



Plenary sitting

B9-0354/2022

5.7.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the situation of indigenous and environmental defenders in Brazil, including the killing of Dom Philips and Bruno Pereira
(2022/2752(RSP))

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on behalf of the Renew Group

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

The European Parliament,

- having regard to its previous resolutions on Brazil , in particular the one of 24 November 2016 on the situation of the Guarani-Kaiowá in the Brazilian state of Mato Grosso do Sul ;
- having regard to the European Parliament resolution of 19 May 2021 on the effects of climate change on human rights and the role of environmental defenders on this matter and the one of 3 July 2018 on violation of the rights of indigenous peoples in the world, including land grabbing ;
- having regard to the Council conclusions of 15 May 2017 on Indigenous Peoples and the joint staff working document of 17 October 2016 entitled ‘Implementing EU External Policy on Indigenous Peoples’;
- having regards to the resolution of the OHCHR of 20 March 2019 on "Recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development;"
- having regards to the declarations of the UN High Commissioner for Human Rights on the Brazil human rights situation of 13/06/2022

A. Whereas on 5 June 2022, British journalist Dom Phillips, a contributor to The Guardian newspaper, and Brazilian Indigenous expert Bruno Pereira, a licensed public servant of the National Indian Foundation (Funai), were disappeared on the route in the Javari Valley, between the riverside community São Rafael and the city of Atalaia do Norte, in the state of Amazonas, in northern Brazil;

B. Whereas authorities at the federal and local levels reacted expeditiously by fully deploying available means and necessary specialized resources to effectively search over the remote area in question; Whereas civil society groups have coordinated efforts to locate the two men, including by sending search-and-rescue missions to the area.

C. Whereas the Federal Police reported on June 15 that one of the two people arrested on suspicion of involvement in their disappearances confessed to murdering them; whereas that remains discovered in the forest had been forwarded to forensics.

D. Whereas these environmental defenders were deeply committed to the critical task of preserving the Amazon rainforest and its biodiversity; whereas environmental defenders play a key role in protecting the universal right to a healthy environment;

E. Whereas the Javari Valley is located on the Amazon border with Peru and Colombia and has 8.5 million hectares of demarcated land, forming the second largest homologated indigenous land in Brazil; whereas this region is home to the largest concentration of Indigenous peoples in voluntary isolation in the world, and its access is only possible through areas and river routes.

F. Whereas the Javari Valley, like other regions of the Brazilian Amazon, is the site of intense conflicts led by land invaders involved in mining and illegal logging.

G. Whereas in 2020, more than 20 environmental defenders were killed, ranking Brazil as the fourth-most dangerous country for environmental defenders; whereas in Brazil, nearly three quarters of the killings occurred in the Amazon region and targeted indigenous defenders.

H. Whereas, according to CIMI (Missionary Indigenous Council), violence against indigenous

people in Brazil surged by more than 60% last year, as land invasions of indigenous territories increased; whereas the Brazilian authorities failed to provide protection; whereas CIMI reported 182 murders of indigenous people in 2020, compared with 113 murders in 2019, a 61% increase; whereas there were 263 reported land invasions of indigenous territories in 2020, an alarming increase of 137% over the previous year.

I. Whereas there are approximately 817,963 indigenous people in the country, of whom 502,783 live in rural areas and 315,180 in urban areas; whereas despite the significant number of indigenous peoples, out of the 1,298 Indigenous Lands in Brazil, 829 (63%) have some issue pending to complete their demarcation process; whereas of these 829, a total of 536 lands (64%) have not yet had any action by the State;

J. Whereas on 22nd October 2021, several 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.

1. Strongly condemns the murder on June 2022, of Brazilian Indigenous expert Bruno Pereira and British journalist Dom Phillips during a trip through the Vale do Javari, the second largest indigenous area in Brazil; Expresses its condolences and solidarity to their families, colleagues and friends;
2. Emphasises the importance of taking judicial actions to ensure justice and reparation for the victims of serious environmental and human rights violations, and for families; Underlines that Dom Phillip and Bruno Pereira have played important roles in raising awareness and defending the human rights of the indigenous peoples in the area, including by monitoring and reporting illegal activities in the Javari Valley;
3. Stresses its concern about attacks and harassment faced by human rights defenders, environmentalists, and journalists in Brazil; underlines the responsibility of the authorities to protect them and ensure that they can exercise their rights, including to freedom of expression and association, free from attacks and threats.
4. Reiterates its calls for the protection of indigenous peoples' rights in the country, particularly those in voluntary isolation or first contact; Emphasizes the responsibilities of Brazilian authorities and the importance of taking appropriate measures to protect their rights to land, territories, and traditional livelihoods, as well as to protect them from all forms of violence and discrimination perpetrated by both state and non-state actors.
5. Stresses that illegal gold mining threatens the forests, biodiversity in protected areas and exposes indigenous populations to contamination.
6. Regrets the dismantle of government agencies like FUNAI, which oversees Indigenous affairs, and IBAMA, Brazil's main environmental enforcement body; Urges Brazilian government to reinstate the existing bodies;
7. Is deeply concerned by the effects of the bill, PL 191/2020 known as the "Bill of Devastation" on the protected indigenous lands face to mining and other industry; highlights that both Bill 2633 and Bill 490 - currently under scrutiny in Brazil- would threaten indigenous peoples' rights and access to land; expresses that it would mean a regression of indigenous rights due to the clause known as the "temporary landmark," which requires that for land to be demarcated, indigenous peoples must

prove that they were on that land when the 1988 Constitution was approved, representing an unconstitutional step backwards in the land demarcation process.

8. Calls the Brazilian authorities to implement the recommendations made by the Inter-American Commission on Human Rights (IACHR) to ensure protection for defenders, and to take measure against the persecution, criminalisation and stigmatisation of Indigenous peoples, and other traditional communities.
9. Calls on Brazilian authorities to fight impunity for those who have occupied lands illegally in Amazonia, by improving the control and enforcement of sanctions and ensuring proper inspections of lands, with a view to guarantee access to justice;
10. Reiterates the importance in ensuring compliance with the ILO Indigenous and Tribal People's Convention (No. 169); Urges the Brazilian government to move forward with the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement); stresses that Brazilian authorities should ensure full effect of international human rights treaties and instruments in its domestic law and policies, ensuring there can be accountability for human rights violations and for acts that harm the environment;
11. Welcomes other existing public policy efforts in this area, such as the current formal recognition of the role of human rights defenders acting in defence of the environment, in the framework of the Programme for the Protection of Human Rights Defenders, Communicators and Environmentalists (Decree 9.937 of 2019) and calls for a proper implementation;
12. Strongly encourages Brazilian state to tackle environmental crimes and advance a new sustainable approach to the Amazon , in order to fulfil to conditions set out in the this OECD Roadmap, and to be fully aligned with OECD standards and values to have a chance to become a Member of the Organisation;
13. Calls on the Commission and the EEAS to follow and monitor regularly the situation on environmental, indigenous and Human Rights Defenders and to fully implement the EU Guidelines on Human Rights Defenders; calls on the Commission to involving local communities at all stages, and level of decision-making processes when dealing with EU aid programmes, ensuring the voices of vulnerable groups are heard, including women, children, young people and people with disabilities;
14. 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 Presidency pro tempore 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;