

**PUBLIC LETTER FROM BRAZIL'S INDIGENOUS PEOPLES TO THE PRESIDENT OF THE REPUBLIC
DILMA ROUSSEFF**

July 10, 2013

To Her Excellency Dilma Rousseff
President of the Federative Republic of Brazil
Brasília-DF

Esteemed President,

We indigenous leaders representing distinct indigenous peoples and organizations from different regions of Brazil, meeting on this historic occasion with Your Excellency in the Government Palace, in small numbers but sufficiently informed and profoundly knowledgeable of the problems, suffering, needs and aspirations of our peoples and communities, come to manifest, after such a long wait, the following considerations and rightful claims, which we expect your government to attend to as an initial step in resolving the social debt the Brazilian State has with us after centuries of interminable colonization, marked by policies and practices of violence, extermination, dispossession, racism, prejudices and discrimination.

We are here, a small but significantly revealing expression of the ethnic and cultural diversity of the country, made up by 305 different indigenous ethnicities, speakers of 274 distinct languages, with an approximate population of 900,000 inhabitants according to census data. It is in the name of these peoples that:

- We reiterate our rejection of the notion that we are impediments to the development of the country, which totally disregards our contribution to the formation of the Brazilian National State, the preservation of the natural and sociocultural heritage of the current frontiers of Brazil, of which our ancestors were born guardians. This proves the fallacy of those who accuse us of threatening the unity, territorial integrity and sovereignty of our country.
- We totally repudiate the series of political, administrative, judicial, and legislative instruments being used in the National Assembly which seek to destroy and put an end to our rights won through great struggle and sacrifices 25 years ago, by the chiefs and leaders who have preceded us.
- We are totally opposed to any attempts to modify the procedures of demarcation of the indigenous lands currently sponsored by sectors of your government, principally the Offices of the Presidency and the Attorney General, in seeking to bend to the pressures and interests of the historical enemies of our peoples, invaders of our territories, today revealingly represented by agribusiness, the *ruralista* bloc, mining interests, logging interests and contractors, among others.

- We do not concede to retrogressions in the guarantee of our rights, by means of legislative initiatives that could condemn our people to situations of undesirable misery, ethnocide and unforeseen conflict as is already demonstrated in all regions of the country, principally in the states of the south and in the state of Mato Grosso do Sul.

- We reject the way in which the government seeks to make its priority development model viable, implanting transport and energy generation infrastructure construction such as highways, railroads, waterways, ports, hydroelectric plants, and transmission lines at any cost in our territories, , disrespecting our vision of the world, our particular way of our relating with Mother Nature, our originary and fundamental rights, assured by the Federal Constitution of 1988, Convention 169 and the UN Declaration on the Rights of Indigenous Peoples.

DEMANDS

With this manifesto, we hereby express the following demands:

1. That the government work with its supporters to shelve Proposed Constitutional Amendments (PEC) 038 and 215 that intend to transfer to the Senate and Congress respectively the jurisdictional competence to demarcate indigenous lands, usurping a constitutional prerogative of the powers of the Executive branch.
2. We rightfully claim the same procedure for PEC 237/13 that aims to legalize the leasing of our lands, of PL 1610/96 on mining in indigenous lands, of PL 227/12 that modifies the demarcation of the indigenous lands, among other such initiatives that intend to reverse our constitutional rights.
3. The Government should provide all necessary conditions to strengthen the National Indigenous Foundation (FUNAI) in to duly fulfill its role in the demarcation, protection and vigilance of all indigenous lands, the obligation of which is still immense in all regions of the country, even in the Amazon where this problem supposedly should have been resolved. We do not allow FUNAI to be disqualified from its role or that the Embrapa (The Brazilian Agricultural Research Corporation), Ministry of Agriculture and other agencies, ignorant of indigenous matters, evaluate and supposedly contribute to the anthropological studies conducted by the agency, solely to attend to political and economic interests, as the last military government had done in instituting the infamous "grupão" (large group) of the MIRAD, to "discipline" FUNAI and "evaluate" indigenous demands.
4. For the demarcation of indigenous lands we propose the creation of a Working Group, with the participation of the indigenous peoples and organizations within the sphere of the Ministry of Justice and of \ FUNAI to undertake mapping, definition of priorities and concrete goals of demarcation.
5. We do not accept the proposal of creation of a Secretariat that annexes the FUNAI with the Special Secretariat of Indigenous Health (SESAI), prejudicing the differentiated role of each

agency.

6. We demand the revocation of all *Portarias* (ministerial directives) and Decrees that threaten our ordinary rights and the integrity of our territories, lives and cultures of our peoples and communities:

6.1. Portaria 303, of July 17 of 2012, an initiative under Executive powers, by means of the Attorney General (AGU) that erroneously extends the application, to all indigenous territories, of the conditions established by the Supreme Court (STF) in the judgment of the case Raposa Serra do Sol (Petition 3.388/RR), which has not yet been judged.

6.2. Portaria 2498, of October 31 of 2011, which orders the subpoena of federal entities to participate in the proceedings of identification and delimitation of the indigenous lands, given that Decree 1.775/96 already establishes the right to contradict the aforementioned Portaria.

6.3. Interministerial Portaria 419 of October 28 of 2011, which restricts the deadline so that public administration agencies and entities can expedite the environmental licensing of infrastructure enterprises that affect indigenous lands.

6.4. Decree no. 7.957, of March 13 of 2013 which creates the Permanent Cabinet Office of Integrated Management for Protection of the Environment, regulates the activation of the Armed Forces in environmental protection and alters Decree nº 5.289, of November 29 of 2004. With this decree, "of a preventive or repressive character", the Environmental Operations Company of the National Force of Public Security was created, having as one of its attributes "to provide assistance to the conducting of surveys and technical reports about negative environmental impacts". In practice this signifies the creation of a state instrument for militarized repression of any and all actions of the indigenous peoples, communities, organizations and social movements that decide to position themselves in opposition to enterprises that impact their territories.

7. We also rightfully claim of the Brazilian Government specific, effective and sound public policies, worthy of our peoples who since time immemorial have exercised a strategic role in the protection of Mother Nature, containing deforestation, preserving forests and biodiversity, and other such riches that the indigenous territories shelter.

- In Health, creation of the Special Secretariat of Indigenous Health and Special Indigenous Sanitation Districts, to overcome the distinct problems of management, lack of professionals, of competitive application specific to indigenous peoples, a plan for responsibilities of office and salaries, of basic primary care in the villages, among others.

- In Education, legislation that guarantees specific and differentiated education is respected and implemented, with sufficient resources to do so, and that Law 11,645 be

applied immediately, which deals with the compulsory teaching of diversity in the schools.

- In the area of sustainability, installation of the Steering Committee of the PNGATI and of the other programs specific to our peoples, with its own budget.

- For the standardization, articulation, fiscal monitoring and implementation of other policies that affect us, immediate creation of the National Council on Indigenist Policy (CNPI), whose Proposed Law (3571/08) has not yet been approved in the Brazilian House of Representatives.

8. We continue to demand that the Government comply with the agreements and commitments made within the scope of actions of the National Commission of Indigenist Policy (CNPI) related to the legislative process and approval of the Statute of the Indigenous Peoples in the Brazilian Congress.

9. Considering that this meeting with Your Excellency occurs in the context of many other protests throughout the entire country, we express our solidarity with the other struggles and social and popular causes that yearn for, like us, a different, plural and truly just and democratic country. We also call for the regularization and protection of *Quilombola* lands, fishing territories and other traditional communities, and that there be no urgency imposed for proposed legislation on new regulatory standards for mining, to assure the participation of civil society in the discussion of this, so strategic and delicate a matter for the Brazilian nation.

10. We reaffirm our determination to strengthen our struggles, our continuous vigilance and readiness to be prepared for political confrontation, including risking our lives, but we also reiterate our willingness to open, frank and sincere dialogue, in defense of our territories and of Mother Nature and for the good of our present and future generations, around a Government Plan for the indigenous peoples, with consensual agreement on priorities and concrete goals made with us.

11. In closing, we call to our relatives, leaders, peoples and organizations, and allies of all parties, so that together we prevent the planned extinction of our peoples from taking place.

Brasília - Federal District 10 July of 2013 APIB -ARTICULAÇÃO DOS POVOS INDÍGENAS DO BRASIL
(Articulation of Indigenous Peoples of Brazil).