

Quilombola rights THREATENED IN BRAZIL



What are the main threats faced by quilombolas under the current Brazilian government?

Quilombola communities are immersed in a centuries-old context of racial pressure. Brazil was the last country in the Americas to formally abolish slavery, in 1888, and one of the last countries to guarantee by law quilombolas' right to territory, which only happened via the 1988 Federal Constitution. Even so, the victories of the quilombola communities have been the result of a hard fight.

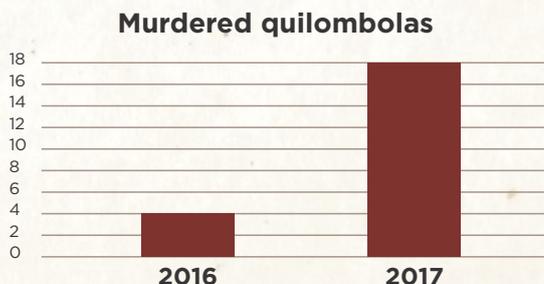
Quilombolas are still fighting for the recognition and realization of basic rights, such as access to health, education, housing and land, among others. However, at this moment in time, these communities are to face even greater challenges, since Brazil's current president, Jair Bolsonaro, has publicly stated the following: *"I visited a quilombola community in Eldorado Paulista. The lightest Afro-descendant there weighed 14 stones. They don't do anything! I think they're not even up to breeding any more (...) More than a billion BRL a year wasted on them". (April/2018).*

Who are Brazil's quilombola communities?

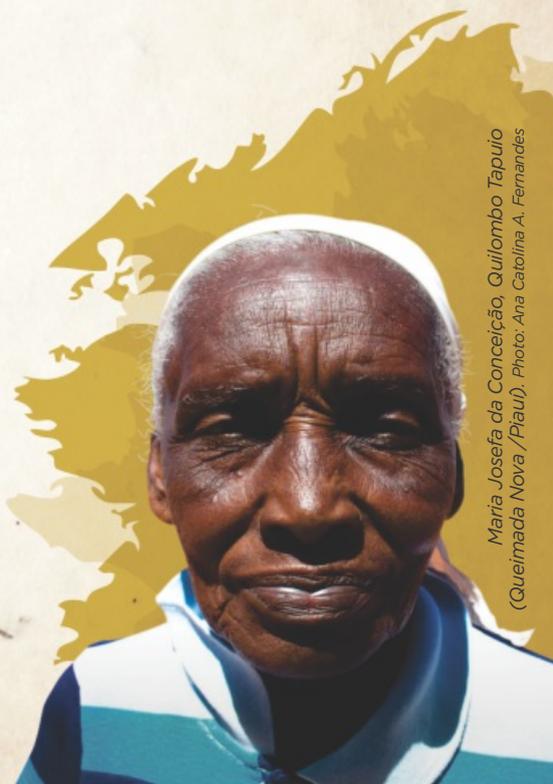
They are self-defined ethnic/racial groups, with their own historic background and known Black ancestry related to the historic fight against racism.

In view of this context, check out the main threats faced by quilombolas:

Increased violence: A study conducted by CONAQ (Brazilian quilombola social movement) and Terra de Direitos indicates that between 2016 and 2017, murders of quilombolas increased 350%. Under a government that encourages violence, this scenario may get worse;



Recognition of quilombola territories: The State recognizes the existence of 3,212 quilombola communities in Brazil. CONAQ estimates that there are around 6,000. However, official recognition may cease, as the Government states that it does not agree with the right to self-definition.



Maria Josefa da Conceição, Quilombo Tapuio (Quilimada Nova, Piauí). Photo: Ana Catalina A. Fernandes

Increased delay in territory titling: So far Brazil has only given land titles for 2% of the quilombola community territories. At this pace, **some 600 years would be needed** to grant land titling to the approximately **1700 communities** with proceedings underway at the National Institute of Colonization and Agrarian Reform (INCRA). It could take even longer, given that the current president has said that “not so much as one centimetre would be demarcated” for quilombola communities or indigenous peoples and that agribusiness has a strong presence in the current composition of the government.

2003 - 2018

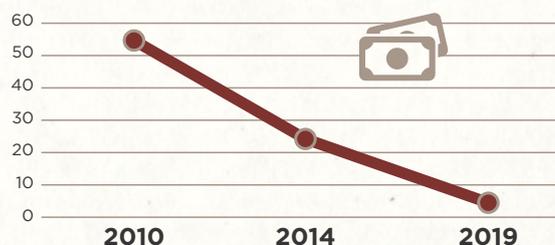
33
quilombola
territories
given land
titles

2618

year in which the
3.212 recognized
communities
will get their land
titles, moving at
the current pace

Reduced budget for territories: According to data provided by INCRA – the body responsible for quilombola territory land titling –, in 2012 the budget for quilombola territory titling had reached BRL 50 million. This year the budget will be just BRL 3.4 million. This amount is derisory. Seventeen communities that have already got past the territory studies stage are now waiting for BRL 27 million to be allocated so that land expropriation and titling can take place.

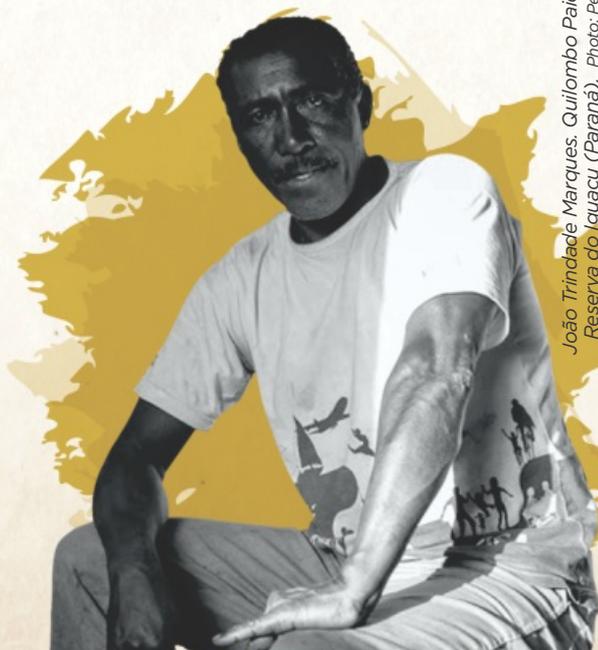
Budget for quilombola titling
(in BRL million)



Disrespect for prior consultation: Without dialoguing with quilombolas, the president has altered the competency of the body responsible for land titling. The competent body is now the Ministry of Agriculture, which has links with agribusiness. Other changes may occur without dialogue, to the detriment of quilombolas in conflict situations and/or impacted by megaprojects, such as dams and ports, mining and agribusiness.

Alteration and withdrawal of rights: Federal Decree No. 4887/03 is fundamental for the quilombola territory titling policy. Despite the Federal Supreme Court having ruled in 2018 that the Decree is constitutional, there are well-founded fears that this norm may be altered, thus making territory titling infeasible.

Militarization: Some quilombola communities, such as Alcântara, Rio dos Macacos and Marambaia, are in situations of territorial conflict with the Brazilian Armed Forces. With the active participation of military staff in the new government (its vice-president is an Army general), these communities have become even more vulnerable and exposed to violence arising from State actions.



João Trindade Marques. Quilombo Pajol de Telha.
Reserva do Iguazu (Paraná). Photo: Pericles Kramer

WHAT IS HAPPENING IN BRAZIL?

NEW GOVERNMENT AND SOCIAL SETBACKS



Find out about the measures adopted in just over a month of the Jair Bolsonaro administration and the impacts on human rights.

The new federal administration, under the command of Jair Bolsonaro (PSL), has accumulated in just over a month a set of measures with a strong negative impact for the human rights of the Brazilian population.

Of an ultraconservative nature, the administration – comprised of military staff, agribusiness and arms industry representatives, as well as religious fundamentalists, most of whom are White males involved in corruption accusations, – is implementing a project for a minimal and militarized State that criminalizes the action of social movements. Below is a summary of the actions and characteristics that mark the new administration:

• **Militarized and conservative government:** In addition to the office of vice-president being held by General Hamilton Mourão, a further 45 posts are now held by military staff appointed in 21 strategic areas, such as a State bank, a secretariat within the Office of the President of the Republic and the education ministry. Seven military staff command ministries and strategic bodies, such as the Comptroller-General's Office, the Ministry of Infrastructure, Mining and Energy, among others. This is the same number of military ministers as there were in the Costa e Silva dictatorship government (1967).

The government is also beckoning strongly to fundamentalist religious groups. Evangelical pastor Damares Alves now heads the Ministry of Women, Family and Human Rights. The command of the posts responsible for policies on indigenous peoples, quilombola communities, agrarian reform and the environment is in the hands of ruralists and opponents of agrarian reform.



Ministry of Women, Family and Human Rights
conservative pastor
Damares Alves



Ministry of Agriculture, Livestock and Supplies
ruralist Tereza Cristina



Secretariat for Landed Property Matters
President of the Ruralist Democratic Union (UDR),
involved in rural conflicts,
Luiz Antônio Nabhan Garcia

Extinction and undermining of human rights regulatory frameworks: By means of Provisional Measure No. 870/2019, published on the first day of the new government, important ministries have been extinguished (such as the Labour, Culture and Sports ministries), as well as secretariats and interlocution spaces (Special Secretariat for Family Farming and Agrarian Development, National Commission to Combat Desertification and the National Climate Change Fund Steering Committee).

Other spaces have also been modified or occupied by people who represent the paralysation of social policies. The Ministry of Agriculture, for instance, is now the body responsible for indigenous land demarcation and quilombola territory titling, but it is under the command of ruralists denounced for land-grabbing.

Reforms with heavy social impacts: A priority of the new government is the approval of a social security reform. The project put forward will most heavily affect women, rural workers and low-income people.

With social security:

8,7% of people aged over 65 get by on ½ a minimum wage

Without social security:

over **65%** of the elderly population are on the poverty line

(Anfip/Dieese 2017)

Authorized violence against the poor, Black people and females: The signing of Decree No. 9685/2019, which facilitates firearm ownership in Brazil, will increase the already alarming rates of violence. Brazil leads the world in firearm deaths (Global Mortality from firearms, 1990 - 2016), with 43,200 deaths a year.

Moreover, at the beginning of February Justice Minister Sérgio Moro presented an “anti-crime Bill of law”, proposing changes to the Penal Code which may, in reality, institutionalize police violence even more. Moro’s proposal relieves police officers of responsibility for deaths caused while in service.

71 rural workers murdered in 2017
(CPT/2018)

71% of deaths are caused by firearms
(Ipea 2018)

50% of murdered women are killed with firearms
(Datusus 2018)

Violation of the right to information: Decree No. 9690/2019 alters the Access to Information Law and increases the group of public agents authorized to make information of public interest related to government actions confidential.

Flexibilization of environmental licensing: With the aim of accelerating the process of granting environmental licenses and meeting the wishes of economic groups, the new government is studying a plan for unified licensing, with reduced procedures and facilitated license granting. The measure is being studied in parallel to the Brumadinho (MG) environmental crime and without consulting quilombolas.

Criminalization and persecution of people’s movements and social organizations: Measures such as Provisional Measure No. 870 (Art. 5) and bills of law underway in the National Congress are intensifying the scenario of persecution and criminalization of leaders, movements and government opponents and seek to frame the action of social movements as acts of terrorism. Bills of law standing out in this respect include Bills 9604/2018, 9555/2018, 5825/2016, 5065/2016, 7564/2017, 9331/2017, 7669/2017, 9858/2018, 9808/2018 and 272/16.

