



September 10, 2019

Rep. Albio Sires  
*Chair*

Rep. Francis Rooney  
*Ranking Member*

House Foreign Affairs Committee  
Subcommittee on Western Hemisphere, Civilian Security, and Trade

## **Re: Amnesty International Statement for Hearing on “Preserving the Amazon: A Shared Moral Imperative”**

On behalf of Amnesty International USA and our members and supporters throughout the United States, we hereby submit this statement for the record. Amnesty International is an international human rights organization with offices in more than 70 countries, including national offices in the United States and Brazil and a South America regional office based in Lima, Peru.

Amnesty International believes that the protection of biodiversity and the environment in the Amazon is a human rights issue because it is necessary for the full enjoyment of a panoply of human rights, including the right to life, health, food, water, and culture. Furthermore, the failure to adequately protect the Amazon particularly harms Indigenous communities residing there, as well as the territorial and environmental land rights defenders working to preserve their land from extraction, deforestation, and degradation.

In this statement, we wish to share our grave concerns with the Subcommittee regarding human rights violations stemming from the erosion of vital protections for the Amazon, its Indigenous communities, and the risks faced by land rights defenders working to protect the Amazon.

- **The Brazilian Amazon**

The world is watching in horror as the Brazilian Amazon has become engulfed in fire. Yet rights groups, including Amnesty International, had sounded the alarm long before the fires wreaked this level of destruction, [expressing our concern](#) that the Brazilian government’s erosion of critical protections for Indigenous people and their environment would cause [significant dangers](#) during the dry season. Many of the illegal land seizures and logging practices we documented [took place in the same areas](#) of the Amazon where many of these fires now rage.

Since April 2019, Amnesty International has visited four different Indigenous territories in Brazil’s Amazon (Karipuna and Uru-Eu-Wau-Wau in Rondônia state, Arara in Pará state, and Manoki in Mato Grosso state) to document how changes wrought by the administration of President Jair Bolsonaro have impacted the Amazon and its Indigenous communities. Experts and Indigenous people interviewed by Amnesty International in these areas expressed intense frustration at the lack of enforcement of Brazil’s laws to protect Indigenous territories and environmentally protected areas. They also told Amnesty International that government surveillance operations to monitor and prevent illegal land seizures and deforestation (including land-clearing by burning) have been reduced because of budget constraints over recent months.

In some sites, Indigenous community leaders have also reported receiving death threats for defending their traditional territories. In three different Indigenous territories in northern Brazil, Amnesty International

spoke to communities affected by the actions of intruders who had begun or expanded efforts to seize land and/or cut down trees. Because these intruders – often local individuals encouraged and supported by local farmers and politicians to occupy plots of land or sell timber – are routinely armed, there is a high risk of violent clashes between Indigenous people and intruders.

In all three sites, Indigenous leaders stated that they repeatedly denounced recent illegal land seizures and logging to government authorities. However, government responses were tepid: one invasion of 40 intruders culminated in a surveillance operation after which one person was arrested and released, while another, much larger invasion – estimated to have involved many hundreds of intruders – concluded in a surveillance operation and the arrest of two individuals.

The government’s response to these illegal land seizures and logging remains inadequate. The protection of Indigenous territories from intrusion depends in large part on monitoring and surveillance operations conducted in coordination among different governmental bodies. Brazil’s National Indian Foundation (FUNAI) lacks police powers and relies on the support from other institutions, such as the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA) and the Federal Police (Polícia Federal). Experts told Amnesty International that surveillance operations have been reduced because of substantial budget cuts this month. According to government data, FUNAI’s expenses for the protection of Indigenous territories incurred this year until August 28th have fallen 10% over the same period in 2018. [International media](#) has reported that IBAMA’s overall budget has shrunk by 25%. An official working for Brazil’s national environmental agency in Rondônia state, who spoke to Amnesty International on the condition of anonymity, noted that if “[they] had had had people to conduct inspections, the situation [of the Amazon fires] would have not reached this level.”

As a result of these lack of protections, in the four Indigenous territories Amnesty International visited, the rate of deforestation is almost 80 per cent higher than what it was over the same period in 2018. This deforestation is directly connected to the estimated 75,000 fires in the Amazon, which have increased at a rate of 76% compared to 2018. In addition, few intruders are ever held accountable, and Indigenous communities remain at risk.

The linkage between protecting the human rights of Indigenous people and protecting the Amazon is clear: studies demonstrate that when traditional lands of Indigenous people are primary forests, demarcation of these territories can help protect against deforestation. Conserving primary forests is also key in the fight against climate change, because the clearing and burning of forests results in the release of stored carbon as carbon dioxide.

While the Bolsonaro administration has responded to the recent devastation by sending in the military and signing a decree banning the use of fires for land clearance for a period of 60 days, these measures seem unlikely to work: in the words of an official from Brazil’s national environmental agency, the decree will likely have limited effect because most of the recent fires were already prohibited by existing laws.

Furthermore, these measures are only temporary fixes to a much larger problem. Beyond fighting the fires, Brazil must enforce its own laws, step up monitoring and patrols of land seizures in protected areas and Indigenous areas, and investigate and hold those responsible for human rights abuses. Strengthening the civilian authorities responsible for combatting deforestation and illegal land seizures is the only way forward.

- **Bolivia’s Chiquitano Forest**

Brazil is not the only country impacted by Amazon forest fires: Bolivia’s Chiquitano forest, located close to the Amazon and the Brazilian border, is also [undergoing a series of devastating fires](#).

In July 2019, President Evo Morales authorized via decree “controlled burns” for agricultural activities in the provinces of Santa Cruz and Beni, both of which have been affected by the Chiquitano forest fires since August of this year. In August, after the fires broke out, the Morales administration made a series of baseless, contradictory public declarations: President Morales alleged the fires had been started “intentionally for political reasons,” while the Minister of the Presidency asserted that the fire is “almost a natural child of agriculture” and is attributable to global warming.

Amnesty International has [called on](#) the government of President Evo Morales to suspend the July decree authorizing controlled burns until it is certain that the decree has not contributed to the forest fires and the concomitant environmental and human rights crisis. Our organization has also called on the government to provide urgent assistance to people and communities affected, while consulting them and respecting their human rights.

- **Land Rights Defenders in the Ecuadorian Amazon**

In Ecuador, meanwhile, women defending the Amazon and Indigenous rights are under attack.

In a recent report titled “[‘They Will Not Stop Us’: Justice and Protection for Amazon Women, Defenders of the Land, Territory, and Environment](#),” Amnesty International has documented the cases of four environmental human rights defenders – Patricia Gualinga, Nema Grefa, Salome Aranda, and Margoth Escobar – who are members of Amazonian Women, a collective comprising dozens of Ecuadorian women defending the Amazonian environment and Indigenous Peoples’ rights. The four women faced a series of attacks and death threats in 2018.

Yet the Ecuadorian authorities’ lack of capacity and will to adequately and effectively provide protection and conduct criminal investigations into the attacks places the lives of these four women at risk. It also sets a grim precedent for the countless others protecting the Amazon from political and economic interests linked to large-scale extractive projects on Indigenous territories. The lines of investigation and protection measures that the Ecuadorian authorities have offered the victims appear to ignore possible motives for the attacks related to the challenges they pose to large-scale economic interests and traditional gender roles, through their role as Indigenous women leaders and human rights defenders.

Amazonian Women notes that the authorities responsible for investigating these actions are neither promptly collecting nor analyzing critical evidence that could help identify those responsible. Faced with these failings, in practice the women defenders end up taking on the burden of the investigation themselves. The organization has also criticized the protection measures offered to its members as inadequate and insufficient for the particular needs and exceptional risks they face every day.

Regardless of the possible causes of these failings, they hold clear and concrete consequences for the lives of defenders in Ecuador. In a country in which attacks against them go unpunished and where the authorities are not fulfilling their responsibility to guarantee their safety, many people are faced with the permanent dilemma of risking their own and their families’ lives to defend human rights and the environment.

### **III. Recommendations**

With the Amazon, its communities, and those seeking to defend it at grave risk, Congress must take immediate action. Amnesty International welcomes this hearing as a preliminary measure. Additionally, we urge Congress to:

- Call on Brazilian authorities to investigate and prosecute those responsible for starting illegal fires in the Amazon to prevent further destruction of the rainforest.

- Exert influence on Brazilian authorities to enforce and fund protections for Indigenous communities and environmentally protected areas, including by restoring funding for the National Indian Foundation (FUNAI) and the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA), to ensure they can do the work of combatting illegal land seizures and combatting deforestation.
- Encourage the government of Bolivia to rescind its decree allowing for “controlled burns” in the Chiquitano forest until it has ascertained that the decree is not related to the recent devastating outbreak of fires there.
- Monitor the situation of and express support for Indigenous communities in the Amazon.

Additionally, regarding human rights defenders working to defend the land, territory, and environment, Congress should exert pressure on the governments of Brazil, Ecuador, and Bolivia to:

- Publicly recognize, at the highest levels of local and national government, the legitimate and important work of human rights defenders, especially those working to defend the land, territory, and environment.
- Promptly, exhaustively, independently and impartially investigate attacks and threats against human rights defenders, and ensure that those responsible, both the material and intellectual authors, are brought to justice in fair trials.
- Design and implement comprehensive action to protect human rights defenders through legislation, plans, programs, and policies, in coordination and consultation with the affected human rights defenders themselves.

For more information, please contact Charanya Krishnaswami, Americas Advocacy Director at Amnesty International USA, at (202) 675-8766 or [ckrishna@aiusa.org](mailto:ckrishna@aiusa.org).

To learn more about Amnesty International’s work on human rights issues in the Amazon, please visit <https://amazon-violence.amnesty.org/en/>.

Sincerely,

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