Thursday 7 July 2022

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The situation of indigenous and environmental defenders in Brazil, including the killing of Dom Philips and Bruno Pereira

European Parliament resolution of 7 July 2022 on the situation of indigenous and environmental defenders in Brazil, including the killing of Dom Phillips and Bruno Pereira (2022/2752(RSP))

(2023/C 47/16)

The European Parliament,

— having regard to its previous resolutions on Brazil,

— having regard to its resolution of 19 May 2021 on the effects of climate change on human rights and the role of environmental defenders on this matter ([1]),

— having regard to its resolution of 3 July 2018 on violation of the rights of indigenous peoples in the world, including land grabbing ([2]),

— having regard to its resolution of 22 October 2020 with recommendations to the Commission on an EU legal framework to halt and reverse EU-driven global deforestation ([3]),

— having regard to the statements of Reporters Without Borders, the Union of Indigenous Peoples of the Javari Valley (UNIVAJA), Amnesty International, Survival International, Greenpeace, Human Rights Watch and the World Wide Fund for Nature on the murders of Bruno Pereira and Dom Phillips,

— having regard to the EU-Brazil Strategic Partnership signed in July 2007,

— having regard to the European Union Guidelines on Human Rights Defenders,

— having regard to the Universal Declaration of Human Rights of 10 December 1948, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Declaration on the Rights of Indigenous Peoples of 2007 and the UN Declaration on Human Rights Defenders of 1998,

— having regard to the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention (No 169) adopted on 27 June 1989 and signed by Brazil,

— having regard to the Constitution of the Federative Republic of Brazil, in particular Article 231 thereof on the recognition of indigenous land,

— having regard to Rules 144(5) and 132(4) of its Rules of Procedure,

A. whereas on 5 June 2022, British journalist Dom Phillips, a contributor to *The Guardian* newspaper, and the Brazilian indigenous expert Bruno Pereira, a former civil servant at the National Indian Foundation (Funai), disappeared in the Javari Valley, between the riverside community of São Rafael and the city of Atalaia do Norte in the state of Amazonas in northern Brazil; whereas their corpses were discovered on 15 June 2022;

B. whereas on 15 June 2022 the Brazilian Federal Police reported that one of the two people arrested on suspicion of involvement in their disappearances had confessed to murdering them;

([1]) OJ C 15, 12.1.2022, p. 111.
([2]) OJ C 118, 8.4.2020, p. 15.
([3]) OJ C 404, 6.10.2021, p. 175.

Thursday 7 July 2022

C. whereas the NGO Global Witness reported that in 2020 more than 20 land and environmental defenders had been killed in Brazil, placing the country fourth in the ranking of countries with the highest number of such killings in the world, with most of these crimes remaining unpunished; whereas in Brazil, nearly three quarters of killings occur in the Amazon region and target indigenous defenders;

D. whereas the ongoing deterioration of human rights in Brazil is taking place in a context of restrictive legislative changes and defunding of environmental agencies, as well as growing endemic violence; whereas the indigenous peoples of Brazil have been suffering systematic aggressions and lack of protection of their rights, as well as an increasing number of attacks and murders; whereas the COVID-19 pandemic has disproportionally affected indigenous communities in Brazil;

E. whereas the current Brazilian constitution adopted in 1988 and the country's legal framework enshrine indigenous peoples' original right to their ancestral lands, without any kind of time limitation for the recognition of this right; whereas it is the duty of the state to regulate and protect this right;

F. whereas on 22 October 2021, several local civil society groups participated in a public hearing at the Inter-American Commission on Human Rights (IACHR) to denounce violations against human rights defenders and environmental defenders in Brazil; whereas in August 2021, the Articulation of Indigenous Peoples of Brazil (APIB) organisation filed a complaint before the International Criminal Court against President Bolsonaro for crimes against humanity and genocide 'based on his explicit, systematic and intentional anti-indigenous policies';

G. whereas indigenous peoples contribute to the protection of the rainforest and other ecosystems, and thus play a crucial role in preserving biodiversity in the region and preventing climate change; whereas Bruno Pereira and Dom Phillips were deeply committed to the critical task of preserving the Amazon rainforest and its biodiversity;

H. whereas the Amazon is the largest rainforest in the world and plays a vital role in absorbing carbon dioxide, reducing greenhouse gases and maintaining regional and global weather patterns; whereas the Javari Valley is located in the Amazon on the Brazilian border with Peru and Colombia; whereas this region is home to the largest concentration of indigenous peoples in voluntary isolation in the world, and access to it is only possible through other areas and by river;

I. whereas the Javari Valley, like other regions of the Brazilian Amazon, is the site of intense conflicts led by organised crime and land invaders involved in illicit fishing, hunting, mining, illegal logging and drug trafficking; whereas 80 % of deforestation worldwide is caused by the conversion of forests to agricultural land for commodities such as beef, soy and palm oil; whereas deforestation in the Brazilian Amazon has increased dramatically since 2019, including a 22 % jump in 2021 compared to 2020, the highest rate since 2006;

J. whereas the promotion of and respect for human rights, democracy and the rule of law should remain at the centre of the long-standing relationship between the EU and Brazil, in line with the EU's commitment to upholding these values in its external action and the interest Brazil has expressed in adhering to them in its own development and international cooperation;

1. Strongly condemns the brutal murder of environmental and human rights defenders as well as indigenous people in Brazil, most recently the killing of journalist Dom Phillips and activist Bruno Pereira; calls on the Brazilian authorities to conduct an exhaustive, impartial and independent investigation into these murders and to ensure full compliance with due process rights at all times;

2. Strongly condemns the increasing violence, attacks and harassment against human rights and environmental defenders, indigenous peoples, minorities and journalists; deplores the continuous aggressive rhetoric, verbal attacks and intimidating statements by President Bolsonaro; deplores the sexual and gender-based violence perpetrated against women, girls and environmental and indigenous defenders, and recalls that these constitute a serious violation of their human rights and dignity;

3. Demands that the Brazilian authorities take immediate action to prevent human rights violations and protect environmental and indigenous defenders; emphasises Brazilian authorities' responsibilities and the importance of taking appropriate measures to protect indigenous peoples' rights to land, territories and their traditional livelihoods, as well as to protect them from all forms of violence and discrimination; calls on the Brazilian authorities to implement international recommendations to ensure protection for these defenders, and to take measures to stop the persecution, criminalisation and stigmatisation of indigenous peoples and other traditional communities;

4. Stresses that illegal gold mining threatens the forests and biodiversity in protected areas and exposes indigenous populations to contaminants; deplores the increasing deforestation rates in indigenous lands, especially in the Brazilian Amazon; calls on the Brazilian Government to strengthen and better enforce legislation against illegal deforestation and mining, and to seek sustainable alternatives to the extractive policies that are targeting indigenous territories;

5. Regrets the dismantling by the current Brazilian Government of government agencies such as Funai, which oversees indigenous affairs, and Ibama, Brazil's main environmental enforcement body; urges the Brazilian Government to reinstate and strengthen the capacities of these bodies to ensure effective enforcement of environmental laws and the rights of indigenous peoples;

6. Is deeply concerned by the potential effects of bill PL 191/2020, known as the 'bill of devastation', and bill PL 490/2007 on the demarcation of indigenous lands; expresses deep concern about draft laws currently under discussion in the Brazilian Congress which could lead to increased deforestation and the destruction of indigenous peoples' livelihoods;

7. Demands the recognition and protection of the lands traditionally occupied by indigenous peoples, including by resuming the demarcation of indigenous territories and protecting these territories from illegal land seizures; reiterates the importance of ensuring compliance with the ILO Indigenous and Tribal Peoples Convention (No 169);

8. Stresses the importance of corporate due diligence and sustainable and transparent corporate accountability as significant and indispensable means to prevent and protect against severe human rights and environmental violations; urges European companies to ensure human rights due diligence throughout their supply chains in Brazil; reiterates that the proposed EU regulation on deforestation-free products must include the protection of indigenous peoples' rights and human rights and ensure that rights violations are not involved in the production of products placed on the European market; calls on the Commission to ensure that any cooperation framework includes strong, binding and enforceable provisions on the protection of human rights, including the rights of indigenous communities, and to promote respect for international standards and commitments, including on deforestation;

9. Urges the Government of Brazil to fulfil its commitments under the Paris Agreement on climate change; strongly encourages the Brazilian state to tackle environmental crimes and implement a new sustainable approach to the Amazon in order to fulfil the conditions set out in the Organisation for Economic Co-operation and Development (OECD) accession roadmap and to fully align with OECD standards in order to qualify for membership of the organisation;

10. Calls on the European External Action Service and the Member States to continue supporting civil society and environmental and humanitarian organisations, prioritising the promotion of human rights, democracy, the rule of law, equality and media freedom in Brazil, and to cooperate with international partners to promote these aims; asks the EU Delegation to Brazil to closely monitor the state of democracy in the country and to provide logistical and technological support to human rights, environmental and indigenous defenders; calls on the Commission to ensure that its cooperation assistance enhances support for civil society, in particular human rights defenders, indigenous peoples and traditional communities; calls on the EU Delegation and the Member States with diplomatic missions in Brazil to fully implement the EU Guidelines on Human Rights Defenders and to provide all appropriate support to human rights defenders;

11. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the EU Special Representative for Human Rights, the *pro tempore* Presidency of the Community of Latin American and Caribbean States, the Secretary-General of the Organization of American States, the Euro-Latin American Parliamentary Assembly and the President, Government and Congress of Brazil.