to guarantee indigenous and tribal peoples the minimum rights to safeguard their cultures and identities in the context of the societies they integrate. In environmental matters, Brazil has ratified the Kyoto Protocol and the Convention on Biological Diversity, in addition to being part of the Paris Agreement.

The treaties contain environmental and human rights obligations which the Brazilian State should use to guide the design of internal policy and to establish priority actions. Thus, actions or omissions by government agents, of any level or sphere, which result in the violation

---

<sup>5</sup> In Funai's listing on isolated indigenous peoples there are 114 entries. The computation presented here includes the Alto Tarauacá Indigenous Land, demarcated and homologated in accordance with the presence of isolated indigenous peoples.

<sup>6</sup> By resolution 49/214 of 23 December 1994, the United Nations General Assembly established the International Day of the World's Indigenous Peoples, observed on 9 August every year. In 1990, the United Nations General Assembly proclaimed 1993 the International Year of the World's Indigenous People.

of these obligations, are fully attributable to the State, and liable to accountability and reparation.

The record rates of deforestation and fires registered in 2019 in the Amazon are directly associated to the environmental policy of the Bolsonaro government and its line of discourse (and that of its ministers), who support criminal acts such as slash-and-burn agriculture, land grabbing, the invasion of Indigenous Lands and illegal logging and mining<sup>7</sup>. Just as we have detailed in the following sections, the new environmental policy - with legislative changes, restructuring of agencies, budget cuts and changes in boards and leadership - has built a scenario conducive to the unbridled exploitation of the Amazon, with violations of the rights of indigenous peoples.

The United Nations Declaration on the Rights of Indigenous Peoples, approved by the General Assembly in September 2007, recognises the close relationship of indigenous peoples with the environment. As noted in paragraph 1 of Article 29:

*1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.*

The Declaration also recognises that respect for indigenous knowledge, cultures and traditional practices contribute to sustainable development and the proper management of the environment. It points out not only the need to protect the environment, but also self-determination, consultation and reparation in cases of harmful environmental, economic, social, cultural or spiritual consequences.

Under the framework of the Inter-American System for the Protection of Human Rights (IACHR), here is a recent conclusion of the Inter-American Court on Advisory Opinion 23/2017<sup>8</sup>, which concerns the indissociable relationships between human rights and the environment:

- a. The right to a healthy and balanced environment is an autonomous right, and is provided for in Article 26 of the American Convention on Human Rights (CASH) and Article 11 of the Protocol of San Salvador;*
- b. There is an inseparable link between the idea of human rights, the environment and sustainable development; and these are necessary preconditions for the full satisfaction of human rights; and*
- c. A 'minimal environmental quality' is necessary as a propitious and prior condition to human rights; this 'minimal environmental quality' is part of a*

---

<sup>7</sup> Available at: <https://www.socioambiental.org/pt-br/noticias-socioambientais/discurso-oficial-contra-fiscalizacao-impulsiona-destruicao-da-floresta-amazonica-mostra-isa>

<sup>8</sup> IDH Court. Advisory Opinion No. 23. Available at: [http://www.corteidh.or.cr/docs/opiniones/seriea\\_23\\_esp.pdf](http://www.corteidh.or.cr/docs/opiniones/seriea_23_esp.pdf)

*notion of 'existential minimum', associating this idea to the image of a bundle of basic and primordial rights, fundamental to the full development of the human being.*

Applying the aforementioned premises in the context of protecting the Brazilian Amazon and indigenous peoples, we can conclude that massive deforestation and forest degradation clearly threatens the rights of peoples and inhabitants to a healthy environment and, even if indirectly, that of thousands of other Brazilians. It should also be noted that this region of forest represents 49.3% of the national territory, is home to around 23 million people and, in addition to corresponding to 1/3 of the planet's tropical rainforests, has a rich biodiversity and about 10% of the world's available drinking water.

Considering the idea of inseparability between the balanced environment and full enjoyment of human rights and the importance of the Amazon, its degradation can generate environmental phenomena which would affect other human and fundamental rights, in addition to the right to a healthy environment. The environmental degradation of the Amazon directly jeopardises the enjoyment by indigenous populations of the rights guaranteed by the United Nations Declaration on the Rights of Indigenous Peoples.

Furthermore, the Universal Declaration of Human Rights itself, in so far as it recognises the dignity and value of the human person as inherent and fundamental, raises the importance of preserving the environment - in so far as a dignified life presupposes a healthy life - and makes credible the treatment of the right to a healthy environment as a fundamental right.

The right to health, clean air and water of populations who depend on the proper functioning of the supporting services of ecosystems will be directly affected. In addition, the Amazon populations, including isolated indigenous peoples, are also violated in their rights to housing, way of life, food and culture, as their ways of life are closely connected to the forest rhythms and offerings.

Finally, the transactional impact of the degradation of the Amazon forest is undeniable, even if it cannot be accurately measured.<sup>9</sup> The lack of precision does not exempt the State of responsibility, as the principle of prevention already appears in the interpretation of the right to a healthy environment. The Inter-American Court of Human Rights determines thus:

*The freedom of States to carry on or permit activities in their territory or otherwise under their jurisdiction or control is not unlimited. It is subject to the general obligation to prevent or reduce to a minimum the risk of causing significant transboundary damage.<sup>10</sup>*

Also, on liability for cross-border damage,

---

<sup>9</sup> Available at:

<https://oglobo.globo.com/sociedade/mais-de-10-do-co2-resultante-da-destruicao-da-floresta-amazonica-vem-de-areas-protegidas-24214648>

<sup>10</sup> Idem.

*[...] the jurisdiction of a State is not limited to its territorial space. The word “jurisdiction”, for the purposes of the human rights obligations under the American Convention as well as extraterritorial conducts may encompass a State’s activities that cause effects outside its territory.*

*Many environmental problems involve transboundary damage or harm. One Country's pollution can become another country’s human and environmental rights problem, particularly where the polluting media, like air and water, are capable of easily crossing boundaries. The prevention and regulation of transboundary environmental pollution has resulted in much of international environmental law, through bilateral, regional or multilateral agreements that deal with global environmental problems such as ozone depletion and climate change.<sup>11</sup>*

Due to the complexity of the effects of environmental degradation, and in consideration of its diffuse impact and collective interest, we must also emphasise the obligation the Brazilian State has to collaborate with other States in order to reach solutions and avoid greater damage, as well as broadly and satisfactorily meet the right to access information on environmental matters. Despite this, as will be demonstrated in the following sections, the Brazilian State has been rejecting all dialogue with other countries to ensure collaborative proposals and actions to halt the environmental crisis that is ravaging the Amazon, as well as attacking, denying and concealing environmental information and data before the Brazilian population and international press. We emphasise the duty of information as outlined by the Inter-American Court, specifically analysing the hypothesis of environmental degradation:

*In addition, as the Court has recognized, the right of the individual to obtain information is complemented by a correlative positive obligation of the State to provide the information requested, so that the individual may have access to it in order to examine and assess it. In this regard, the State obligation to provide information, the so-called “obligation of active transparency,” imposes on States the obligation to provide the necessary information for individuals to be able to exercise other rights, and this is particularly relevant in relation to the rights to life, personal integrity and health. This information should be complete, understandable, in an accessible language, and current, and be provided in a way that is helpful to the different sectors of the population.<sup>12</sup>*

As such, we remind the State and request the Human Rights Council of the United Nations (UNHRC) to intercede for the fulfillment of the following obligations assumed by Brazil:

---

<sup>11</sup> Idem.

<sup>12</sup> Available at: [http://www.corteidh.or.cr/docs/opiniones/seriea\\_23\\_esp.pdf](http://www.corteidh.or.cr/docs/opiniones/seriea_23_esp.pdf)

- *Comply with its obligations and intensify operations related to the monitoring and territorial surveillance of indigenous lands and conservation units with records of isolated indigenous peoples, guaranteeing the rights to life and personal integrity of these peoples<sup>13</sup>;*
- *Ensure access to information about possible impact on the environment, such as degradation or alteration of the natural environment;*
- *Guarantee the right to public participation by indigenous organisations in decision-making and policies that may affect the environment and their territories;*
- *Guarantee access to justice, in relation to the State's obligations to protect the environment and guarantee basic and primordial human rights; and*
- *that the Brazilian State presents concrete measures and planning of actions and budgets due, for ministries and agencies, which fulfill their environmental obligations and guarantee the rights of isolated indigenous peoples.*

In the following sections we will explain how the State has been failing to comply with these obligations, absolving itself of responsibility and threatening the human rights of isolated indigenous peoples in the Amazon.

### **III. The Isolated Indigenous Peoples of the Amazon**

The destruction of lands with the presence of isolated indigenous peoples has reached alarming levels. In July 2019, official data showed that 50 protected areas with records of isolated indigenous people, or *isolados* (37 Indigenous Lands, 7 Federal Conservation Units and 5 State Conservation Units) had already accumulated 474,394 hectares of deforestation. In 2019 alone, 21,028 hectares were deforested, a 113% increase compared to the previous year. This increase is much higher than the average values observed in the Amazon and in protected areas generally, showing the escalation of invasions and illegalities as well as the seriousness of the problem these territories are facing.

Brazil currently has the largest confirmed presence of isolated peoples in the world, an immeasurable wealth of cultural and social diversity. There are 115<sup>14</sup> records, 28 of which have been confirmed, with the remaining 86 under investigation as to their existence. These records are practically concentrated in the Amazon biome (Figure 1), with only two located outside of it: a record in Ilha do Bananal, Tocantins, and one in Avá-Canoeiro, in the north of Goiás, both

---

<sup>13</sup> See: [https://facesdaviolencia.blogfolha.uol.com.br/2020/01/05/novas-operacoes-ambientais-e-em-terras-indigenas-da-forca-nacional-de-seguranca-publica-cairam-50-em-2019-operacoes-na-esplanada-dos-ministerios-chamam-atencao/?utm\\_source=whatsapp&utm\\_medium=social&utm\\_campaign=compwa](https://facesdaviolencia.blogfolha.uol.com.br/2020/01/05/novas-operacoes-ambientais-e-em-terras-indigenas-da-forca-nacional-de-seguranca-publica-cairam-50-em-2019-operacoes-na-esplanada-dos-ministerios-chamam-atencao/?utm_source=whatsapp&utm_medium=social&utm_campaign=compwa)

<sup>14</sup> In addition to the 114 records from the FUNAI computation, the Alto Tarauacá Indigenous Land was added, demarcated and homologated according to the presence of isolated indigenous peoples.



under investigation. The Instituto Socioambiental (ISA) database considers six further records, classified as 'with information'<sup>15</sup>.

In 2020, the policy for the protection of the rights of isolated and recently contacted indigenous peoples in Brazil will be 33 years old. In 1987, the First Meeting of Sertanistas took a definitive step towards changing the official paradigm of the Brazilian State's relationship with these peoples, refuting the premise of obligatorily contacting them. At this moment, the error of forced contact in the previous decades and the tragic consequences of the absence of post-contact actions, especially health actions, were recognised<sup>16</sup>.

The work of doctors, indigenists, anthropologists and staff of the Special Secretariat for Indigenous Health (SESAI) and the National Indian Foundation (FUNAI) resulted in the publication of Joint Ordinance No. 4,094 of 20 December 2018 between FUNAI and the Ministry of Health, which defines principles, guidelines and strategies for health care of isolated and recently contacted indigenous peoples. However, to date, the recommendation contained in Article 22 of the Ordinance has not been complied with. That is, the guiding document for the preparation of Contingency Plans for all confirmed records of isolated indians in the country has not yet been published<sup>17</sup>.

The records of isolated indigenous peoples are distributed in a set of 78 protected areas - 54 Indigenous Lands and 24 Conservation Units (15 federal and 9 state). There are a further eight records located in areas with no protection mechanism. Of the 54 Indigenous Lands with a presence of isolated groups, 44 are homologated, five have a restricted use Ordinance, three have been declared (Kawahiva do Rio Pardo, Kaxuyana-Tunayana and Uneiuxi) and two are identified (Sawré-Maybu and Apiaká do Pontal e Isolados) .

It is the responsibility of Funai, through its Coordination of Isolated and Recently Contacted Indians (CGIIRC) and its Ethnoenvironmental Protection Fronts (FPE), to guarantee isolated peoples the full exercise of their freedom and traditional activities without the necessary obligation of contacting them<sup>18</sup>. As such, it is for the official indigenist body, in the exercise of police power, to regulate the entry and transit of third parties in areas with the presence of isolated indians, as well as taking the necessary measures for the protection of these groups<sup>19</sup>, through the regulation of use restrictions in these areas. Today, there are 11 FPEs in operation.

The legal device of use restriction is supported by three legal norms - article 7 of Decree 1775/98; article 231 of the Federal Constitution of 1988; and article 1, item VII of Law No. 5371/67 - and it is an instrument for regulating the use of land occupied by isolated indians. Use restriction enables the necessary conditions for carrying out the task of locating references and promoting the rights of groups in isolation, as well as the studies of anthropological and

---

<sup>15</sup> RICARDO, F.; GONGORA, M.F. 2019. Cercos e Resistências: Povos Indígenas Isolados na Amazônia Brasileira. Instituto Socioambiental, São Paulo.

<sup>16</sup> PEREIRA, B.; JABUR, C. A política pública para os povos indígenas isolados e de recente contato no Brasil hoje: novos contextos, novas resistências. In: CUNHA, M.C.; SANTOS, B.M.; ADAMS, C. Diagnóstico povos indígenas e comunidades locais tradicionais no Brasil: contribuições para a biodiversidade, ameaças e políticas públicas (no prelo).

<sup>17</sup> Idem

<sup>18</sup> Annex I, Article 2, item "d", Decree nº 9,010, 23 March 2017.

<sup>19</sup> Article 7, Decree no. 1.775/96.

environmental characterisation of the territory, necessary for the administrative procedure of demarcation of Indigenous Land, as determined by Decree No. 1775/96.

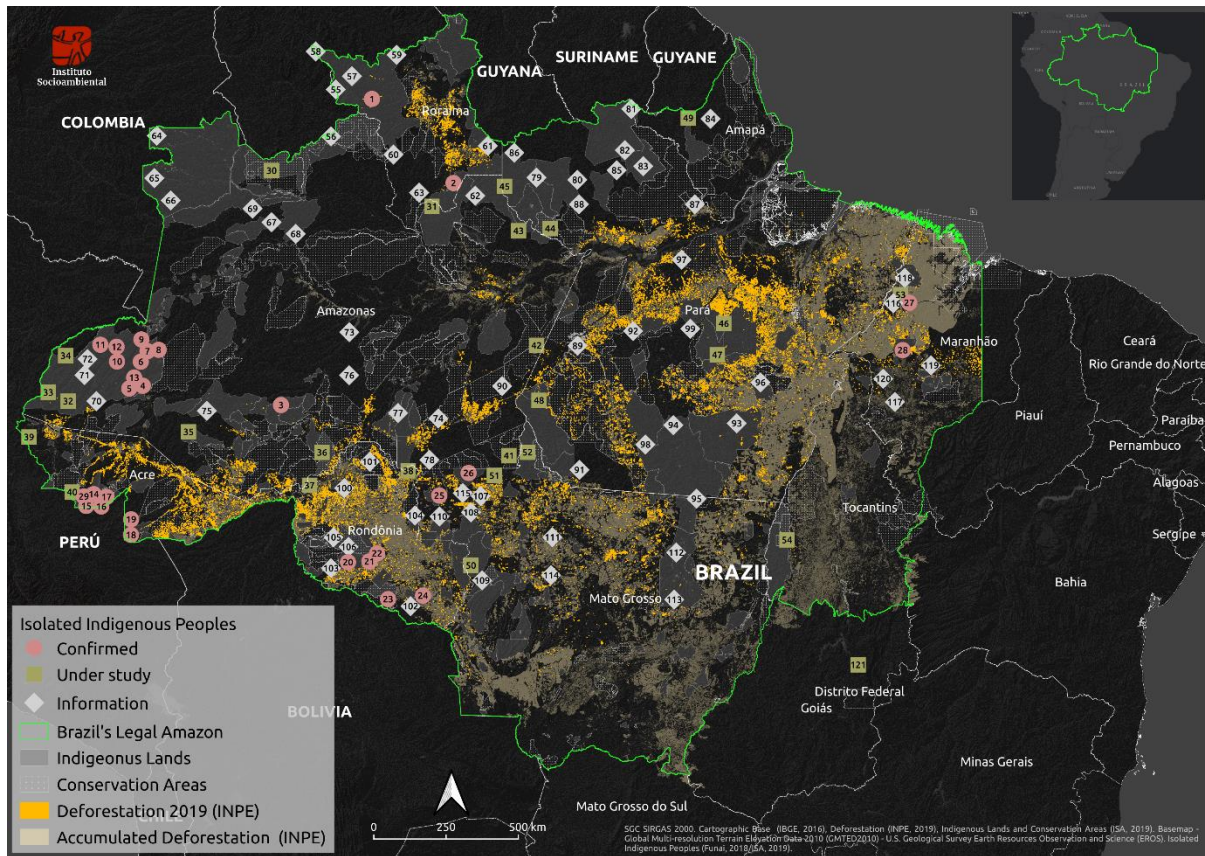


Figure 1. Location map of the records of isolated indigenous peoples. Source: ISA, 2019.

#### IV. Environmental Policy Setbacks in Brazil

##### 1. Actions of the Ministry of Environment

With the appointment of Ricardo Salles for Minister of the Environment (MMA), the ministry, which has the constitutional obligation to protect the environment, came to serve the interests of the most backward ruralist sectors and to ceaselessly seek the dismantling of the bodies and autarchies dedicated to environmental preservation.<sup>20</sup> The changes in the Ministry of Environment's policies follow an extensive roadmap<sup>21</sup>: the emptying of the ministry's

<sup>20</sup> Available at: <https://ultimosegundo.ig.com.br/politica/2019-04-19/salles-nomeia-militares-para-acabar-com-arcahouco-ideologico-no-ministerio.html>

<sup>21</sup> Available at: <https://www.socioambiental.org/pt-br/noticias-socioambientais/o-que-muda-ou-resta-no-meio-ambiente-com-a-reforma-de-bolsonaro>

functions, such as the dismissal of civil servants<sup>22</sup> and the exclusion of competences to combat deforestation and climate change; deep budget cuts,<sup>23,24</sup> mainly affecting enforcement;<sup>25</sup> vacating of managerial positions in the ministry;<sup>26</sup> cancellations of fines (lowest rates of fines issued by IBAMA in 24 years);<sup>27</sup> stoppage of significant funding for conservation<sup>28 29</sup>; granting of environmental authorizations in the absence of technical opinions;<sup>30</sup> willingness to comply with requests for the extinction or reduction of conservation units<sup>31 32</sup> and the symbolic episode in Rondonia, in which President Jair Bolsonaro disallowed an operation of the Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA) and defended non-compliance of the law against illegal logging activity within the Jamari National Forest.<sup>33</sup>

IBAMA officials have also denounced that the Specialized Inspection Group (GEF), considered the agency's elite troops, is not operational, despite formally continuing to exist<sup>34</sup>. Not even communication was spared: the MMA concentrated IBAMA's external demands, prohibiting the agency from having contact with the press. The authoritarian centralisation of access to information violates the basic democratic precepts of the Brazilian rule of law.

Regarding boards and presidencies, in April 2019, the president of the Chico Mendes Institute for the Conservation of Biodiversity (ICMBio), Adalberto Eberhard, resigned after Salles threatened agency officials.<sup>35</sup> A week later, the entire ICMBio board was replaced by military police.<sup>36</sup> In July, Bolsonaro and Salles made attacks on the deforestation monitoring of the Legal Amazon carried out by National Institute for Space Research (INPE). The president was unnerved about the information released, opposing the principle of transparency.

---

<sup>22</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/02/ricardo-salles-exonera-21-dos-27-superintendentes-regionais-do-ib.shtml>

<sup>23</sup> Available at: <https://www.brasildefato.com.br/2019/05/03/bolsonaro-corta-95-do-orcamento-das-aco-es-destinadas-a-combater-mudancas-climaticas/index.html>

<sup>24</sup> Available at: <https://uol.page.link/aBCUq>

<sup>25</sup> Available at: [https://www.socioambiental.org/pt-br/noticias-socioambientais/ministro-critica-fiscalizacao-ambiental-mais-uma-vez-e-contestado-em-evento-no-mpf?utm\\_source=isa&utm\\_medium=site&utm\\_campaign=Governo+Bolsonaro](https://www.socioambiental.org/pt-br/noticias-socioambientais/ministro-critica-fiscalizacao-ambiental-mais-uma-vez-e-contestado-em-evento-no-mpf?utm_source=isa&utm_medium=site&utm_campaign=Governo+Bolsonaro)

<sup>26</sup> Available at: <https://noticias.uol.com.br/meio-ambiente/ultimas-noticias/redacao/2019/12/11/ministerio-de-salles-acumula-cargos-vazios-e-deve-ter-menor-gasto-em-5-anos.htm>

<sup>27</sup> Available at: <https://oglobo.globo.com/brasil/governo-bolsonaro-tem-menor-numero-de-multas-ambientais-dos-ultimos-dez-anos-23498814>

<sup>28</sup> Available at: <https://g1.globo.com/natureza/noticia/2019/05/03/governo-descumpre-prazo-e-trava-86percent-do-orcamento-para-enfrentar-a-mudanca-climatica.ghtml>

<sup>29</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/08/apos-fundo-amazonia-pais-pode-perder-bilhoes-sem-acao-ambiental.shtml>

<sup>30</sup> Available at: [https://www.em.com.br/app/noticia/economia/2019/04/11/internas\\_economia,1045712/ministerio-mandou-ibama-liberar-petroleo-em-abrolhos-por-relevancia-e.shtml](https://www.em.com.br/app/noticia/economia/2019/04/11/internas_economia,1045712/ministerio-mandou-ibama-liberar-petroleo-em-abrolhos-por-relevancia-e.shtml)

<sup>31</sup> Available at: <http://www.ihu.unisinos.br/78-noticias/589139-ricardo-salles-quer-rever-todas-as-unidades-de-conservacao-federais-do-pais-e-mudar-snuc>

<sup>32</sup> Available at: <https://oglobo.globo.com/sociedade/ruralistas-pedem-para-salles-extinguir-parque-nacional-no-parana-23633632>

<sup>33</sup> Available at: <https://ultimosegundo.ig.com.br/politica/2019-04-14/governo-vai-dificultar-destruicao-de-equipamentos-em-operacoes-do-ibama.html>

<sup>34</sup> Available at: <https://pib.socioambiental.org/pt/Not%C3%ADcias?id=201397>

<sup>35</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/04/presidente-do-icmbio-pede-demissao-apos-salles-ameacar-investigar-agentes.shtml>

<sup>36</sup> Available at: <https://oglobo.globo.com/sociedade/toda-diretoria-do-icmbio-substituida-por-policiais-militares-23618874>

In addition, Salles discredited official INPE data,<sup>37</sup> disregarding the considerations of the scientific community and proposing instead that monitoring be undertaken by the private sector, despite international recognition for INPE's technical quality and public investment. At the beginning of August, INPE director Ricardo Galvão was discharged by the president after defending the work and dissemination of data by the Amazon Deforestation Satellite Monitoring Project (PRODES).

The aftermath of these events saw an explosion of deforestation<sup>38 39</sup>. According to data from DETER, INPE's rapid alert system, deforestation in the Amazon increased by 85.3% in 2019<sup>40</sup>. In August 2019 alone deforestation was 675% higher compared to the same month in 2018. In 2019, the number of fires in the Amazon grew 30% compared to the previous year, with 89,178 fires detected<sup>41</sup>.

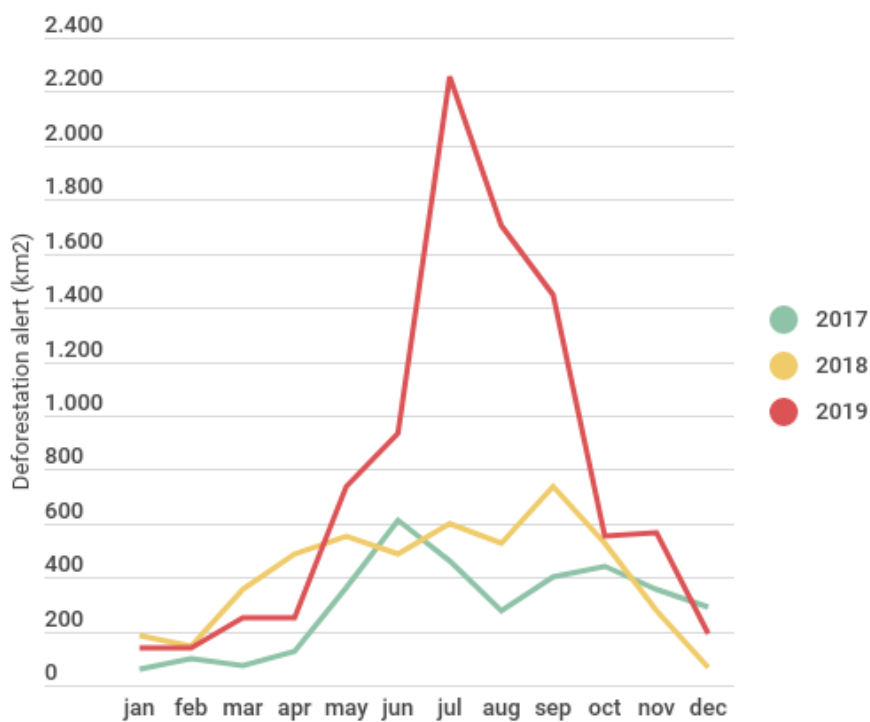


Figure 2. Evolution of deforestation in the legal Amazon (2017-2019). Source: Deter-INPE.

The MMA's omission of the number of fires in the Brazilian Amazon sparked protests outside the ministry. Senator Fabiano Contarato (Rede-ES), president of the Senate

<sup>37</sup> Available at: <https://www.oeco.org.br/noticias/apos-declaracoes-de-ricardo-salles-inpe-divulga-as-diferencas-entre-os-sistemas-de-monitoramento/>

<sup>38</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/08/desmatamento-na-amazonia-em-julho-cresce-278-em-relacao-ao-mesmo-mes-em-2018.shtml>

<sup>39</sup> Available at: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-agosto-2019/>

<sup>40</sup> Available at: <https://g1.globo.com/natureza/noticia/2020/01/14/area-com-alerta-de-desmatamento-na-amazonia-sobe-85percent-em-2019-ante-2018-segundo-o-inpe.ghtml>

<sup>41</sup> Available at: <https://oglobo.globo.com/sociedade/focos-de-queimadas-na-amazonia-crescem-30-em-2019-1-24176803>

Environmental Commission, took the initiative of calling for Salles' impeachment. The case was filed before the Supreme Federal Court (STF), and accuses Salles of violating the Constitution by changing the governance of the National Environment Council (CONAMA) - a collegiate body composed of representatives of the government, businesses and civil society - by persecuting and exonerating public servants for personal reasons, and neglecting the current environmental situation.

On 28 August 2019, a group of seven former ministers of the MMA met in the Chamber of Deputies to deliver to the President of the Chamber, Rodrigo Maia, a letter calling for the suspension of legislative matters that could worsen the country's environmental situation, as well as calling for a pro-conservation agenda to be implemented as soon as possible<sup>42</sup>.

In a debate promoted by the Business Leaders Group (LIDE), Salles defended policies which encourage private investment in the Amazon, arguing that the region should not be supported only by non-profit organisations. On another occasion, Salles and Bolsonaro slanderously suggested that NGOs were responsible for the increase in fires, and were influencing scientific practices carried out by INPE. Such statements are part of a strategy to disqualify and criminalize NGOs, in an attempt to reduce government oversight and pressure from civil society.

The Brazilian State has also been claiming that there is a lack of resources for the environmental area. In 2020, the MMA's budget will be slashed by 30% in relation to what was planned in January 2019. Despite declarations from the minister that the ministry's core activities (essential and normal) will not be affected, data from the Integrated Planning and Budget System (SIOP) of the Federal Budget Secretariat indicates that there has already been a reduction from R\$35.6 million to R\$1.17 million in available resources for core actions<sup>43</sup>.

## **2. Eroding of IBAMA**

IBAMA is the executive body of the National Environmental System and has the purpose of materialising and implementing the government's environmental policies and guidelines. Despite being one of the main environmental protection agencies, IBAMA suffered the loss of 21 of its 27 regional superintendents, dismissed by Salles in the first 9 months of his term<sup>44</sup>. In the Amazon states so far, only one regional office - of a total of nine - has been appointed a head, accounting for 12 months of paralysis of activities<sup>45</sup>.

In addition, there has been a reduction of budgets for environmental protection and inspection, scientific research and rural assistance for indigenous peoples, which has strangled

---

<sup>42</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/08/ex-ministros-pedem-a-maia-suspensao-de-projetos-prejudiciais-ao-ambiente.shtml>

<sup>43</sup> Available at: [http://www.economia.gov.br/central-de-conteudos/apresentacoes/2019/2019-08-30\\_ploa\\_2020.pdf](http://www.economia.gov.br/central-de-conteudos/apresentacoes/2019/2019-08-30_ploa_2020.pdf)

<sup>44</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/02/ricardo-salles-exonera-21-dos-27-superintendentes-regionais-do-ib.shtml> Accessed: 25 June 2019

<sup>45</sup> Available at: <https://pedlowski.files.wordpress.com/2019/09/the-ricardo-salles-fakebook-a-guide-to-the-falsehoods-and-rhetorical-tricks-of-brazile28099s-environment-minister.pdf>

IBAMA's operating conditions. In April 2019, Salles announced a 24% cut to the IBAMA budget, with a 15 percent cut in the inspection sector and a 29 percent cut in the fire sector<sup>46</sup>. The cuts also resulted in a 22% reduction of the inspection operations scheduled for 2019. According to research by the Socialism and Freedom Party (PSOL), cuts were subdivided as follows within the agency's programs<sup>47</sup>:

- Management of Sustainable Use of Biodiversity cut by R\$ 18,747,992 - a 69% reduction of the program budget.
- Evaluation of Hazardous Products, Chemicals and Hazardous Waste cut by R\$ 1,500,000 - a 60% reduction of the program budget.
- Construction of the Headquarters of the National Centre for the Prevention and Fight against Forest Fires - PREVFOGO, cut by R\$ 1,085,000 - a 50% reduction of the program budget.
- Environmental Monitoring and Information Management on the Environment and Environmental Education cut by R\$ 4,517,295 - a 50% reduction of the program budget.
- Federal Environmental Licensing cut by R\$ 3,328,117 - a 43% reduction of the program budget.
- Prevention and Control of Forest Fires in Federal Priority Areas cut by R\$ 17,500,000 - a 38% reduction of the program budget.
- Environmental Control and Inspection, cut by R\$ 24,880,106 – a 24% reduction of the program budget.
- Unit Management cut by R\$ 28,655,365 – a 16% reduction of the action budget.

The scrapping of the agency directly impacts isolated indigenous peoples, as it obstructs the monitoring and inspection of environmental licensing and cases of invasions, such as for the illegal exploitation of natural resources on Indigenous Lands with a presence of isolated groups, including logging, exploitation of mineral and water resources, expansion of the agricultural frontier, predatory hunting and pesticide use, among other activities that degrade the environment. Between budget cuts, personnel reduction, political interference and environmental deregulation, IBAMA has been reduced to a shell of what was once an agency whose mission was to monitor and intervene for environmental protection.

In 2019, IBAMA issued only a third of the number of fines it issued in the same period of the previous year, with a 29% drop in the number of fines issued for deforestation - the

---

<sup>46</sup> Available at: [https://sustentabilidade.estadao.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/?utm\\_source=estadao:whatsapp&utm\\_medium=link](https://sustentabilidade.estadao.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/?utm_source=estadao:whatsapp&utm_medium=link)

<sup>47</sup> Available at: [http://www.psolnacamara.org.br/index.php?option=com\\_content&view=article&id=3804&catid=17&Itemid=144](http://www.psolnacamara.org.br/index.php?option=com_content&view=article&id=3804&catid=17&Itemid=144)

lowest rate since 1995<sup>48</sup> <sup>49</sup>. Additionally, 22% of operations scheduled for the Amazon up until August, mainly focused on fighting illegal mining and deforestation, could not be carried out<sup>50</sup>.

Finally, according to SIOP data, resources for IBAMA actions were guaranteed until October 2019. This has directly affected enforcement action against environmental and deforestation crime<sup>51</sup>.

The state actions outlined above, through the executive decisions and actions of the Ministry of Environment, directly threaten the preservation of the environment and consequently the right of all Brazilians to a healthy environment, especially indigenous peoples and traditional communities.

### 3. ICMBio

The Chico Mendes Institute for Biodiversity Conservation (ICMBio) is a federal agency whose main objective is to **implement, manage, protect, inspect and run the Conservation Units** instituted by the Union, exercising the power of the environmental police for the protection of federal Conservation Units.

The agency, as with IBAMA, is being severely eroded through a serious budget reduction of 29%<sup>52</sup>, as well as massive layoffs, appointments of officials with no subject experience, constant attacks from the government itself, allegations of the existence of a ‘fine industry’ and threats of a merger with IBAMA. According to PSOL estimates<sup>53</sup>, ICMBio cuts were as follows:

- Support for the creation, management and implementation of federal Conservation Units, cut by R\$ 45,065,173 – a 26% reduction of the action budget.
- Unit Management cut by R\$ 15,118,383 – a 22% reduction of the action budget.
- Execution of research and conservation of species and speleological heritage cut by R\$ 3,603,23 - a 19% reduction of the action budget.
- Maintenance of management contract with social organisations (Law No. 9,637 of 15 May 1998) cut by R\$ 238,520 - a 17% reduction of the action budget.
- Environmental inspection and forest fire prevention and combat cut by R\$ 5,482,012 – a 20% reduction of the program budget.

---

<sup>48</sup> Available at: <https://epocanegocios.globo.com/Brasil/noticia/2019/08/queimadas-disparam-mas-multas-do-ibama-despencam-sob-bolsonaro.html>

<sup>49</sup> Available at: <https://oglobo.globo.com/sociedade/ibama-corta-22-das-acoas-de-fiscalizacao-previstas-23937584>

<sup>50</sup> Available at: <https://www.poder360.com.br/brasil/ibama-nao-realizou-22-das-acoas-de-fiscalizacao-planejadas-para-2019/>

<sup>51</sup> Available at: [https://sustentabilidade.estadao.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/?utm\\_source=estadao:whatsapp&utm\\_medium=link](https://sustentabilidade.estadao.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/?utm_source=estadao:whatsapp&utm_medium=link)

<sup>52</sup> Available at: <https://pedlowski.files.wordpress.com/2019/09/the-ricardo-salles-fakebook-a-guide-to-the-falsehoods-and-rhetorical-tricks-of-brazile28099s-environment-minister.pdf>

<sup>53</sup> Available at: <https://www.oeco.org.br/noticias/governo-corta-r-187-milhoes-do-mma-saiba-como-o-corte-foi-dividido/>

According to an investigative report by the O Estado de São Paulo newspaper, by September 2019, the area supporting the creation, management and implementation of CUs had suffered a 28.9% loss, with environmental inspection and fire fighting losing 20.8% of its budget<sup>54</sup>. As a result, the remaining sum for all ICMBio actions - excluding personnel payments and unit administration - was under R\$20 million until the end of the year. In September 2019, the agency's average monthly spending was R\$17.8 million, almost the total sum<sup>55</sup>.

Due to friction with Salles' actions and episodes of persecution, the ICMBio president resigned, followed by three agency directors. The Brazilian National Association of Environmental Careers (ASCEMA Nacional) published an open letter denouncing Salles' actions:

*“The minister has repeatedly attacked and defamed the body of ICMBio personnel through social media publications and declarations in the press based on superficial impressions after fortuitous visits to Conservation Units where he did not deign to speak with staff to inform himself of the situation and possible problems and difficulties”<sup>56</sup>*

The eroding of the ICMBio particularly affects isolated indigenous peoples, as there are records (12 with information and three under study) in 15 federal Conservation Units, also affecting Conservation Units that border Indigenous Lands. In addition, in some of the Conservation Units staff need to have special conditions for dealing with situations of overlap between Conservation Units and Indigenous Lands, causing the eroding of this agency to also erode the rights of these peoples and communities.

#### **4. Impairment of FUNAI Operation**

Of all the institutions affected by policies of erosion in the environmental field, FUNAI, the official indigenist body, is the worst off. The serious budgetary restriction, in addition to the massive changes to its coordination, have practically paralysed activities. From the perspective of human rights, and the rights of isolated indigenous peoples, the situation is dramatic in the face of drastic and unjustified cuts, combined with huge political pressure from

---

<sup>54</sup> Available at:

<https://webcache.googleusercontent.com/search?q=cache:tSUWbvXvmwkJ:https://sustentabilidade.estado.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/+&cd=1&hl=en&ct=clnk&gl=br>

<sup>55</sup> Available at:

<https://webcache.googleusercontent.com/search?q=cache:tSUWbvXvmwkJ:https://sustentabilidade.estado.com.br/blogs/ambiente-se/principais-orgaos-ambientais-ibama-e-icmbio-podem-ficar-sem-verba-antes-do-fim-do-ano/+&cd=1&hl=en&ct=clnk&gl=br>

<sup>56</sup> Available at: <https://exame.abril.com.br/brasil/apos-saida-de-presidente-diretores-do-icmbio-podem-exoneracao/>



openly anti-indigenous sectors. In parallel, there has been an unprecedented growth in violence against indigenous communities and FUNAI personnel. Two episodes are striking: a firearms attack on a FUNAI base in Vale do Javari Indigenous Land, in August 2019, and the assassination of a collaborator and former FUNAI employee in September, in Tabatinga/AM<sup>57</sup>.

This situation, in which the agency's obligations were already at the very limit of feasibly operating, is aggravated by the current government's decisions, especially Decree 9.711/2019, which froze 90% of the FUNAI budget provided for in the Annual Budget Law. The lack of personnel affects the entire institution, but in the Local Technical Coordinations (CTLs) and Ethnoenvironmental Protection Fronts (FPEs), which are closer to indigenous communities, the outlook is more serious. In regions with intense land disputes over demarcation processes, high levels of violence and a lack of personnel further expose indigenous people. In many cases, the Coordinations have a single employee. Faced with the emergency situation of the agency's local operating structures, a lawsuit has been filed by a group of FUNAI personnel who took office after the last round of hiring<sup>58</sup>.

The current government has been ignoring warnings of imminent possible massacres of indigenous peoples, especially the isolated. Without presenting justification or alternatives for the fact that drastic budget cuts make the State's work in promoting and defending the rights of indigenous peoples impossible, it could lead to more serious situations than those seen in recent years<sup>59</sup>. Since 2014, the reduction of FUNAI spending on actions of inspection, monitoring and protection of Indigenous Lands has been systematic, and already amounts to 48.4%<sup>60</sup>.

FUNAI has also been undergoing massive management changes, which further compromise its functioning. In June 2019, General Franklimberg Ribeiro de Freitas was discharged after strong pressure from the ruralist lobby. Franklimberg had come into conflict with the Secretary of Land Affairs of the Ministry of Agriculture, Luiz Antônio Nabhan Garcia, a declared enemy of agrarian reform and the demarcation of indigenous lands.<sup>61</sup> Nabhan is a former president of the Rural Democratic Union (UDR), an entity that brings together rural landowners and is suspected of crimes such as the illegal appropriation of public land and the formation of militias<sup>62</sup> in the region of Mato Grosso do Sul.

Bolsonaro made the post available to the ruralist lobby, which appointed Marcelo Augusto Xavier, a Federal Police Chief who had previously worked with FUNAI's Parliamentary Inquiry Commission (CPI) set up in 2016 in the interest of parliamentarians investigating alleged irregularities in the agency. Previously, in 2014, Xavier had been removed from 'disinfiltration' operations of the Marãiwatsédé Indigenous Land for passing on strategic

---

<sup>57</sup> Recent cases increase fear among agency staff: murdered indigenist (<https://indigenistasassociados.org.br/2019/09/08/nota-publica-assassinato-de-indigenista-no-extremo-oeste-do-amazonas/>) and attacks on FUNAI offices (<https://www1.folha.uol.com.br/poder/2019/08/base-da-funai-em-terra-indigena-foi-atacada-a-tiros-por-cacadores-clandestinos.shtml>)

<sup>58</sup> Available at: <https://apublica.org/2019/03/operando-com-10-do-orcamento-funai-abandona-postos-e-coordenacoes-em-areas-indigenas/>

<sup>59</sup> Available at: <https://cimi.org.br/2018/09/relatorio-cimi-violencia-contra-os-povos-indigenas-no-brasil-tem-aumento-sistemico-e-continuo/>

<sup>60</sup> Own elaboration, based on SIOP data.

<sup>61</sup> Available at: <https://exame.abril.com.br/brasil/quem-e-nabhan-garcia-o-todo-poderoso-secretario-fundiario-de-bolsonaro/>

<sup>62</sup> Available at: <https://reporterbrasil.org.br/2019/04/ex-pistoleiro-milicia-organizacao-nabhan-garcia-bolsonaro/>

information to farmers in the region<sup>63</sup>. In 2017, Xavier asked the Federal Police to take ‘persecutory measures’ against indigenous people and NGOs in Mato Grosso do Sul who were occupying the entrances to rural properties located on lands claimed by the Guarani and Kaiowá peoples.

Since taking office, the president of FUNAI has issued an order to change the command of 15 of the agency’s area coordinations<sup>64</sup>, as well as changes in other highly relevant directorates. One of them was the Territorial Protection Directorate, occupied for three months by the lawyer Silmara Veiga de Souza, who has already acted in favour of farmers in a case of a contested demarcation of Indigenous Land<sup>65</sup>. Since leaving the Federal Police to take command of FUNAI, Xavier has not granted interviews nor followed the recommendation of the Federal Public Ministry (MPF), which claimed that officials being appointed have no academic background or expertise in the areas of Anthropology and Social Sciences. Another very serious measure is the fact that, under guidance of the FUNAI president, prosecutors are dropping lawsuits to demarcate Indigenous Lands, preventing teams from moving in Lands that are not demarcated,<sup>66</sup> or recommending that “tribes” invading “private property” do not receive a basic food basket.<sup>67</sup> Along with all of this, the FUNAI prosecutor’s office has dropped lawsuits related to demarcation actions, including those with favourable decisions.<sup>68</sup>

The most recent attack was the appointment of Ricardo Lopes Dias, a pastor who has worked with the American sect Ethnos360, previously known as New Tribes Mission, to run the Coordination of Isolated and Recently Contacted Indians of FUNAI (CGIIRC). The appointment of a missionary to lead the CGIIRC points to a return to the policy of forced contact which, when in force as a state policy during the 1970s, caused the death of thousands of indians through diseases and violence perpetrated by the public agents themselves.

There is no way to dissociate the escalation of violence indigenous peoples have suffered from the measures and declarations of the current government. A preliminary survey published in September 2019 by the Indigenist Missionary Council (CIMI) showed that, in the first nine months of the previous year, 160 cases of “possessory invasions, illegal exploitation of natural resources and various damages to the heritage of indigenous peoples” had been registered on 153 Indigenous Lands in 19 Brazilian states. According to CIMI, the years 2018 and 2017 registered 109 and 96 cases, respectively<sup>69</sup>.

---

<sup>63</sup> Available at <https://www.bbc.com/portuguese/brasil-49107737>

<sup>64</sup> Available at: [https://politica.estadao.com.br/noticias/geral,presidencia-da-funai-faz-demissao-generalizada-em-coordenacoes-do-orgao,70003032980.amp?\\_\\_twitter\\_impression=true](https://politica.estadao.com.br/noticias/geral,presidencia-da-funai-faz-demissao-generalizada-em-coordenacoes-do-orgao,70003032980.amp?__twitter_impression=true)

<sup>65</sup> Available at: [https://politica.estadao.com.br/noticias/geral,presidencia-da-funai-faz-demissao-generalizada-em-coordenacoes-do-orgao,70003032980.amp?\\_\\_twitter\\_impression=true](https://politica.estadao.com.br/noticias/geral,presidencia-da-funai-faz-demissao-generalizada-em-coordenacoes-do-orgao,70003032980.amp?__twitter_impression=true)

<sup>66</sup> Available at: <https://domtotal.com/noticia/1406642/2019/12/determinacao-da-propria-funai-deixa-dez-terras-indigenas-sem-supervisao/>

<sup>67</sup> Available at: <https://cimi.org.br/2020/01/procurador-da-funai-recomenda-que-tribos-invasoras-de-propriedades-privadas-nao-recebam-cesta-basica/>

<sup>68</sup> Available at: <https://g1.globo.com/politica/blog/matheus-leitao/post/2020/01/24/marcelo-xavier-completa-6-meses-no-comando-da-funai-sob-criticas-de-servidores-indigenas-e-mpf.ghtml> ; ver também, <https://cimi.org.br/2019/12/funai-desiste-de-acao-que-mantem-indigenas-em-nande-ru-marangatu-gt-sofre-interferencia-e-terras-declaradas-deixam-de-ser-atendidas/> e <https://cimi.org.br/2019/11/alegando-desinteresse-funai-desiste-de-processo-no-trf-4-contra-reintegracao-de-posse-da-ti-palmas/>

<sup>69</sup> Available at <https://cimi.org.br/2019/09/a-maior-violencia-contra-os-povos-indigenas-e-a-apropriacao-e-destruicao-de-seus-territorios-aponta-relatorio-do-cimi/>

In January 2020, the Territorial Protection Directorate underwent a new change with the entry of Federal Police Chief Alexandre Silveira de Oliveira. Following a decision which removed autonomy from FUNAI's regional coordination to do field trips, submitting all travel to the FUNAI presidency, Xavier also banned personnel from operating on Indigenous Lands that are in the process of demarcation. The current order is that travel can only happen in cases where Indigenous Lands are 'homologated or regularised'. The MPF and Federal Public Defender (DPU) requested the revocation of the president's order, pointing out the irregularity of the measure and the risk of worsening conflict in regions where demarcation is in process.

According to official FUNAI data, there are at least 243 Indigenous Lands with demarcation procedures that have not yet been concluded, and which are threatened by the recent FUNAI measure on trips to non-homologated areas. According to the Federal Constitution, it is the Union's duty to demarcate lands traditionally occupied by indigenous people (caput of article 231 of the Federal Constitution). The conclusion of a process of demarcation of an Indigenous Land does not exempt the indigenous agency from responsibility towards its institutional mission, which is to defend indigenous rights, clearly established in Law No. 5.371/1967 and Decree No. 9.010/2017. The process of demarcation is a linked administrative act, which only declares the limits of the Indigenous Land. According to the monitoring of normative acts linked to the recognition of Indigenous Lands in the Federal Official Gazette, most of the 243 Indigenous Lands have had their recognition process halted for an average of 10 years. This measure exposes an estimated population of at least 130,000 indigenous people to a total lack of assistance by the Brazilian State.

Furthermore, the slowness of the process of demarcating Indigenous Lands, headed by the State, cannot be attributed to the indians, and in any case clashes with the provisions of article 67 of the Transitory Constitutional Dispositions Acts (ADCT) of the 1988 Constitution, which establishes a period of five years for the Federal Union to carry out the demarcation of all Indigenous Lands. The process of demarcation, however, can drag on for more than 30 years, as with the Guapenu and Capivara Indigenous Lands, both in the state of Amazonas, which have been under study since 1985. The measure also affects six areas with a use restriction Ordinance (official determination) where there are records of isolated indigenous peoples. The Piripkura Indigenous Land is a case in point, which once had an Ordinance regulating the working group for identification in 1985, but today has only a restricted use Ordinance to protect the remaining members of the Piripkura (Kagwahiva) people who live in the region. This is an extremely serious case because these are a recently contacted people with minimal knowledge of our 'uses, customs and traditions' and are in greater need of proactive and positive action on behalf of the State.

The decision of the FUNAI president blocks processes of environmental licensing and Indigenous Land demarcation which depend on the direct action of personnel in those areas. As provided in article 25 of Law 6.001/1973, which establishes the Statute of the Indian, the recognition of the rights of indians to the permanent possession of the land they inhabit "will be independent of its demarcation, and will be ensured by the federal assistance agency." In the area of environmental licensing, it has blocked staff visits, for example, to present to indigenous people the environmental impact studies of infrastructure projects. Even more seriously, the order has made many aspects of the daily practical life of indigenous people

impossible, in a continuous suffocation of communities, as FUNAI employees help indians with basic and routine activities such as birth registration, opening bank accounts and the purchase of food and fuel for places without electricity.

The technical note published by the National Institute of Colonization and Agrarian Reform (INCRA)<sup>70</sup>, which requires the removal of non-homologated Indigenous Lands from the Land Management System (SIGEF) is a measure that may further increase the degree of threat in those territories. With INCRA's determination, around 237 Indigenous Lands whose demarcation process has not yet been completed may simply disappear from official databases. Of these Indigenous Lands, 11 (two identified, three declared and six with a use restriction Ordinance) share ten records of isolated indigenous peoples (four confirmed, three under study, and three 'with information'). The consequences of exclusion of these areas from the SIGEF could be irreversible. If there is no public information about where these Indigenous Lands are, the INCRA itself may grant titles to land grabbers who illegally occupy the land. Title bearers of lands overlapping territories with a presence of isolated indians could obtain environmental licences for activities such as deforestation.

It has been shown that, in several ways, the President of Brazil has been acting in such a way as to violate the rights of indigenous people and make it impossible for the official indigenous agency to function, paralysing the demarcation and management of Indigenous Lands and drastically reducing environmental inspection efforts. Even after the attempt to transfer FUNAI's competencies to the Ministry of Agriculture, Livestock and Supply was frustrated, he continues to take authoritarian decisions that injure the agency to death, leaving it at the mercy of interests contrary to its responsibility to defend the rights of indigenous peoples.

## **5. Eroding of Indigenous Health**

Indigenous healthcare has also been affected by the generalised dismantling of public policy. In early 2019, the Bolsonaro government sought to decentralise indigenous health, municipalizing care. Today it is linked to the Ministry of Health, through the Special Secretariat of Indigenous Health (SESAI) and two Special Indigenous Sanitary Districts (DSEIS). Thanks to the mobilisation of the indigenous movement in the entire country, the government reversed its decision.<sup>71</sup>

But other problems persist. The indigenous people demand an end to the delays in transfers, which have been frequent since last year. Assistance was also hit by the termination of the *Mais Médicos* program, as many professionals worked in Indigenous Lands. The appointment of Sílvia Waiãpi to coordinate the secretariat also caused dissatisfaction with the indigenous movement. Of an authoritarian profile, she terminated instruments of participation

---

<sup>70</sup> INSTITUTO NACIONAL DE COLONIZAÇÃO E REFORMA AGRÁRIA - INCRA. 2019. Technical Note N° 855/2019/GABT-1/GABT/GAB/P/SEDE/INCRA. Brasília: INCRA, 2p.

<sup>71</sup> <https://www.inesc.org.br/por-decreto-bolsonaro-forca-a-municipalizacao-da-saude-indigena/>  
<http://amazonia.inesc.org.br/destaque/com-mais-da-metade-das-vagas-em-aberto-mais-medicos-de-bolsonaro-abandona-povos-indigenas/>

such as the Condisi Presidents Forum (District Council for Indigenous Health) and the National Council for Indigenist Policy.<sup>72</sup>

In areas with a presence of *isolados*, care is even more urgent because they are susceptible to contagious diseases. This is the case of the Yanomami Indigenous Land, which has 8 records of peoples in voluntary isolation. The land has been the target of a massive invasion by illegal miners - there are 20,000 there, according to the latest estimate. The direct effect of the invasion was an outbreak of malaria. In only one village over 70 cases of the disease have been identified, a situation which has been repeated elsewhere, and six deaths have been recorded in communities of the Uraricoera River, in 2019. In December, the Yanomami and Ye'kwana peoples sent a letter to the SESAI requesting improvements in health care. Among the problems listed were out of date medications and a lack of professional staff. In January this year, the MPF made a recommendation to the agency that measures be taken for the prevention, treatment and eradication of malaria in indigenous communities affected by outbreaks of the illness in Amazonas (AM). Without defenses for this disease, isolated groups living in this territory could be decimated.

In Vale do Javari, the territory with the largest number of records of isolated peoples in Brazil, six children died at the beginning of the year, generating an alert about the fragile health situation of the indigenous peoples of the region.<sup>73</sup>

## 6. Economic Depredation of the Amazon

President Bolsonaro's speech at the opening of the United Nations General Assembly, on 24 September 2019, highlighted his lack of understanding of his country's geopolitics, history and socio-cultural reality. The speech was marked by unfounded, inaccurate, demagogic and lying accusatory statements, including against governments, social organizations, the media and native peoples<sup>74</sup>. Bolsonaro attempted to blame indigenous people and traditional communities for the Amazon fires.

Brazil's Indigenous People Articulation (APIB) published the following note responding to the statement:

*“(...) Bolsonaro, with his hate speech and wish to legalise criminal activity such as mining, as well as opening up protected areas (indigenous lands, quilombola territories and those of traditional communities, conservation units) to invaders of every kind, and the expansion of agribusiness and large enterprises, was fuel for lighting, in proportions never seen in Brazil's recent history, fires in the Amazon*

---

<sup>72</sup> <https://www.inesc.org.br/indigenas-ocupam-a-sesai-e-pedem-a-saida-da-secretaria-de-saude-indigena/>

<sup>73</sup> <https://cimi.org.br/2020/01/dsei-confirma-a-morte-de-seis-criancas-indigenas-na-regiao-do-vale-do-javari/>  
<http://www.mpf.mp.br/am/sala-de-imprensa/noticias-am/mpf-recomenda-aco-es-para-prevenir-e-combater-surto-de-malaria-entre-indigenas-yanomami-no-am>

<sup>74</sup> Available at: <http://apib.info/2019/09/26/repudio-contra-o-discurso-anti-indigena-de-jair-bolsonaro-na-assembleia-geral-da-onu/>

*and Cerrado biomes. Even so, he brazenly states in his speech that the Amazon remains virtually untouched and that he has a “solemn commitment” to it. We also repudiate attempts to demoralise and delegitimise the struggle our authentic leaders, such as cacique Raoni, their peoples and organisations, are engaged in, nationally and internationally, to defend Mother Nature - Brazil’s unparalleled heritage (forests, biodiversity, water resources, etc.), and, above all, life, our lives and those of other Brazilians, whose existence will also be unsustainable with the worsening of the [...] bioclimatic crisis.[...]. Finally, even though the entire international community already knows, as Bolsonaro has warned that he never plans to demarcate any more indigenous lands, we are warning of the increase in invasions of our territories and, consequently, of violence against our leaders, peoples and organisations. We are holding Mr. Bolsonaro responsible for the conflicts which, fueled by his publicly anti-indigenous speeches, may threaten our lives.”<sup>75</sup>*

With racist and slanderous assertions, Bolsonaro reaffirmed to the entire world his intention to economically exploit the Amazon through the rejection of articles 231 and 232 of the Brazilian Constitution, fundamental clauses which guarantee indigenous peoples the right to respect for their forms of social organisation, customs, languages, beliefs and traditions, as well as the native rights over their lands. Brazilian law, and the international treaties and provisions to which Brazil is a signatory, recognise indigenous peoples as subjects of full rights. They also stress the close relationship of indigenous peoples with the environment, recalling that their ancestral lands constitute the foundation of their collective existences and cultures. This legislation recognises the inseparable character between collective law and the diffuse right to an ecologically balanced environment.

The federal government is finalising a bill to be sent to Congress which provides for the exploration of Indigenous Lands, including the possibility of developing mining activity, the construction of hydroelectric dams, oil and gas exploration, as well as allowing the exercise of economic activities by indians on their lands, such as mining, agriculture and raising livestock.<sup>76</sup> In the case of agriculture, the government proposal also allows for the cultivation of genetically modified organisms. The government text states that indigenous peoples will be consulted, but does not grant them the power of veto over activities. Regarding isolated indigenous peoples, the proposed bill is a direct threat, as it does not consider the direct embargo of any activity of impact in areas where isolated ethnic groups live.

On 29 February 2019, IBAMA published Normative Instruction No. 8<sup>77</sup>, which makes it possible to delegate the licensing of large works to states and municipalities. Companies will be able to make requests directly to the local environmental body. Requests include, among

---

<sup>75</sup> Available at: <http://apib.info/2019/09/26/repudio-contra-o-discurso-anti-indigena-de-jair-bolsonaro-na-assembleia-geral-da-onu/>

<sup>76</sup> Available at: <https://oglobo.globo.com/brasil/governo-quer-ampla-exploracao-em-terras-indigenas-com-autorizacao-para-mineracao-pecuaria-hidreletricas-24184636>

<sup>77</sup> Federal Official Gazette, Normative Instruction No. 8 of 20 February 2019. Available at: [http://www.in.gov.br/materia/-/asset\\_publisher/Kujrw0TZC2Mb/content/id/65393173](http://www.in.gov.br/materia/-/asset_publisher/Kujrw0TZC2Mb/content/id/65393173)

others, authorisations for projects on Indigenous Lands, in Conservation Units and for oil exploration on the Brazilian coast.

On 27 August 2019, the House Constitution and Justice Committee (CCJ) approved the Proposal for Amendment to the Constitution (PEC) 187/2016, which aims to facilitate farming and forestry activities on Indigenous Lands. The PEC adds to Article 231 of the Constitution § 8, which states:

*Indigenous communities may, directly and respecting the pertinent legislation, exercise agricultural and forestry activities on the lands mentioned in §1 of this article, being autonomous to practice the necessary acts for the management of their goods and the commercialisation of production.*

Indigenous peoples have already spoken out against PEC 187 and any other changes to their constitutional rights enshrined in articles 231 and 232. A technical analysis by the Legal Advisory Board of the Indigenous Missionary Council (CIMI) indicated that the proposal is unconstitutional, as articles 231 and 232 of the Federal Constitution are fixed clauses<sup>78</sup>, that is, they cannot be changed.

Finally, Draft Law 3729/2004 - the latest version of which was reported by Kim Kataguirí (DEM-SP), coordinator of the Working Group on Environmental Licensing, with text created by the Parliamentary Agricultural Front (FPA) and industry sectors - poses a serious threat to isolated indigenous peoples as it eliminates thousands of protected areas from impact assessment, disregarding Indigenous Lands without a delimitation ordinance, quilombola areas without promulgated titles and Conservation Units for sustainable use, making 29% of Indigenous Lands, 87% of quilombola territories and 543 Conservation Units non-existent for licensing purposes.

There are 137 planned infrastructure works (hydroelectric power plants, SHPs, railways, highways, ports and transmission lines) which impact 52 protected areas (36 Indigenous Lands and 16 Conservation Units) and six unprotected areas, affecting a total of 92 records of isolated indigenous peoples (23 confirmed, 20 under study, 44 with FUNAI information and 5 with ISA information). Eighteen protected areas (12 Indigenous Lands and six Conservation Units) and two unprotected areas are under pressure from 81% of the works planned.

In addition to the infrastructure works, 3,773 mining requirements affect 31 Indigenous Lands and 17 Conservation Units with records of isolated indigenous peoples. In total, 65 records of indigenous peoples in isolation could be affected by mining projects. Among them, six confirmed records, 17 under study and 47 with information. The indigenous people living in the interior of the Yanomami Indigenous Land could be the worst affected. This Indigenous Land has 536 mining requirements, affecting almost half of its entire territory.

According to the indigenous peoples themselves, production incentives for indigenous communities are needed, as well as the strengthening of public policy for this purpose, such as

---

<sup>78</sup> Available at: <https://cimi.org.br/2019/08/indigenas-pedem-maia-tramitacao-pec-187-barrada-camara/>

the National Policy on Territorial and Environmental Management of Indigenous Lands (PNGATI)<sup>79</sup>. The PNGATI<sup>80</sup> is a public policy which aims to promote the ethno-development and sustainable development of Indigenous Lands, giving space for indigenous peoples to participate in issues of their interest.

## **7. Demarcation of Indigenous Lands**

According to FUNAI, there are currently 479 homologated, reserved or regularised indigenous lands, located in all biomes, with the greatest concentration being in the Legal Amazon<sup>81</sup>. In addition to these, there are 75 Indigenous Lands declared by the Ministry of Justice: 43 identified and approved by the FUNAI presidency and 116 in the process of identification by FUNAI.

According to the Federal Constitution of 1988 and FUNAI's definition, "Indigenous Land (TI) is a portion of the national territory, owned by the Union, inhabited by one or more indigenous peoples, used by them for their productive activities, indispensable to the preservation of the necessary environmental resources for their physical and cultural reproduction, according to their uses, customs and traditions. It is a specific type of possession, of an originary and collective nature, not to be confused with the civilist concept of private property"<sup>82</sup>.

Indigenous peoples have an originary right to the lands they traditionally occupy (Article 231, Federal Constitution). This means that the Indigenous Land is preexistent to any title deed issued by the State, regardless of administrative demarcation procedures, as the indigenous people are the first and natural owners of these lands. Indigenous Land is not created by a constitutive act, but recognised based on technical and legal requirements, under the terms of article 231 of the 1988 Federal Constitution<sup>83</sup>. The law also states that demarcations must be made "by the initiative and under the guidance of the federal indian assistance agency". In other words, it is up to FUNAI, under its own initiative, to start the process.

In January 2019, president Bolsonaro started a battle to transfer the responsibility for demarcating lands to the Agriculture portfolio. It is the first time since the creation of the former Indian Protection Service (SPI) in 1910, FUNAI's predecessor, that the indigenist agency has been stripped of its role of demarcation. After two Provisional Measures were issued, the

---

<sup>79</sup> Available at: <https://www.socioambiental.org/pt-br/noticias-socioambientais/em-meio-a-crise-amazonica-maia-promete-frear-projetos-contr-o-meio-ambiente-e-direitos-indigenas>

<sup>80</sup> Regulated by Decree no. 7,747, of 5 June 2012.

<sup>81</sup> Available at: <http://www.funai.gov.br/index.php/indios-no-brasil/terras-indigenas>

<sup>82</sup> FUNAI. Indigenous Lands: What Are They? Available at: <http://www.funai.gov.br/index.php/nossas-acoes/demarcacao-de-terras-indigenas>

<sup>83</sup> Article 231. The social organization, customs, languages, creeds and traditions of Indians are recognized, as well as their original rights to the lands they traditionally occupy. The Union has the responsibility to delineate these lands and to protect and ensure respect for all their property.

§ 1º Lands traditionally occupied by Indians are those on which they live on a permanent basis, those used for their productive activities, those indispensable for the preservation of environmental resources necessary for their well-being and those necessary for their physical and cultural reproduction, according to their uses, customs and traditions.



Federal Supreme Court (STF) minister Luís Roberto Barroso granted an injunction suspending the attempt to transfer the competency for demarcating Indigenous Lands. However, the merits are still to be judged and there has been no final decision on the matter.

Formal attempts to change the regime for the protection of indigenous rights have been accompanied by an integrationist discourse, aiming to rehabilitate assimilationist policies rightly rejected by the Constitution. In addition to ignoring the entire constitutional indigenist apparatus when affirming that “it is the President of the Republic who demarcates Indigenous Land by decree”, Bolsonaro criticises the policy of land demarcation when he declares that “over 15% of the national territory is demarcated as quilombola and Indigenous Land. Less than 1 million people live in these places, isolated from the real Brazil, exploited and manipulated by NGOs. We will together integrate these citizens and value all Brazilians”<sup>84</sup>, or that “the indian does not do lobbying, does not speak our language and today manages to have 14% of the national territory. I will, at the end, speak briefly about the history of this, but one of the intentions is to make it impossible for us.”<sup>85</sup>

It is worrying that Bolsonaro, as head of the country’s Executive Branch, makes pronouncements saying that environmental preservation and the recognition of the rights of indigenous and traditional peoples are the result of manipulative actions by interests opposing his government and that would lead to “the insolvency of Brazil”, inciting hate speech and acts of violence that aggravate national reality: Brazil is ranked among the most violent for defenders of socio-environmental and human rights<sup>86</sup>.

The direct consequences of the president’s legislative initiatives and political campaigns are the complete paralysis of demarcations, the freezing of administrative processes for qualifying records of isolated peoples, the cancellation of the supervision of Indigenous Lands with the presence of isolated indians,<sup>87</sup> the increase in agrarian conflicts and acts of violence against indigenous people and the invasion of Indigenous Lands.<sup>88</sup> There is thus a violation of land rights, the right to a dignified life, integrity, access to justice and free development of indigenous peoples, especially isolated groups. Since Bolsonaro assumed his presidential mandate, all acts published by FUNAI with the objective of proceeding with the recognition and demarcation of Indigenous Lands have been made by virtue of lawsuits filed by the MPF. However, as the Federal Public Ministry itself denounces, the FUNAI presidency has changed the composition of the working groups responsible for preparing Circumstantial Identification and Demarcation Reports (RCID) of Indigenous Lands, appointing professionals without the required training to carry out the studies<sup>89</sup>.

---

<sup>84</sup> Available at: <https://twitter.com/jairbolsonaro/status/1080468589298229253?lang=en>

<sup>85</sup> Available at: <https://g1.globo.com/politica/noticia/2019/08/27/em-reuniao-com-governadores-para-tratar-de-amazonia-bolsonaro-critica-demarcacao-de-terras-indigenas.ghtml>

<sup>86</sup> Available at: <http://pfdc.pgr.mpf.mp.br/informativos/edicoes-2019/julho/brasil-foi-um-dos-paises-mais-letais-para-defensores-do-meio-ambiente-em-2018-aponta-relatorio/>

<sup>87</sup> Available at: <https://oglobo.globo.com/brasil/dez-terras-indigenas-com-isolados-ficam-sem-supervisao-apos-nova-determinacao-da-funai-24112168>

<sup>88</sup> Available at: <https://noticias.uol.com.br/cotidiano/ultimas-noticias/2020/01/24/indios-isolados-terra-desmatada-para.htm?cmpid=copiaecola&cmpid=copiaecola>

<sup>89</sup> Available at: <http://www.mpf.mp.br/pgr/noticias-pgr/estudos-para-identificacao-e-delimitacao-de-terras-indigenas-devem-ser-coordenados-por-antropologos-cobra-mpf>

## 8. Increased Rates of Deforestation and Invasions of Indigenous Lands

According to DETER (INPE) data, deforestation of Indigenous Lands has reached alarming levels. In the first six months of 2019, deforestation alerts in the interior of Indigenous Lands increased by 38% compared to the same period of 2018. This increase occurred mainly in the months of May and June, with increases of 295% and 88% respectively. Mining alerts recorded by DETER also increased by 85% during the first half, with May and June registering increases of 148% and 145% respectively. At the beginning of the second half of the year, DETER data continued to register the destruction of the Amazon forest, with increases of 278% in July, 222% in August and 96% in September, when compared to the respective months of 2018<sup>90</sup>.

If we look at the last 12 years (2008 to 2019), Indigenous Lands presented a strong resumption of deforestation from 2017, surpassing by 34% the already high rates of 2008 (Figure 3). Deforestation of Amazon Indigenous Lands (TIs) has already consumed over a million hectares.

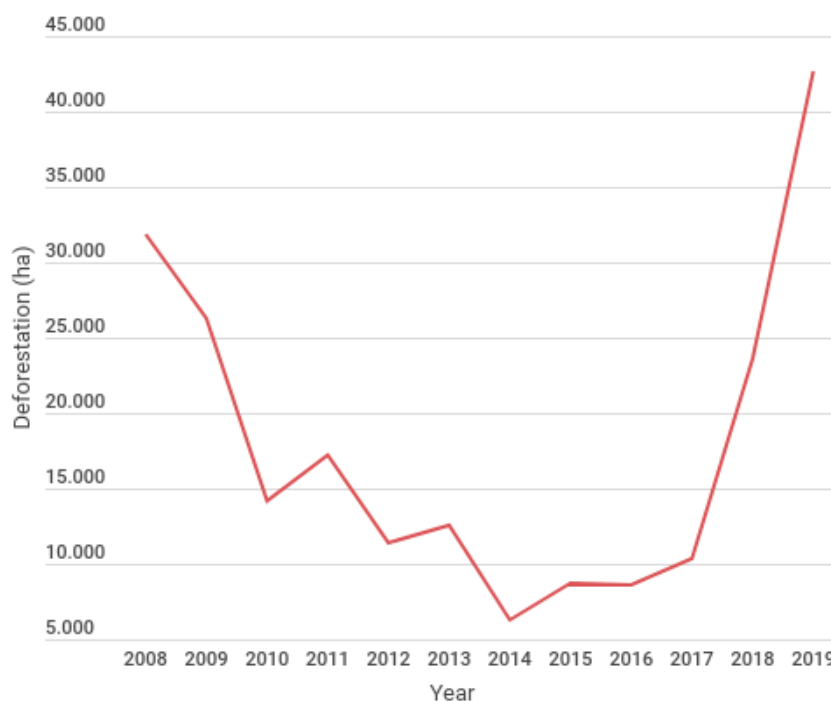


Figure 3. Evolution of deforestation in Indigenous Lands (2008 – 2019). Source: Prodes-Inpe.

<sup>90</sup> Available at: <https://www1.folha.uol.com.br/ambiente/2019/09/desmatamento-na-amazonia-em-agosto-cresce-222-em-relacao-ao-mesmo-mes-de-2018.shtml>  
<https://www1.folha.uol.com.br/ambiente/2019/10/desmatamento-na-amazonia-cresce-96-em-setembro-indicam-alertas-do-inpe.shtml>

According to official data from the PRODES (INPE) system, 115 Indigenous Lands presented deforestation in 2019 (August 2018 to July 2019), totalling 42,679.27 hectares. Deforestation of Indigenous Lands in 2019 was 80% higher compared to 2018. In 2018, deforestation of Indigenous Lands totalled 23,657.9 hectares, compared to 42,679.2 in 2019. Six Indigenous Lands (Ituna/Itatá, Kayapó, Munduruku, Uru-Eu-Wau-Wau, Yanomami and Zoró) which have ten records of isolated indigenous peoples, are listed among the thirteen Indigenous Lands that account for 90% of deforestation in these territories.

Among the Indigenous Lands with a presence of isolated indians that suffered the worst devastation in 2019 (compared with 2018) is TI Ituna/Itatá with a 656% increase in deforestation, followed by TI Yanomami with an increase of 1,686%, TI Munduruku with an increase of 177% and TI Kayapó with 159%.

If we analyse protected areas with records of isolated indigenous peoples as a whole, the situation is even more worrying. Of the 54 Indigenous Lands with records of isolated indigenous peoples (83 records), 37 have recorded deforestation which by July 2019 had totalled 336,273.3 hectares. In 2019, deforestation of those Indigenous Lands was 114% and 363% higher in comparison to the years 2018 and 2017 respectively. Of the nine federal Conservation Units with records of isolated groups (nine records), 7 recorded deforestation which has consumed 136,800.2 hectares. In 2019, deforestation in these areas was 98% higher than in 2018. In the seven state Conservation Units with records of isolated groups (eight records), five recorded an accumulated deforestation of 1,320.4 hectares. In 2019, deforestation of state Conservation Units was 4693% higher than in 2018.

The total accumulated deforestation by July 2019 in the 50 protected areas with records of *isolados* (37 Indigenous Lands, seven federal Conservation Units and 5 state Conservation Units) added up to 474,394 hectares. In 2019 alone, 21,028 hectares were deforested, representing a 113% increase compared to the previous year. This increase is much higher than the average figures observed in the Amazon and its protected areas in 2019, which shows an escalation in invasions and illegality in these areas.

Simulation studies of deforestation in protected areas with a presence of isolated indigenous peoples<sup>91</sup> indicated that, in a scenario of escalating deforestation, 78 protected areas (54 Indigenous Lands, 15 federal Conservation Units and 9 state Conservation Units) and 8 unprotected areas will have lost a total area of 6,030,376 hectares by 2039. In this scenario, the destruction of the forest directly impacts 119 records of isolated indigenous peoples (28 confirmed, 25 under study, 59 with FUNAI information and 6 with ISA information). In the period from 2018 to 2026, simulated deforestation in protected areas with a presence of isolated groups represents 98% of already accumulated deforestation in these areas. When assessing the remaining forest, we can observe that in the worst-case scenario, some protected areas lose all of their forest cover by 2039. This is the case of Cana Brava and Krikati Indigenous Lands, Flona Bom Futuro, Esec Três Irmãos and Resex do Rio Cautário. Other areas lose a significant amount of forest during the study period, such as Rebio Gurupi (86%), Flona de Jacundá (83%),

---

<sup>91</sup> OVIEDO, A.F.P.; SOARES-FILHO, B.; LIMA, W.P.; LELES, W.; RIBEIRO, A.; DOS SANTOS, T.M. 2019. Ameaças futuras aos territórios dos povos isolados na Amazônia brasileira (p:48-57). In RICARDO, F.; GONGORA, M.F. Cercos e Resistências: Povos Indígenas Isolados na Amazônia Brasileira. Instituto Socioambiental, São Paulo.

TI Arara do Rio Branco (80%), TI Awá (71%), TI Jacareúba / Katawixi (69%), TI Caru (66%), TI Araribóia (64%), TI Uru-Eu-Wau-Wau (46%) and TI Apiaká-Kaiabi (40%).

## V. Conclusion and Appeal

The legislative changes and executive and administrative acts established so far indicate the eroding of the national apparatus for the protection of indigenous peoples in Brazil, resulting in a direct threat to the right to life, integrity, culture, property, freedom and a healthy environment of thousands of people.

We call on the Commission to request the Brazilian State to commit itself not to regress in the protection and guarantee of the human rights of isolated indigenous peoples.

That it recommends the Brazilian State to use the current legislative apparatus to promote the rights of isolated indigenous peoples in a form considered adequate by them, respecting their concept of development and worldview.

In this sense, that it require the State to:

- i. Strengthen organs such as IBAMA, ICMBio and FUNAI. The recomposition of the budget of the Ministry of Environment is urgent, especially regarding environmental inspection operations of protected areas with a presence of isolated indigenous peoples.
- ii. To make budgets and human resources adequate and consistent with FUNAI's institutional responsibilities. The budget allocated for the CGIIRC is insufficient for fulfilling the institutional mission of protecting the isolated indigenous peoples of the country. For 2020, a sum of approximately R\$ 6.4 million is expected.<sup>92</sup>
- iii. Strengthen FUNAI's Ethnoenvironmental Protection Fronts (FPEs), allocating adequate financial resources and personnel. The FPEs, in 2019, had just over 100 employees (tenders and commissioned positions)<sup>93</sup>. This contingent is insufficient for carrying out work in a region of approximately 60 million hectares. There is an urgent need to expand the FPEs workforce.
- iv. Intensify inspection operations in Indigenous Lands and Conservation Units with a presence of isolated indigenous peoples, which presented much higher deforestation rates compared to other protected regions and areas of the Amazon;

---

<sup>92</sup> CGIIRC budget allocation at year-end in: 2018 – R\$ 5,523,263; 2017 – R\$ 3,237,699; 2016 – R\$ 3,954,975; 2015 – R\$ 6,405,192 and 2014 – R\$ 7,038,434. Available in: PEREIRA, B.; JABUR, C. A política pública para os povos indígenas isolados e de recente contato no Brasil hoje: novos contextos, novas resistências. In: CUNHA, M.C.; SANTOS, B.M.; ADAMS, C. Diagnóstico povos indígenas e comunidades locais tradicionais no Brasil: contribuições para a biodiversidade, ameaças e políticas públicas (no prelo).

<sup>93</sup> Idem

- v. Complete the administrative processes of records with information status and under study. Greater investment in actions to locate isolated indigenous groups that have not yet been confirmed is urgent, giving priority to situations of greater vulnerability, especially records located outside Indigenous Lands;
- vi. Comply with the recommendation contained in Article 22 of Joint Ordinance No. 4.094 of 20 December 2018, between FUNAI and the Ministry of Health, through the preparation of Contingency Plans for all confirmed records of isolated indians in the country;
- vii. Issue use restriction Ordinances for areas with isolated and recently contacted indigenous peoples who are outside of Indigenous Lands; and
- viii. That the demarcation processes of Indigenous Lands be resumed immediately.

Sincerely,

Instituto Socioambiental  
Comissão Arns  
Conectas Direitos Humanos