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THEDIALOGUE

FEATURED Q&A

How Should Brazil Resolve Disputes With Its Indigenous?

Antonio Costa (R), who took over Brazil's National Indian Foundation in January, was sacked last week by officials at the Justice Ministry, a decision Costa says stemmed from his willingness to stand up to powerful political and business elites. // File Photo: Government of Brazil.

Q In a march that turned violent in Brasília on April 25, indigenous protesters who say farmers are encroaching on their lands clashed with police, with officers launching tear gas and the demonstrators shooting arrows at authorities. The protest happened as lawmakers considered legislation that would transfer the power to set indigenous reservation boundaries from the country's president to Congress. What is behind the conflict between indigenous groups and farmers in Brazil? Should the government be doing more to mediate land disputes between the two sides? What would be the impact of the legislation giving greater power to Congress to set boundaries of reservations?

A **Christian Poirier, program director at Amazon Watch:** "The very survival of Brazil's indigenous peoples is imperiled by a spate of threats not seen since the country's military dictatorship. These threats originate with powerful economic and political actors, principally the ruralista bloc, which represents Brazil's agribusiness sector and holds many congressional seats and key posts in President Michel Temer's administration. Indeed, the recently-ousted head of Brazil's indigenous agency, FUNAI, characterized this bloc's oversize political influence as a 'ruralista dictatorship' that is slashing rights and creating a permissive climate for overt violence against the native minority. It is within this context that police received last month's historic indigenous mobilization in Brasília with tear gas and rubber bullets. This climate also enabled the barbaric attack on the indigenous Gamela community by ranchers and hired guns. Frustrated by the government's longstanding

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TODAY'S NEWS

ECONOMIC

Venezuela Posts Alarming New Health Data

After a nearly two-year lapse in reporting data, Venezuela's health ministry on Tuesday released public health figures that painted a grim picture.

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ELN Releases Eight Hostages in Colombia

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POLITICAL

Court Denies Request to Delay Lula Hearing

A federal judge refused a request Tuesday by lawyers for former Brazilian President Luiz Inácio Lula da Silva to delay his appearance at a corruption hearing scheduled today in Curitiba.

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Lula // File Photo: Lula Institute.

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POLITICAL NEWS

Brazil Judge Denies Request to Delay Lula Corruption Hearing

A federal judge refused a request Tuesday by lawyers for former Brazilian President Luiz Inácio Lula da Silva to delay his appearance at a corruption hearing scheduled today in Curitiba, the Associated Press reported. The case centers around kickbacks the popular leftist leader allegedly received from OAS, a company involved in a massive corruption scandal at national oil company Petrobras. Also on Tuesday, a court ordered the suspension of activities at the Lula Institute in São Paulo, a nonprofit organization the erstwhile union organizer founded after leaving office. Judge Sergio Moro, the high-profile jurist coordinating the corruption probe, has been criticized for

Moro // File Photo: Agência Brasil.

lack of impartiality in the case. Attorneys for Lula filed new habeas corpus petitions late Tuesday, Folha de S.Paulo reported, with one of them claiming the case should be stayed until there is a final decision whether Moro, 44, should continue to lead the proceedings. Lula's allies have called for tens of thousands of his supporters from around the country to protest outside the hearings, Reuters reported. Moro has posted a Facebook video discouraging a rival march by supporters of the investigation. "I'm a little concerned by this climate of confrontation, these heightened expectations about something that may be totally banal," the judge said at a public event on Monday, Reuters reported. A recent Datafolha poll found Moro was one of the few public figures who could beat Lula in the 2018 presidential race, scheduled in October, although Moro denies he will enter politics.

ELN Releases Eight Hostages in Colombia

Colombian President Juan Manuel Santos said Tuesday that eight people who were kidnapped over the weekend have been released, BBC News reported. The seven men and one woman were forced into a boat on Sunday in the western Chocó department, allegedly by the National Liberation Army, or ELN, Colombia's second largest rebel group, which is currently in peace talks with the government. Colombia's Defense Minister, Luis Carlos Villegas, said 500 soldiers would be deployed to the region, in addition to the 6,300 troops already in the area. Santos, the 2016 Nobel Peace Prize winner, has appealed to international partners for financial support in an effort to maintain rule of law after negotiating peace with its largest rebel group, the FARC, last year. Before leaving office, U.S. President Barack Obama pledged $450 million in additional aid to Colombia for security and counter-narcotics initiatives, funds that are marked up in the current U.S. budget but which have not yet been released.

ECONOMIC NEWS

Venezuela Releases Alarming New Health Data After Lapse

After a nearly two-year lapse in reporting data, Venezuela's health ministry on Tuesday released public health figures that painted a grim picture, with infant mortality jumping 30 percent and maternal mortality up 66 percent, The Wall Street Journal reported. The health and mortality statistics were published this week in the government's most recent epidemiological bulletin and reflect the period ending December 2016. The latest data also showed an increase in preventable diseases, such diphtheria and

NEWS BRIEFS

Migrant Apprehensions on U.S.-Mexico Border Fall to 17-Year Lows in April

The U.S. Customs and Border Protection service said Tuesday that apprehensions at the U.S. border with Mexico have reached new lows, CNN reported. The number of people stopped from illegally crossing the border was down about 9 percent in April as compared to the month before, the lowest in 17 years of available data. Apprehensions in April were down 62 percent as compared to the same month last year.

Imports of Cattle to U.S. From Mexico, Canada Decline in March

The United States imported fewer cattle from Mexico and Canada in March, Cattle Network reported Tuesday. Monthly imports of cattle from Mexico were down about one percent while imports from Canada were down 17 percent as compared to last year. For the first three months of 2017, cattle imports from Mexico were up 24 percent, while imports from Canada were down 18 percent. Total annual cattle imports from Mexico and Canada in 2016 were down 13.9 percent from 2015, the lowest total U.S. cattle imports since 2004.

Dentons Plans Alliance With Brazilian Law Firm

Dentons, an international law firm with a strong presence in China, on Tuesday announced its intention to form a strategic alliance with Vella Pugliese Buosi Guidoni, a legal services firm in Brazil. If approved, the alliance would bring Dentons the skills of VPBG's 13 partners based in offices in São Paulo and Brasília. The proposed alliance follows the launch last year of Dentons López Velarde in Mexico and Dentons Cardenas & Cardenas in Colombia, as well as earlier this year the launch of Dentons Muñoz in Central America.

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malaria, amid a shortage of repellent and vaccinations. Food shortages have also increased health problems related to malnutrition. As the humanitarian crisis worsens, more than 30 people have died in street protests over the past month. The opposition MUD coalition today is planning a march on the Supreme Court building, with supporters starting from seven different points in the city in order to evade blockades, Tal Cual reported.

BUSINESS NEWS

Sempra Reports Strong Quarter on Mexico Results

San Diego-based utility Sempra Energy on Tuesday said positive results from its Mexico business helped the company post its strongest first-quarter performance since the company was formed in 1998, the San Diego Tribune reported. In its Sempra Mexico division, the company posted a $30 million improvement, as compared to the first quarter last year, thanks in part to deferred tax expenses and earnings from the acquisitions late last year of the Ventika wind farm complex and state oil company Pemex's stake in the Gasoductos de Chihuahua joint venture. Overall, Sempra reported earnings of $441 million in the quarter ending March 31, a 25 percent increase from last year. Revenue rose to $3.03 billion from $2.6 billion, beating the market estimates. Tuesday's earnings report comes six weeks after Sempra's subsidiary in Mexico, IEnova, signed a 20-year power purchase agreement for a 110-megawatt photo-voltaic solar project in northwestern Mexico. Called the Pima Solar project, it is expected to be completed in the fourth quarter of 2018 at a cost of roughly $115 million. Sempra is also exploring opportunities in South America and is considering investing in a pipeline project in Peru, according to the report. Mexico's government is in the process liberalizing its energy sector amid declining production. [Editor's note: See related **Q&A** in the April 21 issue of the weekly Energy Advisor.]

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refusal to title their ancestral territory, the Gamela staged a land occupation. Their fate, and today's exponential rise in rural violence, can be directly linked to ruralista efforts to amend the Brazilian Constitution to definitively end indigenous land titling and open currently protected forests to devastating industrial projects. Rather than mediating land disputes, the Temer administration is creating them by allowing land grabbers and their political representatives to set policy. The consequences of these attacks on human rights and environmental protections are manifold: denying indigenous land rights will jeopardize the Amazon's life-giving ecosystems and, by extension, our collective future. Only the determined efforts of Brazil's indigenous movement and its allies to counter the ruralista onslaught will ensure native land rights and defend the rainforest."

Carlos Mateo Paz-Soldan, member of the Advisor board and partner at DTB Associates: "As the global economy reaches into remote and undeveloped areas of the planet in the search for natural resources—whether it is land, fossil fuels, or minerals—indigenous groups and communities that inhabit those areas are increasingly under siege, and most often on the losing side. This is true in Brazil, the United States and elsewhere. Indigenous communities themselves are torn between those who believe isolation or self-determination are the best safeguards of their territories and culture, versus those who believe that integration and adopting global ways are the best approach to confronting demographic, cultural and economic threats from the outside. In 1971, Alaska embarked on a novel approach when the U.S. Congress adopted the Alaska Native Claims Settlement Act (ANCSA). This act established Alaska Native Corporations that covered roughly the same geographic areas traditionally inhabited by the various native groups; assigned the corporations with land ownership and revenue sharing rights; and turned native residents into shareholders. The driving concept is that in order to achieve Native political empowerment, economic empowerment needs to occur first. Although critics point to the incongruity of addressing Native concerns through a Western corporate model, the ANCSA

> **"In order to achieve Native political empowerment, economic empowerment needs to occur first."**
>
> **— Carlos Mateo Paz-Soldan**

corporations have become a political and economic force in Alaska, with an Alaska Native, Byron Mallott, today in the position of Lieutenant Governor. The ANCSA corporations have also allowed Native peoples to become stakeholders and beneficiaries in the development occurring in their traditional territories, and preserve elements of their culture while better preparing them for the challenges of interacting with a global economy."

Tom Griffiths, coordinator of the Responsible Finance Programme at Forest Peoples Programme: "Indigenous peoples in Brazil are rightly mobilizing to call for a stop to the intimidation and killings of community leaders who are defending land and territorial rights. The police repression last week in Brasília, seeking to break up indigenous and popular protests against regressive changes to weaken the demarcation ruled for indigenous peoples' lands, is shocking. Powerful commercial interests and the agro-industry lobby in Brazil are trying to weaken protections for indigenous rights in the Constitution. Indigenous peoples' organizations and social justice movements are fully right to challenge these potentially harmful reforms.

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They must be allowed to protest peacefully. At the same time, stronger protection is needed for indigenous leaders threatened by powerful interests that aim to take over community lands. There are high stakes: agribusiness is pushing harder and harder to acquire more land and forests. Pressures are increasing on communities in Brazil as they are in Peru, Colombia, Honduras and Paraguay. Stronger actions must be taken to protect land and forest defenders in Brazil and other Latin American countries."

Kevin Healy, adjunct faculty member at the Center for Latin American Studies at Georgetown University: "The Brazilian political conflict in front of the national congress building in Brasília in recent days is the latest and one of largest recent mobilizations by indigenous organizations struggling to secure their collective citizenship rights recognized by the 1988 Constitution, a high point in the rebirth of the country's democracy. The subsequent national governments have been undermining these political, social and cultural rights with various decrees, legal ploys and other measures. Current official initiatives to transfer the authority for demarcating indigenous lands from the national government to the Brazilian Congress dominated by ruralistas, themselves landowners or close allies of elite landowning interests, would represent a huge setback for the 224 indigenous territories where demarcation has been purposely delayed and could be carved up by these non-indigenous interest groups. 'Demarcation' has been a rallying cry for decades by indigenous peoples. Without the proper demarcation of land boundaries, indigenous collective territories cannot be legally titled, making them highly vulnerable to land grabs by cattle-ranches, agro-businesses, logging interests, public infrastructural projects and the like. In 2015, a human rights organization of the Catholic Church documented 137 indigenous assassinations by hired guns of mostly expanding economic elite interests, bent on appropriating indigenous lands for 'development'. Brazilian indigenous peoples have been victims of these gross human rights violations rather than perpetrators of violence. Thus, this push for an institutional role for the Brazilian congress in reversing indigenous collective land rights would represent a huge setback for Brazilian social justice and democracy, as well as the global environmental stakes, with regard to the Amazonian rainforest."

The Advisor welcomes comments on its Q&A section. Readers can write editor Gene Kuleta at **gkuleta@thedialogue.org**.

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Erik Brand
Publisher
ebrand@thedialogue.org

Gene Kuleta
Editor
gkuleta@thedialogue.org

Nicole Wasson
Reporter, Assistant Editor
nwasson@thedialogue.org

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