

Brasília, Tuesday, May 09, 2017.

EMERGENCY CONTACT | Violence against Indigenous People and Human Rights Defenders in Brazil

Dear Special **Rapporteur for Human Rights Defenders, Mr. Michel Forst**, as well as for the **Dear Mr. Amerigo Incalcaterra**, Regional Representative for South America of the United Nations High Commissioner for Human Rights (OHCHR) and to the **Dear Mr. Niky Fabiancic**, resident coordinator of the United Nations in Brazil, resident representative of the United Nations Development Programme (UNDP).

We thankfully address this message to the respectful United Nations partners to state the following time sensitive conflict in Brazil.

Through this formal communication the organizations that endorse this letter will like to make the **United Nations Special Rapporteur for Human Rights Defenders** aware about the brutal offensive to the Brazilian Human Rights Defenders and to the Indigenous People in Brazil.

You must already have heard that the **Brazilian National Congress investigation commission** for the National Indian Foundation (FUNAI) and the National Colonization and Agrarian Reform Institute (INCRA) (in Portuguese, "CPI da Funai e Incra") has made public its final report and **will vote it this Wednesday, May 6th**. They in few words are calling for the condemnation of the "false Indigenous", for the anthropologists, entities and prosecutors of the Republic which defend human rights. This is alarming and will have as a direct consequence a scale up of aggression and violence in the Indigenous territories.

As expected, it is a very partial and poorly constructed report (although will almost 4000 pages), attacking indigenous leaders, human rights organizations, NGOs, FUNAI, INCRA, the former representatives of Ministry of Justice from Dilma Rousseff mandate, the United Nations (UN) and to a certain extent also attacks the Special Rapporteur on the rights of indigenous peoples, Mrs. VICTORIA LUCIA TAULI CORPUZ .

They concluded for the opening of criminal procedures against almost 100 individuals being 31 indigenous persons among which 7 leaders protected by the National Program of Protection of Human Rights Defenders. You have actually met some of them: Valdelice Veron (she seems to be no longer protected), Lindomar Terena, Cacique Babau, Luiz Eloy Terena (he is the lawyer for the national movement, not in the program).

In addition to the arguing that the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an offense to the sovereignty of the country, misinforming the reader completely, it advocates for the denunciation of the Indigenous and Tribal Peoples Convention, 1989 (ILO, No. 169) and affirms that the UN is not made of sovereign States but NGOs.

The report mentions VICTORIA LUCIA TAULI CORPUZ name several times. We state remember that they had approved a requirement to receive more information from Mrs. CORPUZ's visit to Brazil , which was responded by the Ministry of Foreign Affairs (i never saw it). Now, this group of congressmen (openly against indigenous people's rights) are insinuating that the Special Rapporteur on the rights of indigenous peoples visit has

contributed to the increasing of conflicts in the state of Mato Grosso do Sul due to indigenous peoples taking over their lands, due to the following extract (pages 85 and 86):

The smallholder farmer CARLOS EDUARDO STRANIERI also reported that after the visit of VICTORIA LUCIA TAULI CORPUZ, indigenous of the *Kankana-ey Igorot* ethnic group (Philippines), current UN Special Rapporteur on Indigenous Peoples, that aggressive and bullying activities has intensified.

"Mr. STRANIERI: I think it's an important thing - I think it was you who asked me about the NGO, if I was aware of the NGO - a fact that has to be reported in the Brazilian National Congress investigation commission (CPI), which I think is very important for the investigation is that, at the very beginning of the invasions, there was the visit of that international rapporteur, Mrs. Victoria Corpuz, and what we noticed is that, from the moment of that visit, they became much stronger in the invasions and agressions.

(...) She was in Dourados (Brazilian state of Mato Grosso do Sul), in these invaded areas, exactly in the invaded areas of these owners here. (...) The UN rapporteur. (...)

No, nobody had contact, because she made the visit only for the Indigenous, understood? And from that moment, from the visit of this international rapporteur, I think it is a fact that has to be stated in this Investigation, the Indigenous have strengthened too much after this visit.

(...) I do not remember, but what I can say is that, from that moment and from this visit, the invasions have become stronger. So, this leads to the question he asked me, whether there are NGOs, maybe even international NGOs, involved in these invasions.

I think you have to report that, because it's a very important fact. Those who witnessed the invasions from the outset know that I am speaking, are aware of this, that from the time of this international rapporteur's visit, the invasions have been greatly strengthened here in the Municipality of Dourados "(DOCUMENT 07).

It is well known that in March/2016 the UN Special Rapporteur on Indigenous Peoples - VICTORIA LUCIA TAULI CORPUZ visited and ministered lectures in the indigenous villages of the region of Dourados/MS." [Our translation from the report]

The report goes even further to insinuate that in addition to partial, that the UN Special Rapporteur on Indigenous Peoples Mrs. VICTORIA LUCIA TAULI CORPUZ visit would be helping individuals who are not indigenous (possible reference to Cacique Babau claims as it is in the context of her visit to Bahia). Federal Police in Bahia gives a statement saying that they have worked for the security in the mission but that they did not have information about who was traveling with her. Always trying to attack the credibility of her work.

Asked about the passage of the UN Rapporteur in the region, Dr. MÁRIO VINÍCIUS NEVES DE LIMA reported:

"(Page 275-278) A UN team ... asked for institutional support. And we escorted that UN team, around 2 months to 3 months. And they went to visit

the indigenous leadership known as Cacique BABAU. I am not aware that the association of producers, small producers, has been heard at this visit. Not only the UN - and this is not the first time too - but also a human rights association presided over by a retired state judge from São Paulo - I do not remember the name of this association - has also come here, including in the eye of the hurricane.

What exists is the following: diverse representations that arrive in the region, as a rule, listen to indigenous leaders and only allow rural producers to express themselves when they are urged, often even in an embarrassing way, because the rural producers end up making true Bells in front of a forum, from the Federal Public Prosecutor's Office and, eventually, here, at the door of the police station, when these institutions are here. This creates a social imbalance (...) ". [Our translation from the report]

Thus, the individuals and organizations are busy with their own defense and with what is to come. Violence has increased greatly and the political changes have imposed a big effort from everyone every day. But this situation is VERY SERIOUS for many reasons that you with no doubt know, including the confirmation of criminalization of leaders by the State (legislative power with support of the current federal government).

See a manifestation from the civil society **“Brazilian National Congress investigation commission (CPI Funai-Incra) calls for condemnation of "false Indigenous", anthropologists, entities and prosecutors of the Republic”**: <https://goo.gl/I7hHr8>

The Indigenous People Brazilian Articulation (APIB), the Human Rights Platform – Dhesca Brazil, the Indigenous Workforce Centre (CTI), the Missionary Indigenous Council (CIMI) have requested me to update you and to ask you to consider issuing a public statement, maybe joint with Mrs. VICTORIA LUCIA TAULI CORPUZ (if before Wednesday, even better). We also think that it would be an important thing to ask the UN country team or OHCHR regional office to at least clarify the misinformation around the UNDRIP by the Brazilian congressmen and government officials.

We thank you for your attention and kindness in receiving this communication from the Brazilian human rights defenders organizations.

The following organizations subscribe to this public statement:

- **Human Rights Platform – Dhesca Brazil** (a civil society organization network counting with more than 40 national and international human rights defenders entities)
 - ABRANDH - Brazilian Association of Nutrition and Human Rights
 - EDUCATIONAL ACTION - Advice, Research and Information
 - AGENDE - Actions on Gender, Citizenship and Development
 - AMB - Articulation of Brazilian Women
 - AMNB - Articulation of Brazilian Black Women's Organizations
 - ANCED - National Association of Child and Adolescent Defense Centers
 - APOGLBT - Association of GLBT Pride Parade of São Paulo
 - CDVHS - Herbert de Souza Center for the Defense of Life
 - CEAP - Popular Education and Advisory Center
 - CENDHEC - Dom Helder Center for Studies and Social Action
 - CFÊMEA - Feminist Studies and Advisory Center



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- CIMI - Indian Missionary Center
- CJP-SP - Justice and Peace Commission of São Paulo
- Human Rights Commission of the Federal Council of Psychology (CFP)
- Bahá'í Community
- Conectas Human Rights
- CONIC - National Council of Christian Churches
- CPT - Pastoral Land Commission
- CRIOLA - Organization of Black Women
- Sun of the Earth AFROLGBT
- Speak black - Organization of Black Women
- National Phase - Federation of Social and Educational Assistance Bodies.
- FIAN Brasil - Network for Information and Action for the Human Right to Food
- GAJOP - Office of Legal Advice to Popular Organizations
- GELEDÉS - Institute of the Black Woman
- IBASE - Brazilian Institute of Social and Economic Analysis
- IDDH - Institute for Development and Human Rights
- INESC - Institute of Socioeconomic Studies
- Pólis Institute - Institute for Studies, Training and Assistance in Social Policies
- INTERVOZES - Collective Brazil of Social Communication
- Global Justice
- MAB - Movement of the Affected by Dams
- MEB - Basic Education Movement
- MMC - Peasant Women's Movement
- MNDH - National Human Rights Movement
- MNMMR - National Movement of Boys and Girls Street
- MST - Movement of Landless Rural Workers
- Feminist Network on Health, Sexual and Reproductive Rights
- Social Network for Justice and Human Rights
- SDDH - Sociedade Paraense de Defesa da Direitos Humanos
- SMDH - Sociedade Maranhense de Derechos Humanos
- Land of Rights Human Rights Organization
- **Indigenous People Brazilian Articulation (APIB)**
- **Indigenous Workforce Centre (CTI)**
- **Amazon Cooperation Network (RCA)**
- **Iepé - Institute of Indigenous Research and Training**

Collegiate Coordination

Human Rights Platform – Dhesca Brazil
<http://www.plataformadh.org.br>

Fabricio Bonecini de Almeida

Executive Secretary for the Human Rights Platform – Dhesca Brazil

Adress: Rua SNB Quadra 2, Bloco J, Ed. Eng. Paulo Maurício Sampaio, Sala 712, CEP: 70.040-905 - Brasília-DF, Brasil.

+ 55(61) 3327-2448

www.plataformadh.org.br

secretaria@plataformadh.org.br

PLATAFORMA DE DIREITOS HUMANOS Dhesca BRASIL

Rua SNB Quadra 2, Bloco J, Ed. Eng. Paulo Maurício Sampaio, Sala 712, Brasília-DF, Brasil CEP: 70.040-905

+ 55(61) 3327-2448 www.plataformadh.org.br - secretaria@plataformadh.org.br