



FENCE OFF AND BRING CATTLE

ILLEGAL CATTLE FARMING IN BRAZIL'S AMAZON



CONFLICT AND ENVIRONMENT

AMNESTY
INTERNATIONAL



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Cover photo: Cattle grazing on a property inside Manoki Indigenous territory in Mato Grosso, Brazil, August 2019. The expansion of cattle ranching has been the main driver of deforestation in Brazil's Amazon.

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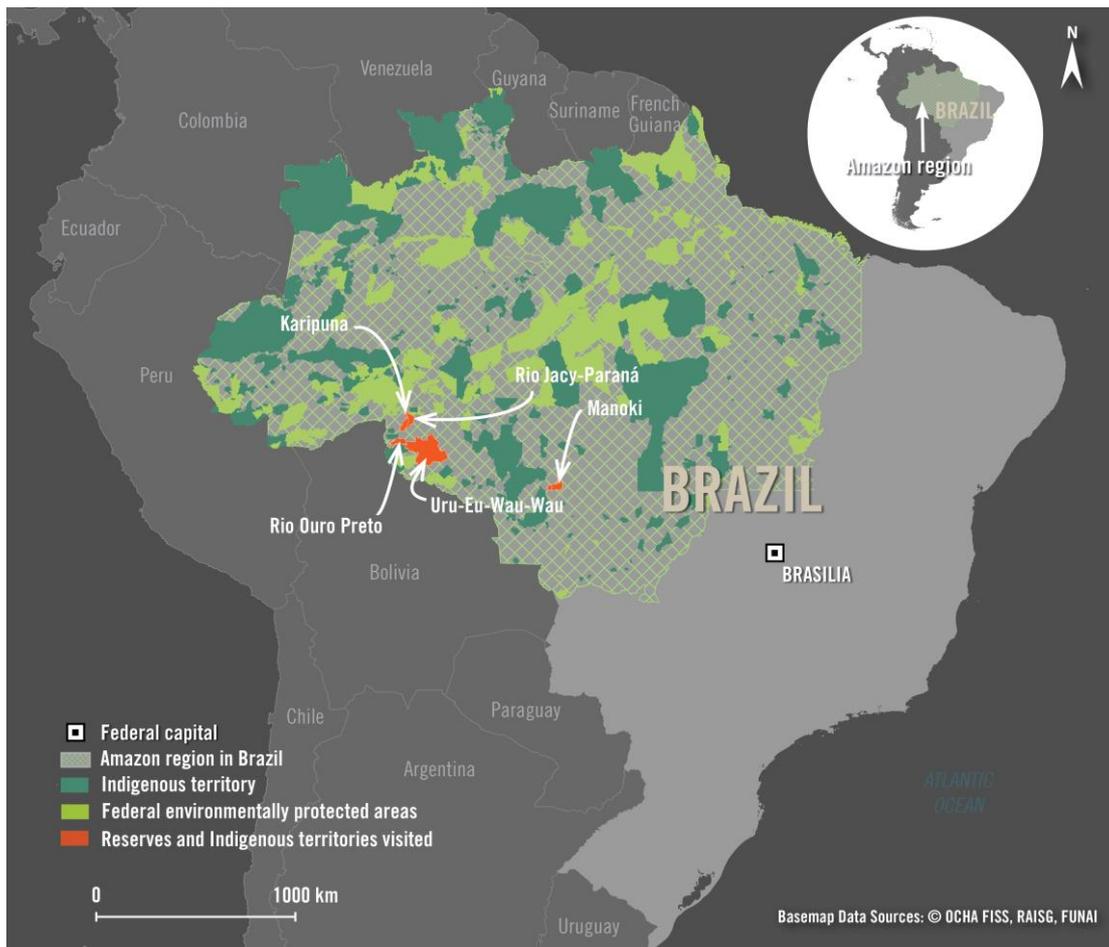
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MAP



INTRODUCTION

In July and August 2019, much of the world watched in horror as huge areas of Brazil's Amazon went up in flames. Although there were various contributing factors, most of those fires were part of a broader process whereby rainforest is illegally converted into land for cattle grazing. According to government data, 63% of the area deforested in Brazil's Amazon from 1988 to 2014 has become pasture for cattle.

The conversion of tropical rainforest into pasture in Brazil's Amazon often follows a broad pattern, whereby plots of land in the forest are identified, trees are cut down and cleared, then fires are lit (often repeatedly in the same area), before grass is planted and cattle then introduced. This process is often performed by cattle farmers, *grileiros* – private individuals who illegally seize land which they either keep for themselves or sell to others for profit – or people hired by either.

Between April and August 2019 Amnesty International visited two Reserves and three Indigenous territories in Brazil's Amazon: the Manoki Indigenous territory (in Mato Grosso state) and Karipuna and Uru-Eu-Wau-Wau Indigenous territories (in Rondônia state) and the Rio Jacy-Paraná and Rio Ouro Preto Reserves (in Rondônia state). Amnesty International documented cattle grazing within all five protected areas. Cattle ranching in Reserves and Indigenous territories is illegal under Brazil's laws.

Since President Bolsonaro came to power in January 2019, some cattle farmers and *grileiros* have intensified their efforts to illegally seize and graze cattle on protected land. This was evident in all five sites visited during this research, where Amnesty International documented recent efforts to expand illegal cattle ranching.

The indicators of the expansion of illegal cattle ranching differ from site to site but include: the opening of new paths and roads through the forest; clearing, burning and fencing off forest areas; and the introduction of cattle into new areas. While the scope of this report is limited to these five sites, Amnesty International is conducting research on the broader trend of pressures on protected areas due to illegal cattle ranching.

Brazil's Constitution affirms the right of everyone to a healthy environment. The Constitution and Brazil's international human rights obligations recognize Indigenous peoples' and residents of Reserves' rights to their land, its use and natural resources. Illegal land seizures, including for cattle ranching, in Reserves and Indigenous territories constitute crimes under Federal law.

Amnesty International also documented the impact illegal cattle ranching has on the livelihoods of residents of the Reserves and Indigenous territories.

In four of the five sites visited by Amnesty International, illegal land seizures were accompanied by threats and acts of intimidation against those opposed to the illegal land seizures, including Indigenous peoples, residents of Reserves, and government officials in charge of protecting the environment and Indigenous territories. Amnesty International did not document recent threats or acts of intimidation in the fifth site (Rio Jacy-Paraná Reserve) because the overwhelming majority of residents has already been forced off the Reserve.

Brazil is the world's largest exporter of beef, with its main markets in order of importance (in terms of volume in 2018) Hong Kong, China, Egypt, the European Union and Chile. In recent years Brazil's cattle industry has expanded in the Amazon region. Between 2008 and 2018 the number of cows in the Amazon region – which comprises the states of Acre, Amapá, Amazonas, Pará, Rondônia, Roraima, Mato Grosso, Tocantins and part of Maranhão state – has increased at a rate almost four times higher than the national rate (20.5% vs. 5.5%). As of 2018 there were approximately 86 million cows in the Amazon region, around 40% of Brazil's total.

Agencies of the state governments of Mato Grosso and Rondônia have full knowledge that some farmers graze cattle on properties located in Reserves and Indigenous territories. This is because state laws oblige

cattle farmers to register their properties with animal health control agencies. In both Mato Grosso and Rondônia states, these agencies are required to visit cattle properties and take the geographic coordinates before confirming a property's registration.

They also record the movements of cattle through a document called the Animal Transport Permit (*Guia de Trânsito Animal-GTA*) which contains information regarding the farmer, the origin and destination of cattle, the number of cows transported and the purported purpose of movement.

Amnesty International considers that, where state animal health control agencies register properties and/or issue Animal Transport Permits for cattle movement despite the property being located in a Reserve or Indigenous territory, they effectively enable illegal cattle ranching. For example, Rondônia's animal health control agency (*Agência de Defesa Sanitária Agrosilvopastoril do Estado de Rondônia-IDARON*) issued Animal Transport Permits for cattle entering the Rio Jacu-Paraná Reserve and moving between properties inside the Reserve between 2015 and July 2019.

Following pressure from the Federal and state Public Prosecutors Offices, state authorities have adopted contradictory and inconsistent positions on the emission of Animal Transport Permits for cattle movement in protected areas. For example, Rondônia's animal health control agency informed the Federal Public Prosecutors Office (*Ministério Público Federal*) that they would suspend the emission of Animal Transport Permits for the entry of cattle in the Rio Ouro Preto Reserve and Uru-Eu-Wau-Wau Indigenous territory. However, they have repeatedly declined to take this approach regarding cattle entering the Rio Jacu-Paraná Reserve, despite the concerns of Rondônia's Public Prosecutor Office (*Ministério Público do Estado de Rondônia*).

Despite holding relevant information on cattle, including on ranching in protected areas, there is little publicly-available information on cattle (such as the number of cattle and properties inside protected areas, or cattle movements between properties, and between properties and meat-packing companies) in Mato Grosso and Rondônia states. Animal health control agencies also refused to provide full access to cattle-related data following Freedom of Information requests submitted by Amnesty International. State authorities refused on grounds that the data includes private information, an argument that Amnesty International considers unreasonable given the criminal nature of cattle ranching in protected areas. This lack of transparency undermines the public's right to access information on Indigenous and environmental protection and governance.

In July 2019, Amnesty International submitted Freedom of Information requests to the animal health control agencies of Rondonia and Mato Grosso on the number of cattle inside protected areas (Indigenous territories and environmentally protected areas).

Mato Grosso's government refused to provide the requested data on the number of cattle in protected areas. Rondônia's government provided information showing that the four sites Amnesty International visited in Rondônia (Karipuna and Uru-Eu-Wau-Wau Indigenous territories and Rio Ouro Preto and Rio Jacu-Paraná Reserves) held almost 100,000 cows from over 700 properties as of November 2018. In total, the official data received from IDARON showed there were almost 300,000 cows in Indigenous territories and environmentally protected areas in the state at that time.

Amnesty International calls on Brazil to end illegal cattle farming in protected areas in the Amazon region. State animal health control authorities should stop effectively enabling cattle ranching in protected areas. They should suspend the registration of properties located in protected areas, prevent the entry of cattle in these areas and, in collaboration with Federal and state environmental authorities, remove the cattle illegally grazing in protected areas.

They should also make access to information on cattle properties, farmers and cattle movement publicly available. IDARON should adopt an animal health control policy that is in line with laws and policies on the protection of the environment and Indigenous rights, including recommendations made by the Federal and Rondônia's Public Prosecutor Offices. Mato Grosso's animal health control agency should investigate the number of cattle and cattle properties inside protected areas and publish the findings.

Amnesty International urges the Brazilian authorities to step up monitoring and law enforcement to protect the world's largest tropical rainforest from illegal land seizures, particularly its Indigenous and traditional populations living off the forest. They should also investigate and prosecute perpetrators responsible for threats or acts of intimidation against those protecting the Amazon forest, including Indigenous peoples, residents of Reserves and Federal environmental agents.

This report is part of ongoing research into the human rights implications of cattle ranching and illegal deforestation in Brazil's Amazon, particularly violations against Indigenous peoples and traditional populations living off the forest.

METHODOLOGY AND TERMINOLOGY

Between April and August 2019, Amnesty International researchers visited five sites: the Karipuna and Uru-Eu-Wau-Wau Indigenous territories and the Rio Ouro Preto and Rio Jacy-Paraná Reserves (in Rondônia state), and the Manoki Indigenous territory (in Mato Grosso state). In total, Amnesty International interviewed 29 Indigenous people and residents of Reserves.

Amnesty International also interviewed 22 experts, including public prosecutors, government officials and representatives of non-governmental organizations.

To protect the confidentiality and safety of interviewees, names and other identifying information have been withheld.

In June 2019, Amnesty International submitted Freedom of Information requests to both Mato Grosso and Rondônia's animal health control agencies governments on the Animal Transport Permits issued between January 2016 and May 2019. Both governments declined to provide the data requested on the basis that the data included private information.

Mato Grosso's agency declined to provide any data by stating it "should be made officially, containing the name of the author and the function he performs, as the information requested may expose the concerned citizens for commercial purposes". Mato Grosso's agency periodically provides partial data on the municipalities of origin and destination, purpose of movement and number of cattle transported for each Animal Transport Permit on its website. In response to Amnesty International's request, Rondônia's agency provided partial data on the municipalities of origin and destination, as well as the purpose of movement and number of cattle transported for each Animal Transport Permit.

In July 2019, Amnesty International also submitted separate Freedom of Information requests to Mato Grosso's and Rondônia's animal health control agencies on the number of cattle and cattle properties in each protected area, including Indigenous territories and environmentally protected areas. Rondônia's agency provided the information requested. Mato Grosso's Comptroller department denied the request.

Amnesty International reviewed Federal legislation and Mato Grosso's and Rondônia's laws. Amnesty International also analyzed official investigations, lawsuits and satellite imagery of the areas visited for the purpose of the research.

Certain terms used in this report have specific meanings which require clarification:

The term "Amazon region" refers to the Legal Amazon area as defined by Brazilian legislation, which comprises the states of Acre, Amapá, Amazonas, Pará, Rondônia, Roraima, Mato Grosso, Tocantins and part of Maranhão state.¹

The Portuguese term "*grileiros*" refers to people who illegally seize land. They generally either use the land for themselves or sell on to other persons.

¹ Article 2 of Brazil's Federal Law 5,173/1966; article 45 of Brazil's Complementary Federal Law 31/1977.

The term “Reserves” (*Reserva Extrativista*) refers to a type of environmentally protected area. The purpose of creating such Reserves is to protect the livelihoods and culture of these populations and ensure the sustainable use of the natural resources in the protected area.²

Residents of these Reserves are referred to as “traditional residents”. Traditional residents live mostly on sustainable activities such as rubber-tapping and the harvesting of natural resources, including wild fruits. Brazil’s Constitution protects traditional residents, their traditional way of life and their rights to their land, its use and natural resources.³ Traditional residents of the Reserves visited by Amnesty International do not consider themselves Indigenous people.

The term “Protected Areas” (*Áreas Protegidas*) means areas that receive special legal protection, comprising Indigenous territories, Reserves and other types of environmentally protected areas.

Unless otherwise stated, the terms “recent” and “new” refer to events that have occurred during 2019.

A currency conversion rate of US\$ 1 to BRL 4,00 has been used, the approximate rate of exchange at the time of research.

² Article 18 of Brazil’s Federal Law 9,985/2000.

³ Articles 215, 216 of Brazil’s Constitution.

BACKGROUND

Since President Bolsonaro came into power, deforestation in the Amazon has increased, particularly in protected areas. The NGO Imazon registered the loss of 4,234km² in the Amazon region between January and August 2019. It accounts for a rise of 8.2% over the same period in 2018.⁴ Indigenous territories and environmentally protected areas in the Amazon region have been particularly affected. Indigenous territories lost 220km² (a surge of 106.8% compared to the same period in 2018) and environmentally protected areas lost 836km² (a rise of 16.2% compared to the same period in 2018).⁵

Fires, which are often lit in order to convert forest into pasture, have also increased inside Indigenous territories in 2019. According to official data, the number of fires inside Indigenous territories in the Amazon in the first nine months of 2019 is the highest since 2011 and has doubled in comparison to the same period in 2018.⁶

In much of Brazil's Amazon, deforestation and fires are part of a broader process of converting the forest to pasture land for cattle. The expansion of cattle ranching has been the main driver of deforestation in the Amazon. According to official data, 63% of the area deforested from 1988 to 2014 became pasture for cattle. The total deforested area converted to pasture over these years is 479,760km².⁷

Brazil has more cows than any other country in the world. In 2018, there were 215 million cows grazing on 162 million hectares (19% of its land mass). In the same year, the cattle industry accounted for 8.7% of Brazilian Gross Domestic Product (GDP) with a value of BRL 597 billion (US\$ 149 billion). Brazil is the world's largest exporter of beef. Around 20% of the meat produced in 2018 was exported, with the main destinations being (in order of importance) Hong Kong, China, Egypt, the European Union and Chile.⁸

The expansion of cattle farming in the Amazon region has grown Brazil's cattle industry. Between 2008 and 2018 the number of cattle in the Amazon region grew 20.5% while the number of cows nationally increased by 5.5%. In 2018, the number of cows in the Amazon region reached 86.2 million, accounting for around 40% of Brazil's total.⁹

State laws require the registration of cattle properties and farmers with state animal health control agencies.¹⁰ After cattle farmers request the registration, state authorities visit the cattle properties in order to confirm the information provided and assess compliance with legislation before validating the registration.¹¹ Authorities also take geographic coordinates of the cattle properties.¹²

⁴ Data calculated based on Imazon's deforestation warning system (*Sistema de Alerta de Desmatamento*), published monthly by the NGO Imazon, <https://imazon.org.br/>

⁵ Data provided by the NGO Imazon at request from Amnesty International.

⁶ Carolina Dantas, "Terras indígenas na Amazônia têm maior número de queimadas desde 2011; focos dobram em relação a 2018", *G1*, 10 October 2019, <https://g1.globo.com/natureza/desafio-natureza/noticia/2019/10/10/terras-indigenas-na-amazonia-tem-maior-numero-de-queimadas-desde-2011-focos-dobram-em-relacao-a-2018.ghtml>

⁷ Secondary vegetation and annual agriculture account for 22.8% and 5.9%. Brazil's National Institute of Space Research (*Instituto Nacional de Pesquisas Espaciais- INPE*) & Brazilian Agricultural Research Corporation (*Empresa Brasileira de Pesquisa Agropecuária- EMBRAPA*), "TerraClass 2004 a 2014: Dinâmica do uso e cobertura da terra no período de 10 anos nas áreas desflorestadas da Amazônia Legal Brasileira", 5 May 2016, http://www.inpe.br/cra/projetos_pesquisas/arquivos/TerraClass_2014_v3.pdf

⁸ Brazilian Beef Exporters' Association (*Associação Brasileira das Indústrias Exportadoras de Carne-ABIEC*), "Beef Report – Brazilian Livestock Profile 2019", 2019, <http://www.brazilianbeef.org.br/download/sumarioingles2019.pdf>

⁹ Brazilian Institute of Geography and Statistics (*Instituto Brasileiro de Geografia e Estatísticas-IBGE*), "Research on municipal livestock (*Pesquisa da Pecuária Municipal – PPM*)", <https://www.ibge.gov.br/estatisticas/economicas/agricultura-e-pecuaria/9107-producao-da-pecuaria-municipal.html?=&t=series-historicas>

¹⁰ Article 33 of Mato Grosso's Decree 1,260/2017; article 3 of Rondônia's Law 982/2001; article 6 of Rondônia's Decree 9,735/2001.

¹¹ Articles 38, 39 of Mato Grosso's Decree 1,260/2017; article 4 of IDARON's Portaria nº 71/2015/IDARON/PR-GAB.

¹² Article 40 of Mato Grosso's Decree 1,260/2017; article 4 of IDARON's Portaria nº 71/2015/IDARON/PR-GAB.

State animal health control agencies also oversee cattle movement through the emission of animal transport permits (*Guia de Transporte Animal*, commonly known by its Portuguese acronym GTA), which provide details on cattle movements, including origin, destination, number of cattle transported, purported purpose of the movement and vaccination against animal diseases, such as foot and mouth disease and brucellosis.¹³

The emission of Animal Transport Permits is mandatory for any cattle movement and the destination parties are required to inform veterinary authorities after the cattle's arrival. The violation of these obligations subjects the farmer to a penalty.¹⁴ State animal health control officials have the power to inspect cattle properties, vehicles transporting cattle and meat-packing companies.¹⁵

Research published by the non-governmental organization Trase linked Brazil's cattle exports to between 65,000 and 75,000 hectares of deforestation per year.¹⁶ They estimated that the deforestation associated with beef exports from the Amazon region in the three years between 2015 and 2017 was approximately 179,000 hectares.¹⁷

Cattle ranching is illegal in Reserves and Indigenous territories.¹⁸ Brazil's Constitution affirms the Indigenous peoples' exclusive land rights and freedom to manage natural resources over their traditional territories.¹⁹ Brazil's Constitution and legislation also recognize the traditional residents' rights to their territories, its use, natural resources and traditional way of life.²⁰

Since 2009 Brazil's strategy to address illegal deforestation related to cattle ranching has focused on the roles played by companies sourcing cattle from properties in the Amazon region, slaughtering them and selling on domestic and international markets. Since 2009 the Federal Public Prosecutor's Office has signed agreements with meat-packing companies in the Amazon region.

The objective of the agreements consists in eliminating deforestation from the beef supply chain by obliging meat-packing companies to monitor their supply chain and holding them accountable in case they violate the agreements. As part of these agreements, companies committed to refraining from purchasing cattle from properties that have been found to be involved with illegal deforestation and located in protected areas in the Amazon region. The agreements also prohibit purchasing cattle from properties where workers are subjected to slavery-like conditions, among other obligations.²¹

Researchers have identified the main obstacles limiting the effectiveness of the agreements. First, most of the meat-packing companies do not monitor indirect suppliers. In other words, most meat-packing companies only monitor the properties that directly supply the cattle, but not properties where cattle could have grazed before being moved to the final properties.²²

Secondly, some farmers circumvent the agreements by practices broadly known as cattle laundering.²³ For example, farmers might use documents from a regular property to sell cattle grazed on an irregular property, or farmers of an embargoed property might lease their property to other farmers who are able to use their own identification documents to sell the cattle grazed on embargoed properties.²⁴

Thirdly, some meat-packing companies have not signed any agreement and continue purchasing cattle grazed in illegally deforested areas. In 2017, researchers found that meat-packing companies that did not sign the agreements accounted for 30% of the slaughter capacity in the Amazon region.²⁵

¹³ Brazil's Ministry of Agriculture, Livestock and Supply, "Guia de Trânsito Animal", http://www.agricultura.gov.br/assuntos/saude-animale-vegetal/saude-animale-transito-animale/arquivos-transito-internacional/ModelodeANIMAL_TRANSPORT_PERMIT.pdf

¹⁴ Articles 3, 6, 16 of Rondônia's Law nº 982/2001; article 127 of Rondônia's Decree 9,735/2001; articles 34, 37 of Mato Grosso's Law 10,486/2016; articles 6, 16 of Rondônia's Law nº 982/2001; article 127 of Rondônia's Decree 9,735/2001; articles 15, 16, 34 of Mato Grosso's Law 10,486/2016.

¹⁵ Article 7 of Mato Grosso's Law 10,486/2016; article 2 of Rondônia's Law 982/2001.

¹⁶ Trase, "Tracking cattle deforestation risk in the Amazon and the Cerrado – a breakthrough in transparency", 17 September 2019, <https://medium.com/trase/tracking-cattle-deforestation-risk-in-the-amazon-and-the-cerrado-a-breakthrough-in-transparency-d0efead316f7>

¹⁷ Trase, Trase dataset, <https://trase.earth/flows?selectedContextId=6&isMapView=true&selectedBasemap=default>

¹⁸ Article 18 of Brazil's Federal Law 9,985/2000; article 231 of Brazil's Constitution; and Brazil's Federal Decree 6,040/2007.

¹⁹ Article 231 of Brazil's Constitution.

²⁰ Articles 215, 216 of Brazil's Constitution.

²¹ Pará's Federal Public Prosecutor Office, "MPF, governo e setor pecuarista assinam acordo no Pará", 8 July 2009, <http://www.mpf.mp.br/pa/sala-de-imprensa/noticias-pa/mpf-governo-e-setor-pecuarista-assinam-acordo-no-para>

²² Paulo Barreto *et al.*, "Will meat-packing plants help halt deforestation in the Amazon?", *Imazon and Instituto Centro da Vida*, 2017, <https://imazon.org.br/en/will-meat-packing-plants-help-halt-deforestation-in-the-amazon/>

²³ Paulo Barreto *et al.*, "Will meat-packing plants help halt deforestation in the Amazon?", *Imazon and Instituto Centro da Vida*, 2017, <https://imazon.org.br/en/will-meat-packing-plants-help-halt-deforestation-in-the-amazon/>

²⁴ An embargo is a legal sanction aiming at preventing further harm to the environment and recovering the natural vegetation. Article 108 of Brazil's Federal Decree 6,514/2008.

²⁵ Paulo Barreto *et al.*, "Will meat-packing plants help halt deforestation in the Amazon?", *Imazon and Instituto Centro da Vida*, 2017, <https://imazon.org.br/en/will-meat-packing-plants-help-halt-deforestation-in-the-amazon/>. In 2017, the NGO Greenpeace, which also had

Researchers also noted that monitoring on the beef supply chain is limited by the Federal and state authorities' refusal to provide public access to information regarding cattle movements and environmental information, such as the Rural Environmental Registry (*Cadastro Ambiental Rural-CAR*).²⁶

In April 2018, the Federal Public Prosecutors Office recommended the Brazilian Institute of Environment and Renewable Natural Resources (*Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis-IBAMA*) inspect 47 meat-packing companies that have not signed the agreements.²⁷ National media reported that IBAMA had not succeeded in obtaining Animal Transport Permit data for the 47 meat-packing companies from state animal health control agencies (Mato Grosso, Rondônia, Roraima, Amapá, Maranhão, Amazonas, Acre and Tocantins states). According to it, one state responded it would not provide the data requested due to the lack of legal grounds, while the other seven states simply did not respond to the request.²⁸

The Federal Public Prosecutor Office considers access to cattle movement data is indispensable to ensuring that the cattle industry respects the relevant environmental and social laws. For example, in November 2015, the Federal Public Prosecutor Office recommended Mato Grosso's animal health control agency (*Instituto de Defesa Agropecuária do Mato Grosso-INDEA*) publish Animal Transport Permit data, including origin, destination and addresses.²⁹

signed agreements with the three largest Brazilian meat-packing companies to curb deforestation in their supply chains, suspended its participation in the agreements. The NGO's decision resulted from corruption scandals involving the cattle industry and social and environmental setbacks. Greenpeace Brasil, "Após escândalos, Greenpeace suspende participação no Compromisso da Pecuária", 6 June 2017, <https://www.greenpeace.org/brasil/blog/apos-escandalos-greenpeace-suspende-participacao-no-compromisso-da-pecuaria/>

²⁶ Paulo Barreto *et al.*, "Will meat-packing plants help halt deforestation in the Amazon?", *Imazon and Instituto Centro da Vida*, 2017, <https://imazon.org.br/en/will-meat-packing-plants-help-halt-deforestation-in-the-amazon/>. CAR is a mandatory electronic database of rural properties and introduced by Brazil's Federal Law 12,651/2012. It includes information on the holder of the property, map and location and other environmental information.

²⁷ Amazonas' Federal Public Prosecutors Office, "MPF cobra fiscalização em frigoríficos que não apresentaram política de controle da origem dos produtos de seus fornecedores", 21 May 2018, <http://www.mpf.mp.br/am/sala-de-imprensa/noticias-am/mpf-cobra-fiscalizacao-em-frigorificos-que-nao-apresentaram-politica-de-controle-da-origem-dos-produtos-de-seus-fornecedores>

²⁸ Diego Junqueira, "Estados dificultam fiscalização do IBAMA em frigoríficos da Amazônia", *R7*, 14 July 2018, <https://noticias.r7.com/brasil/estados-dificultam-fiscalizacao-do-ibama-em-frigorificos-da-amazonia-14072018>

²⁹ Mato Grosso's Federal Public Prosecutor Office, "Recomendação nº 45/2015", 12 November 2015, <http://www.mpf.mp.br/atuacao-tematica/ccr4/dados-da-atuacao/grupos-de-trabalho/amazonia-legal/transparencia-das-informacoes-ambientais/docs-recomendacoes/RecomendaoINDEA.pdf/view>. Recommendations are issued by Public Prosecutor Office to orient governmental bodies on the adoption of concrete measures to comply with the legislation. Government bodies are not obliged to follow the recommendation, but failure to do so could be one factor in a decision by the Public Prosecutor Office to bring legal action against the body. Federal Public Prosecutor Office, 'Recomendações Expedidas', <http://www.transparencia.mpf.mp.br/conteudo/atividade-fim/recomendacoes-expedidas>

FINDINGS: EXPANDED PRESSURE TO GRAZE CATTLE INSIDE PROTECTED AREAS

Amnesty International obtained, through a Freedom of Information request, data from Rondônia's animal health control agency, IDARON, on the number of cattle in protected areas in Rondônia state in November 2018.³⁰ According to IDARON's data, there were over 295,000 cattle in Indigenous territories and environmentally protected areas in Rondônia state at that time. Included in this total were over 98,000 cattle across 717 properties in the four protected areas Amnesty International visited in the state.

Between July and September 2019, Amnesty International submitted the same request on the number of cattle in protected areas to Mato Grosso's animal health control agency, INDEA, on four occasions. All of them were declined based on different and contradictory grounds. The first request was declined due to lack of the requester's identification, although Mato Grosso's official Freedom of Information online platform allows the submission of an anonymous request.³¹ The second response argued the information could be provided "through a standard request, with author's data and due legal representation".

In the third request, Amnesty International asked for an explanation about what a standard request means, since the request had been submitted through Mato Grosso's official Freedom of Information online platform.³² In response, Mato Grosso's Ombudsman declined the request and argued INDEA doesn't interfere with Indigenous territories and environmentally protected areas and doesn't have jurisdiction to register cattle properties inside Indigenous territories. Amnesty International submitted a fourth request highlighting INDEA's response to the second request that the information could be provided. Despite this, Mato Grosso's Comptroller department again denied the request.

Amnesty International documented the presence of cattle in all five sites covered by this research. Amnesty International found that cattle farmers carried out activities to expand illegal cattle properties in the five sites during 2019. Indications of expansion include the opening of new paths and roads, cutting down trees, clearing areas of forest, lighting fire and fencing off areas, and introduction of cattle in new areas.

Key findings from the five sites include:

- The Rio Jacy-Paraná Reserve contains the largest number of cattle among the four sites visited in Rondônia state. The data obtained by Amnesty International from IDARON reported the presence of 83,642 cattle and 540 properties inside the Reserve as of November 2018. Satellite imagery

³⁰ According to IDARON, the data were collected during the 45° vaccination campaign against foot and mouth disease carried out in October and November 2018.

³¹ Mato Grosso's Comptroller Department, "Fale Cidadão", <http://ouvidoria.controladoria.mt.gov.br/falecidadao/>

³² Mato Grosso's Comptroller Department, "Fale Cidadão", <http://ouvidoria.controladoria.mt.gov.br/falecidadao/>

from 9 September 2019 documented cattle grazing near a newly cleared and burned area inside the Reserve.

- On 23 August 2019, Amnesty International witnessed a fire burning in the Manoki Indigenous territory (in Mato Grosso state). The burning area had been previously fenced off. Manoki community leaders told Amnesty International that they suspected the fire had been lit intentionally as part of the process to make new pasture for grazing cattle. Amnesty International's researchers also observed cattle in the fenced off area.
- In July 2019 Amnesty International observed four properties with cattle in the Rio Ouro Preto Reserve. Data obtained from IDARON noted the presence of 13,245 cattle in 161 properties as of November 2018. Satellite imagery from 22 October 2019 documented cattle grazing and a recently burned area inside the Reserve.
- According to the IDARON data, there were 1,310 cows in 15 properties in the Uru-Eu-Wau-Wau Indigenous territory as of November 2018. Environmental Federal agents told Amnesty International illegal land seizures for cattle farming have intensified since January 2019, describing newly built roads and areas newly planted with grass.
- In the Karipuna Indigenous territory, a police report in July 2019 stated that recent deforestation and the building of new roads were indications of land seizures and conversion of forest into farming areas. An official at Brazil's National Indian Foundation (*Fundação Nacional do Índio-FUNAI*) also told Amnesty International that they have identified neighboring properties that have recently begun to plant grass and graze cattle in areas in the Karipuna Indigenous territory.³³

Illegal cattle ranching in Reserves and Indigenous territories impacts on the traditional livelihoods of residents. Traditional residents and Indigenous peoples described to Amnesty International the importance of the Amazon forest for their way of life and the loss of livelihoods due to illegal cattle ranching inside their protected areas.

Illegal land seizures in protected areas are often accompanied by threats and acts of intimidation against those defending the protected areas. In four sites (Manoki, Karipuna and Uru-Eu-Wau-Wau Indigenous territories and Rio Ouro Preto Reserve) visited by Amnesty International, a total of 10 Indigenous leaders, residents of Reserves and Federal environmental agents told Amnesty International they had received threats and/or suffered acts of intimidation in 2019.

Amnesty International did not document recent threats or acts of intimidation in the fifth site, Rio Jacy-Paraná Reserve, because most of the Reserve's residents were forcibly evicted by cattle farmers and *grileiros* over recent years. Amnesty International talked to former residents from Rio Jacy-Paraná Reserve who still fear returning to their previous locations in the Reserve.

In addition to the five sites covered in this research, there have been recent reports of illegal land seizures for cattle farming from other protected areas in the Amazon region. These include:

- In July 2019, in Rondônia state, state authorities found 300 cows and 351 hectares of recently cut-down forest inside the Guajará-Mirim state park;³⁴
- In August 2019, in Pará state, Xikrin Indigenous leaders denounced to Federal Public Prosecutor Office threats received from a group of about 300 intruders who were illegally seizing land, making pasture and building houses inside the Trincheira-Bacajá Indigenous territory;³⁵
- In August 2019, in Mato Grosso state, IBAMA and FUNAI found over 4,000 cows on two properties within the limits of the Pequizal do Naruvotu Indigenous territory.³⁶

³³ FUNAI is Brazil's Federal body in charge of coordinating and implementing Brazil's Indigenous policy. Its objective is the promotion and protection of the rights of Indigenous peoples in Brazil. Brazil's National Indian Foundation (FUNAI), <http://www.funai.gov.br/index.php/quem-somos>

³⁴ Fabiano do Carmo, "Polícia abre inquérito para apurar danos ambientais em reserva de Nova Mamoré", *G1 Guajará-Mirim e Região*, 29 July 2019, <https://g1.globo.com/ro/guajara-mirim-regiao/noticia/2019/07/29/policia-abre-inquerito-para-apurar-danos-ambientais-em-reserva-de-nova-mamore-ro.ghml>

³⁵ Pará's Federal Public Prosecutor Office, "MPF pede ação urgente da Polícia Federal para evitar ataque de pistoleiros aos indígenas Xikrin em Altamira (PA)", 27 August 2019, <http://www.mpf.mp.br/pa/sala-de-imprensa/noticias-pa/mpf-pede-acao-urgente-da-policia-federal-para-evitar-ataque-de-pistoleiros-aos-indigenas-xikrin-em-altamira-pa>

³⁶ Brazil's Institute of Environment and Renewable Natural Resources (IBAMA), "Ibama identifica atividades ilegais em Terra Indígena durante ação de prevenção a incêndios florestais", 15 August 2019, <http://www.ibama.gov.br/noticias/730-2019/1997-ibama-identifica-atividades-ilegais-em-terra-indigena-durante-acao-de-prevencao-a-incendios-florestais>

RIO JACY-PARANÁ RESERVE

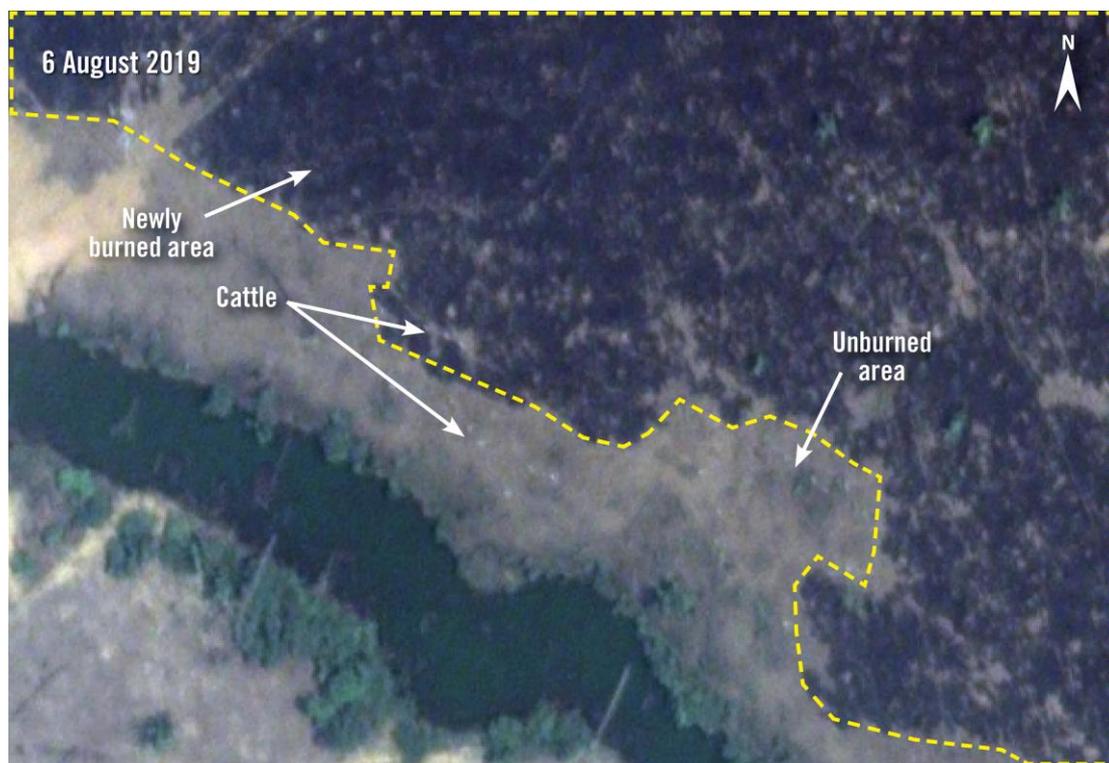
The Rio Jacy-Paraná Reserve comprises an area of 197,000 hectares. It was created in 1996 by Rondônia state. It is located across an area drawn from the municipalities of Porto Velho, Nova Mamoré and Buritis, in Rondônia state. Traditional residents used to fish, harvest cashew nuts, extract *copaíba* oil, and plant manioc.

Since the 2000s the Reserve has been affected by an intense process of illegal land seizures for the expansion of cattle properties. Areas covered with pasture inside the Rio Jacy-Paraná Reserve increased from 342 hectares in 2000 to 105,000 hectares in 2018. In 2019, pasture accounts for more than half of the Reserve's area.³⁷

According to the IDARON data, there were over 83,000 cattle across 540 properties in the Reserve in November 2018.

Recent deforestation and burning indicate continuous expansion of illegal land seizures for cattle ranching in the Rio Jacy-Paraná Reserve. The NGO Imazon recorded the loss of 45,17km² during the first eight months of 2019, a rise of 4.3% over the same period last year.³⁸

Satellite imagery analyzed by Amnesty International shows cattle grazing in newly cleared and burned forest areas in the Rio Jacy-Paraná Reserve in August and September 2019. In one of the images, smoke from a recent burn is visible, in addition to cattle grazing near a recently burned forest area. Environmental sensors, on National Aeronautics and Space Administration (NASA) satellites, detected fires few days before some of the imagery were recorded.



Satellite imagery from 6 August 2019 shows cattle grazing near and on burned soil in the Rio Jacy-Paraná Reserve. Environmental sensors, on NASA satellites, detected fires in this area on 4 August 2019.³⁹

³⁷ Mapbiomas, <http://plataforma.mapbiomas.org/map#coverage>

³⁸ Data provided by the NGO Imazon at Amnesty International's request.

³⁹ National Aeronautics and Space Administration (NASA), NRT VIIRS 375 m Active Fire product VNP14IMG. Available on-line [<https://earthdata.nasa.gov/firms>]. Doi: 10.5067/FIRMS/VIIRS/VNP14IMG.NRT.001



Satellite imagery from 9 September 2019 shows approximately 15 cows grazing near a forest area that has been newly cleared and burned inside the Rio Jacy-Paraná Reserve. Smoke from the recent fire is visible in the imagery. Environmental sensors, on NASA satellites, detected fires in the area on 8 September 2018.⁴⁰



Satellite imagery from 9 September 2019 shows cattle grazing in a large deforested area on the edge of a forested area in Rio Jacy-Paraná Reserve.

⁴⁰ National Aeronautics and Space Administration (NASA), NRT VIIRS 375 m Active Fire product VNP14IMGT. Available on-line [<https://earthdata.nasa.gov/firms>]. Doi: 10.5067/FIRMS/VIIRS/VNP14IMGT.NRT.001

The land seizures constitute forced evictions of traditional residents. According to an interview conducted by Amnesty International with a former resident in October 2019, only three people out of the about 60 families that used to live in the area remain in the Reserve.⁴¹ In 2005, the Reserve's representative denounced the burning of houses by *grileiros* to Rondônia's Secretary of Environment.⁴²

In July 2019, a man in his late 40s and former Reserve resident told Amnesty International that he fears returning to his house inside the Reserve, after he and his relatives were forcibly evicted by a group of armed men in 2017. He said: "There is no way we can go back. There is someone living there. I don't want to talk to them. If someone goes there, they will die. They kill".⁴³

He also described to Amnesty International the livelihoods he lost due to the forced eviction: "We used to extract *copaiba oil*, we don't anymore. My father-in-law used to harvest nuts, grow manioc. Now we can no longer walk in the forest".⁴⁴

Another former resident, in her early 40s, reported to Amnesty International that she had seen burned areas and deforestation in the Reserve on two trips to the protected area in late August and early October 2019: "Our Reserve is highly deforested. [They] burned the whole forest. It is terrible. Pretty soon we will see cattle because they are making pasture. We no longer see forest".⁴⁵

MANOKI INDIGENOUS TERRITORY

The Manoki Indigenous territory covers 252,000 hectares in the municipality of Brasnorte in Mato Grosso state. In 2008 Brazil's Ministry of Justice defined the limits of the Manoki Indigenous territory and declared it the permanent possession of the Manoki people, recognizing their rights to exclusive use over the riches of soil, rivers and lake inside the limits of the Manoki Indigenous territory.⁴⁶

Two years later, authorities proceeded with the physical demarcation of the territory, but the signs were later damaged or removed.⁴⁷ According to Federal legislation, the next step of the demarcation process is the homologation by Brazil's President, confirming the demarcation of the Manoki Indigenous territory.⁴⁸ A Manoki leader told Amnesty International that the homologation will give more clarity that the territory belongs to the Manoki people.⁴⁹ However, President Bolsonaro has said several times he will not demarcate Indigenous territories.⁵⁰ In August 2019, a Manoki leader told Amnesty International that cattle farmers have challenged the demarcation of the Manoki Indigenous territory in the courts.⁵¹

In August 2019, Amnesty International observed cattle in at least six different locations in the Manoki Indigenous territory. On 23 August 2019, Amnesty International was conducting field research and witnessed fire raging inside the Manoki Indigenous territory. The burning area had been previously fenced off. Manoki leaders told Amnesty International that they suspected the fire was intended to make pasture for grazing cattle.⁵² Amnesty International observed cattle in the fenced off area.

In August 2019, a leader of the Manoki people told Amnesty International that since January 2019 there has been an intensification of efforts to occupy areas inside the Manoki Indigenous territory. He described new signs with property names, new roads opened, new pasture areas and fences built, and the reoccupation of properties that had previously been abandoned by farmers. He showed to Amnesty International four separate areas where he said cattle have been introduced since January 2019. He added that cattle have been introduced in other areas as well.⁵³

⁴¹ Interview with Sara, Porto Velho, 13 October 2019, on file with Amnesty International.

⁴² Grupo de Trabalho Amazônico – GTA Rondônia, "O fim da floresta? A devastação das Unidades de Conservação e Terras Indígenas no Estado de Rondônia", June 2008, https://fase.org.br/wp-content/uploads/2010/01/O_fim_da_floresta.pdf

⁴³ Interview with Abelardo, Porto Velho, 20 July 2019 on file with Amnesty International.

⁴⁴ Interview with Abelardo, Porto Velho, 20 July 2019 on file with Amnesty International.

⁴⁵ Interview with Sara, Porto Velho, 20 July 2019, on file with Amnesty International.

⁴⁶ Ministry of Justice, "Portaria Declaratória 1,429/2008", 4 August 2008.

⁴⁷ Anna Beatriz Anjos, "Índios Manoki lutam por território invadido por fazendas", *A Pública*, 21 March 2018, <https://apublica.org/2018/03/indios-manoki-lutam-por-territorio-invadido-por-fazendas/>

⁴⁸ Brazil's Federal Decree nº 1,775/1996.

⁴⁹ Interview with Apoema, Brasnorte, 24 August 2019, on file with Amnesty International.

⁵⁰ Joelmir Tavares, "Quem manda sou eu", diz Bolsonaro sobre criação de novas terras indígenas", *Folha de São Paulo*, 20 June 2019, <https://www1.folha.uol.com.br/poder/2019/06/quem-manda-sou-eu-diz-bolsonaro-sobre-criacao-de-novas-terras-indigenas.shtml>; Andreia Verdélio, "Bolsonaro diz que não fará demarcação de terras indígenas", *Agência Brasil*, 16 August 2019, <http://agenciabrasil.ebc.com.br/politica/noticia/2019-08/bolsonaro-diz-que-nao-fara-demarcacao-de-terras-indigenas>

⁵¹ Interview with Apoema, Brasnorte, 24 August 2019, on file with Amnesty International.

⁵² Interviews with Apoema and Sami, Brasnorte, 23 and 24 August 2019, on file with Amnesty International.

⁵³ Interview with Apoema, Brasnorte, 22-23 August 2019, on file with Amnesty International.

He also expressed his frustration at the reduction in government inspections in 2019:

[I am] outraged, because [farmers] lit fire on virgin forest and I believe the government bodies have access to the information on where is burning. If it is not us going there, putting ourselves at risk, monitoring it, authorities don't do anything. The government has all tools to inspect, it is their duty, but it seems we are the only ones worried about it.⁵⁴

He also described being confronted and intimidated by people while taking pictures of the fire:

I had seen around eight persons on motorcycles. They introduced themselves as local residents, but I had never seen any of them. One of them asked what I was doing there. He said 'You have nothing to do here! And these pictures? You should not be taking pictures!' ... [After we entered into the cars] we thought they would leave, but they followed us, passed us and took pictures of us, as if they were marking us.

A Manoki man, in his 30s, told Amnesty International about the impacts of converting forest into pasture for cattle on the livelihood of the Manoki people:

When I was about 20 years old and came here, everything was forest. For us, it is important to see the forest standing, to preserve it, because we get our livelihood from nature. Here [in the area with fenced-off cattle properties] you will not find even one animal and our food [animals and fruits] will not reproduce or grow in this area.⁵⁵



Drone footage of Manoki Indigenous territory, Mato Grosso state, from August 2019. © Marizilda Cruppe

RIO OURO PRETO RESERVE

The Rio Ouro Preto Reserve was created in 1990, comprising an area of 204,000 hectares in the municipalities of Guajará-Mirim and Nova Mamoré, in Rondônia state. Almost 500 people live in the Reserve across twelve communities. They live off different activities, including harvesting nuts, *açaí*, growing organic coffee and manioc, and producing handicrafts. As of November 2019, there is a bill under discussion in

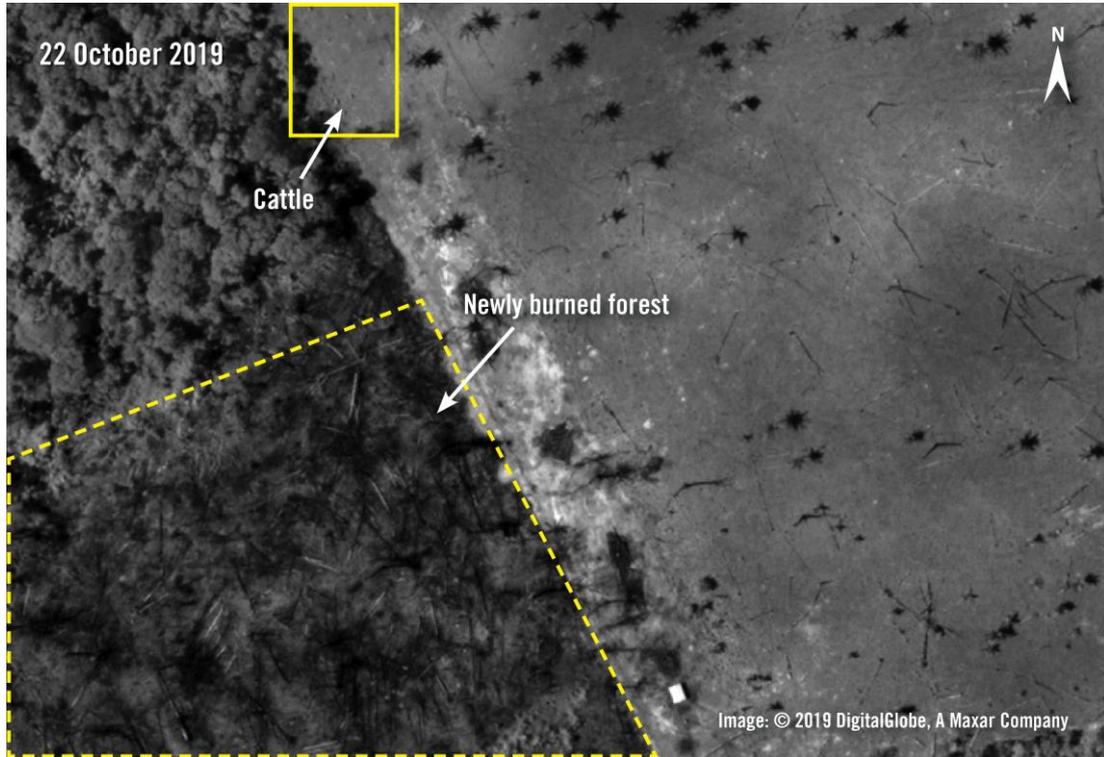
⁵⁴ Interview with Apoema, Brasnorte, 24 August 2019, on file with Amnesty International.

⁵⁵ Interview with Sami, Brasnorte, 23 August 2019, on file with Amnesty International.

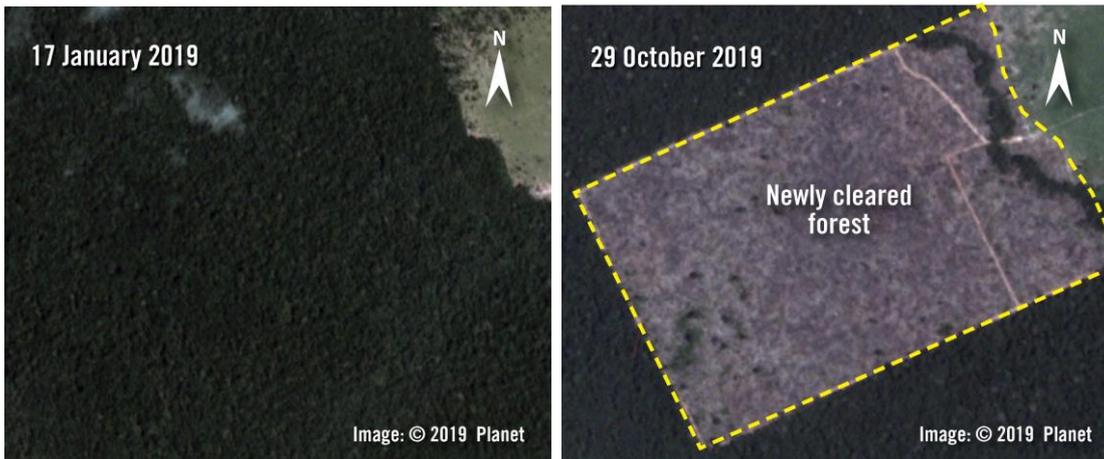
national Congress to reduce the limits of the reserve.⁵⁶ Part of the area that the bill proposes to exclude from protection has been occupied by farmers grazing cattle for years.

According to the data obtained from IDARON, as of November 2018 there were 13,245 cattle and 161 properties in the Reserve.

In July 2019, Amnesty International observed cattle in four different locations inside the Rio Ouro Preto Reserve. Amnesty International also documented through satellite imagery recent deforestation and burning of forest areas in the Rio Ouro Preto Reserve in October 2019. In one image, cattle are visible grazing in a field near a newly burned forest area.



Imagery from 22 October 2019 shows a newly burned forest area. Some cows adjacent to the newly burned grazing area are visible.



Satellite imagery shows an area of Rio Ouro Preto Reserve where the forest has been cleared and burned since 17 January 2019. This newly cleared area is 1.5km².

⁵⁶ House of Representatives, "Agricultura aprova redefinição dos limites de duas reservas extrativistas em Rondônia", 10 May 2019, <https://www.camara.leg.br/noticias/557273-agricultura-aprova-redefinicao-dos-limites-de-duas-reservas-extrativistas-em-rondonia/>

In July 2019, a traditional resident who lives off sustainable activities in the Reserve told Amnesty International that she fears deforestation will continue if the cattle are not removed.⁵⁷

In July 2019, residents of the Rio Ouro Preto Reserve and a Federal environmental agent in charge of the area told Amnesty International that, since President Bolsonaro's election, some cattle farmers had increased their pressure on the protected area. A community leader within the Reserve told Amnesty International that cattle farmers were spreading rumours that the Reserve will be extinguished by the new government.

“During the [Presidential] campaign, one heard that the next government would extinguish the Reserve. This year that discourse has increased. Cattle farmers say that we are wasting our time [defending the Reserve] because at some point they will take over the Reserve.”⁵⁸

Cláudio, Guajará-Mirim, resident of the Rio Ouro Preto Reserve.



Cattle grazing on pasture in a cattle property inside the Rio Ouro Preto Reserve, in Rondônia state, in July 2019.
© Amnesty International

⁵⁷ Interview with Helena, Guajará-Mirim, 24 July 2019, on file with Amnesty International.

⁵⁸ Interview with Cláudio, Guajará-Mirim, 24 July 2019, on file with Amnesty International.

In July 2019, a Federal environmental agent told Amnesty International that since President Bolsonaro's election, threats and acts of intimidation have increased, particularly when Chico Mendes Institute of Biodiversity's Conservation (*Instituto Chico Mendes de Conservação da Biodiversidade – ICMBio*) agents attempt to remove those who unlawfully seized land and graze cattle inside the Reserve.⁵⁹ An officer described the escalating tension:

The threats and persecutions have increased since the elections and declarations describing ICMBio as Shi'a.⁶⁰ I have received several messages. I heard rumours that the price on my head was BRL 100,000 [US\$25,000]. I have to be careful.⁶¹

URU-EU-WAU-WAU INDIGENOUS TERRITORY

The Uru-Eu-Wau-Wau indigenous territory comprises an area of 1,867,000 hectares in Rondônia state. The process of demarcation of the territory was concluded in 1991. The Uru-Eu-Wau-Wau people with a population of 200 live in six villages in the northern part of the territory. Other Indigenous people, including Indigenous peoples that do not have contact with non-Indigenous and have chosen to remain isolated, also live in the protected area.⁶² The Pacaás Novos National Park overlaps almost entirely with the Uru-Eu-Wau-Wau Indigenous territory.⁶³



Indigenous men patrol the forest in Uru-Eu-Wau-Wau territory in Rondônia state, Brazil. © Gabriel Uchida

According to the IDARON data obtained by Amnesty International, there were approximately 1,310 cattle in 15 properties in this territory.

Since January 2019, local farmers and *grileiros* have increased their efforts to illegally seize plots of Uru-Eu-Wau-Wau Indigenous territory. In April 2019, Uru-Eu-Wau-Wau people told Amnesty International that in January 2019 they confronted about 40 intruders, who were armed with sickles and machetes, cutting a

⁵⁹ Brazil's Federal Law 11,516/2007 created ICMBio to be in charge of managing federal environmentally protected areas, including Reserves.

⁶⁰ In several occasions President Bolsonaro used the term "Shi'a" to express a supposed radicalism of the environmental institutions. Guilherme Seto, "Bolsonaro diz que pretende acabar com 'ativismos ambiental xiita' se for presidente", *Folha de São Paulo*, 9 October 2018, www1.folha.uol.com.br/poder/2018/10/bolsonaro-diz-que-pretende-acabar-com-ativismo-ambiental-xiita-se-for-presidente.shtml. Gustavo Schmitt, "Bolsonaro diz que combinou 'limpa' no Ibama e no ICMBio com ministro do Meio Ambiente", *O Globo*, 29 April 2019, <https://oglobo.globo.com/sociedade/bolsonaro-diz-que-combinou-limpa-no-ibama-no-icmbio-com-ministro-do-meio-ambiente-23629753>

⁶¹ Interview with Renato, Guajará-Mirim, 23 July 2019, on file with Amnesty International.

⁶² Terras Indígenas no Brasil, "Terra Indígena Uru-Eu-Wau-Wau", *Instituto Socioambiental*, <https://terrasindigenas.org.br/pt-br/terras-indigenas/3891>

⁶³ Chico Mendes Institute of Biodiversity's Conservation (ICMBio), "Plano de Manejo 2009", 2009, http://www.icmbio.gov.br/portal/images/stories/imgs-unidades-coservacao/parna_pacaas_novo.pdf

path into their territory about two kilometers away from one Indigenous village and just beside the road they use to enter and leave their territory. When told to leave, the intruders allegedly replied that more intruders would be coming and threatened to kill the Indigenous children.⁶⁴

In April 2019, local media reported that more than one thousand people invaded the region known as Nova Floresta, inside the Uru-Eu-Wau-Wau Indigenous territory, under the assumption the government would divide up the territory and allocate titles to them.⁶⁵

Uru-Eu-Wau-Wau people told Amnesty International that they are concerned about the impacts of the intrusions on their livelihoods. For example, one Uru-Eu-Wau-Wau man in his early 40s expressed his fear about the long-term impacts: “Our survival comes from the forest. We will no longer have hunting. There will be no more trees.”⁶⁶

In July and August 2019, Federal environmental agents told Amnesty International that intrusions have intensified in 2019 aimed at illegally seizing land and converting the forest into pasture in the Uru-Eu-Wau-Wau Indigenous territory.⁶⁷ An agent said: “There are more than 40km of roads opened since 2017. The situation has worsened in 2019. Along the roads, there are now many cleared areas, planted with grass.”⁶⁸

In July 2019, a Federal environmental agent also described to Amnesty International threats and acts of intimidation he had received. He explained that in May 2019 he and his colleagues were surrounded by 32 men while repairing the road accessing the Uru-Eu-Wau-Wau Indigenous territory and Pacaás Novos National Park.

We were surrounded by intruders. Thirty-two men, mostly hooded, arrived by foot behind us, with bottles with gas. They gave me documents of the association buying land [inside the protected areas]. They wanted us to stop repairing the road. There was a lot of shouting, these threats, calling us thugs. It lasted one hour and fifteen minutes. It was tense. [Weeks later, after informing them the documents were not valid], they started sending us audio messages with threats. One message said: “We have respected you - until now”.⁶⁹

In an attempt to counter the illegal land seizures, in September 2019, Federal Police, ICMBio and the Brazilian Army launched an operation to arrest the criminal group responsible for these intrusions. According to the Federal Police, the criminal group was recruiting people to illegally invade and seize land inside the protected areas based on fake property titles.⁷⁰ The investigation also focused on the threats against Federal environmental agents in charge of protecting the area.⁷¹

However, the operation has not fully addressed illegal land seizures and cattle ranching in the Uru-Eu-Wau-Wau Indigenous territory. In September 2019, an official at FUNAI mentioned to Amnesty International the need to keep checkpoints in the area so as to prevent further intrusions.⁷²

In October 2019, a Federal environmental agent told Amnesty International the criminal group’s leader had been arrested, while others were fugitives from justice. He also said that as of October 2019, no additional cattle had been introduced in the region under pressure.⁷³ However, in October 2019, a Uru-Eu-Wau-Wau man told Amnesty International about cattle properties in another region of the Uru-Eu-Wau-Wau Indigenous territory.⁷⁴

KARIPUNA INDIGENOUS TERRITORY

The Karipuna Indigenous territory comprises an area of 153,000 hectares in the municipalities of Porto Velho and Nova Mamoré (Rondônia state) and was demarcated in 1998. The territory is adjacent to the Rio Jacy-Paraná Reserve. The Karipuna are an Indigenous people with 58 members and the only village lies on

⁶⁴ Interviews with Moacir and Yara, Governador Jorge Teixeira, 05 April 2019, on file with Amnesty International.

⁶⁵ Sintonia de Rondônia, “Acampados: Conhecemos o antigo assentamento Nova Floresta, área indígena”, 02 April 2019, <https://sintoniaderondonia.com.br/Publicacao.aspx?id=51084>

⁶⁶ Interview with Guaraci, Governador Jorge Teixeira, 05 April 2019, on file with Amnesty International.

⁶⁷ Interview with Damião, Porto Velho, 22 July 2019, and interview with Henrique, 25 August 2019, on file with Amnesty International.

⁶⁸ Interview with Damião, Porto Velho, 22 July 2019, on file with Amnesty International.

⁶⁹ Interview with Damião, Porto Velho, 22 July 2019, on file with Amnesty International.

⁷⁰ Brazil’s Federal Police, “PF deflagra Operação combate crimes ambientais em Rondônia”, 17 September 2019, <http://www.pf.gov.br/imprensa/noticias/2019/09/pf-deflagra-operacao-combate-crimes-ambientais-em-rondonia>

⁷¹ Brazil’s Federal Police, “PF deflagra Operação combate crimes ambientais em Rondônia”, 17 September 2019, <http://www.pf.gov.br/imprensa/noticias/2019/09/pf-deflagra-operacao-combate-crimes-ambientais-em-rondonia>

⁷² Telephone interview with Antônio, 20 September 2019, on file with Amnesty International.

⁷³ Interview with Damião, 16 October 2019, on file with Amnesty International.

⁷⁴ Interview with Moacir, 26 October 2019, on file with Amnesty International.

the banks of the Jacy-Paraná river. Beside the village, there is a plantation where they grow manioc, pumpkin, sweet potato, banana and corn.

The Karipuna Indigenous territory has suffered from illegal land seizures for cattle grazing over the last years. Areas covered with pasture increased from 832 hectares in 2014 to 3,558 hectares in 2018.⁷⁵

In July 2019, as part of an official investigation on illegal land seizures inside the Karipuna Indigenous territory, Federal Police prepared a report analyzing deforestation in the protected area. The report concluded the deforestation and opening of roads inside the Karipuna Indigenous territory are indicators of illegal land seizures and conversion of forest into farms.⁷⁶

The official data of cattle grazing in the Karipuna Indigenous territory records limited grazing: IDARON data shows just seven cows inside as of November 2018. However, in September 2019, an official at FUNAI told Amnesty International that a number of neighboring farmers have recently invaded the Karipuna Indigenous territory to plant grass and graze cattle in areas inside the protected territory.⁷⁷

A Karipuna leader told Amnesty International that during a flight over the territory in October 2019 he observed several cleared and burned areas close to the perimeter of the Indigenous area. He explained that he suspects that these areas will be used for cattle, because there are large properties with pasture adjacent to the limits of the Karipuna indigenous territory.⁷⁸

In July 2019, Karipuna leaders also said some areas of forest had been converted into pasture in previous years, but they haven't been able to verify this recently, because they fear encounters with intruders, including *grileiros*. They explained to Amnesty International that in July 2019 they found a new camping site used by intruders with mattresses, hammocks, cooking equipment and clothes about two kilometers away from their village.⁷⁹

In April 2019, Karipuna leaders told Amnesty International that the presence of intruders, coupled with death threats they received few months ago, limit their activities, such as hunting and collection of nuts.⁸⁰ In April 2019, a Karipuna man in his 20s said:

We are few to do the surveillance and we don't have police powers. It is very risky, and we are already threatened. If the government doesn't act, we might lose our territory, it might be the end of the Karipuna. I don't know if there are new paths, because we don't patrol very often to avoid contact with intruders. They are armed with guns.⁸¹

⁷⁵ Mapbiomas, <http://plataforma.mapbiomas.org/map#coverage>

⁷⁶ Brazil's Federal Police, "Laudo de Perícia Criminal Federal (Meio Ambiente) nº 350/2019 – SETEC/SR/PF/RO", July 2019.

⁷⁷ Telephone interview with Antônio, 20 September 2019, on file with Amnesty International.

⁷⁸ Interview with Ubiraci, 09 October 2019, on file with Amnesty International.

⁷⁹ Interviews with Ubiraci and Ikal, Porto Velho, 14 April and 21 July 2019, on file with Amnesty International.

⁸⁰ Amnesty International, 'Risk of bloodshed in the Amazon unless government protects Indigenous peoples from illegal land seizures and logging', 7 May 2019, <https://www.amnesty.org/en/latest/news/2019/05/brazil-risk-of-bloodshed-in-the-amazon-unless-government-protects-indigenous-peoples-from-illegal-land-seizures-and-logging/>

⁸¹ Interview with Kauê, Porto Velho, 14 April 2019, on file with Amnesty International.

STATE GOVERNMENTS' ROLE IN ENABLING ILLEGAL CATTLE FARMING

Like all states in Brazil, Mato Grosso's and Rondônia's governments maintain information on cattle grazing properties, including the owners, locations and the size of the herds, as well as cattle movements.⁸² This information includes data on cattle grazing in protected areas.

Laws in both states require the registration of cattle properties and farmers with state animal health control agencies.⁸³ After cattle farmers request registration of their properties, state authorities visit in order to confirm the information provided and assess compliance with legislation before validating the registration.⁸⁴ Authorities also take geographic coordinates of the cattle properties.⁸⁵ Cattle farmers are obliged to provide updated information on their herds.⁸⁶ Mato Grosso's legislation affirms cattle movement is only authorized once the registration is confirmed.⁸⁷

Amnesty International found that, in some cases, state animal health control agencies register cattle properties in protected areas and issue Animal Transport Permits for cattle movement even if a property is located in Indigenous territories and/or environmentally protected areas. Where state animal health control agencies register cattle properties and/or issue Animal Transport Permits for cattle movement in Reserves or Indigenous territories, they effectively enable illegal cattle ranching.

For example, IDARON registers cattle properties in protected areas, as evidenced by the data obtained through Amnesty International's Freedom of Information request. According to that data, there are 2,868 properties located within protected areas in Rondônia.

IDARON also enables illegal cattle ranching in protected areas through the emission of Animal Transport Permits for cattle movement involving properties located in protected areas. A report prepared by Rondônia's Civil Police found several cases where IDARON has issued Animal Transport Permits for cattle entering the Reserve and cattle moving between properties located inside the Rio Jacy-Paraná Reserve between January 2015 and July 2019.⁸⁸

In July 2019, Rondônia's Public Prosecutor Office filed a lawsuit against IDARON to oblige the body to refrain from issuing Animal Transport Permits for the entry of cattle into the Rio Jacy-Paraná Reserve, as well as providing other services, including the emission of veterinary certificates and technical assistance, to cattle properties located inside the Reserve.⁸⁹

⁸² Articles 22, 23 of Brazil's Federal Decree 5,741/2006.

⁸³ Article 33 of Mato Grosso's Decree 1,260/2017; article 3 of Rondônia's Law 982/2001; article 6 of Rondônia's Decree 9,735/2001.

⁸⁴ Articles 38, 39 of Mato Grosso's Decree 1,260/2017; article 4 of IDARON's Portaria nº 71/2015/IDARON/PR-GAB.

⁸⁵ Article 40 of Mato Grosso's Decree 1,260/2017; article 4 of IDARON's Portaria nº 71/2015/IDARON/PR-GAB.

⁸⁶ Article 42 of Mato Grosso's Decree 1,260/2017; article 8 of IDARON's Portaria nº 71/2015/IDARON/PR-GAB.

⁸⁷ Mato Grosso's Decree 1,260/2017, article 40. Amnesty International researchers were not able to confirm similar provisions in Rondônia's legislation.

⁸⁸ Repression Against Organized Crimes Unit (Núcleo de Repressão às Ações Criminosas Organizadas), "Relatório de Inteligência 31/2019", Rondônia's Civil Police, 26 July 2019.

⁸⁹ Rondônia's Public Prosecutor Office v. IDARON (7032816-60.2019.8.22.0001), Rondônia's Court of Justice.

Rondônia's Public Prosecutor Office affirms cattle ranching is not permissible with the purposes of the Rio Jacu-Paraná Reserve. It considers IDARON not only allows, but also enables illegal cattle ranching in the Rio Jacu-Paraná Reserve by legitimizing the entry and exit of cattle with the emission of Animal Transport Permits. Rondônia's Public Prosecutor Office has demanded IDARON adopt measures that discourage illegal cattle ranching inside the Rio Jacu-Paraná Reserve and suspend the provision of services that legitimize and enable cattle ranching.⁹⁰

Rondônia's Public Prosecutor Office reported having issued several recommendations to IDARON related to illegal cattle ranching in the Rio Jacu-Paraná Reserve. In October 2017, it recommended that IDARON should notify all cattle farmers inside the Reserve to remove their cattle and to suspend the emission of Animal Transport Permits for the entry of cattle inside the Reserve.

According to Rondônia's Public Prosecutor Office, IDARON has not responded to the recommendation, despite repeated requests, and in August 2018 IDARON informed that Rondônia's government would create a strategic group with other governmental bodies to embargo rural properties and make cattle ranching unfeasible for large landowners inside the Reserve. The plan has not moved forward.⁹¹

In February 2019, Rondônia's Public Prosecutor Office issued a new recommendation to IDARON. According to that recommendation, the state animal health control agency should require cattle farmers produce documentation to show that property complies with environmental legislation. The document should specifically state that the property is not located inside an environmentally protected area.⁹²

In its response, IDARON affirmed that its exclusive responsibility is conducting animal health control and suspending the emission of Animal Transport Permits implies a risk to animal health. The agency further said that Rondônia's Secretary of Environment is responsible for protecting the environment and removing the cattle grazed in illegal areas.⁹³

Amnesty International considers that IDARON's responsibility for controlling animal health does not exclude its obligation to uphold Brazilian legislation. Public authorities, including IDARON, have an obligation to protect the environment under the Constitution.⁹⁴

IDARON also has contradictory and inconsistent positions on the emission of Animal Transport Permits for the entry of cattle across protected areas. Federal and Rondônia's Public Prosecutor Office have specifically recommended IDARON suspend the emission of Animal Transport Permits for the entry of cattle in four protected areas in order to protect them from illegal cattle ranching.

While IDARON has not followed Rondônia's Public Prosecutor Office recommendation to suspend the emission of Animal Transport Permits for the entry of cattle inside the Rio Jacu-Paraná Reserve, IDARON has adopted a different position on the emission of Animal Transport Permits for two other sites visited by Amnesty International.

In July 2010, Federal Public Prosecutor Office recommended to IDARON to stop issuing Animal Transport Permits for the entry of cattle in the Rio Ouro Preto Reserve.⁹⁵ IDARON publicly declared it would follow the recommendation.⁹⁶ In October 2010, IDARON also claimed it had already stopped issuing Animal Transport Permits for the properties inside the Rio Ouro Preto Reserve.⁹⁷

In February 2018, ICMBio reported to the Federal Public Prosecutor Office its concerns that cattle could be introduced in the Uru-Eu-Wau-Wau Indigenous territory and Pacaás Novos National Park. ICMBio suggested that no Animal Transport Permits be issued for areas within the protected areas, considering that "in

⁹⁰ *Rondônia's Public Prosecutor Office v. IDARON* (7032816-60.2019.8.22.0001), Rondônia's Court of Justice.

⁹¹ *Rondônia's Public Prosecutor Office v. IDARON* (7032816-60.2019.8.22.0001), Rondônia's Court of Justice.

⁹² *Rondônia's Public Prosecutor Office v. IDARON* (7032816-60.2019.8.22.0001), Rondônia's Court of Justice. Linking Animal Transport Permits and Rural Environmental Registry is a way of preventing illegal cattle ranching. In Pará state, the decree n° 1,052/2014 makes the existence of a Rural Environmental Registry (Cadastro Ambiental Rural-CAR) a requirement for the issuing of a ANIMAL TRANSPORT PERMIT. The objective is to prevent the sale of cattle by farmers who have illegally deforested. According to the Federal Public Prosecutor Office, the implementation of the state Decree started in November 2018. Pará's Federal Public Prosecutor Office, "Após recomendação do MPF, Pará põe em prática nova barreira contra desmatamento", 23 November 2018, <http://www.mpf.mp.br/pa/sala-de-imprensa/noticias-pa/apos-recomendacao-do-mpf-para-poe-em-pratica-nova-barreira-contra-desmatamento>

⁹³ *Rondônia's Public Prosecutor Office v. IDARON* (7032816-60.2019.8.22.0001), Rondônia's Court of Justice.

⁹⁴ Article 225 of Brazil's Constitution. IDARON's statute establishes that the body is responsible for executing measures to protect and preserve renewable natural resources, flora, fauna, soil and water. Rondônia's legislation also affirms that animal health control policies aim "at the preservation and protection of animal health, as well as environmental protection aimed at the valorization of production and public health". Article 2 of Rondônia's Decree n° 8,866/1999 (IDARON statute) and article 1 of Rondônia's Law 982/2001.

⁹⁵ Rondônia's Federal Public Prosecutor Office, "MPF recomenda que Idaron não emita guia de transporte animal em Resex", 13 July 2010, <http://www.mpf.mp.br/ro/sala-de-imprensa/noticias-ro/ultimas-noticias-convertidas/201401311630470200-mpf-recomenda-que-idaron-nao-emita-guia-de-transporte-animal-em-resex>

⁹⁶ Rondônia ao vivo, "IDARON acata decisão do MPF, mas pede fiscalização na Resex Rio Ouro Preto", 13 July 2010, <http://rondoniaovivo.com/justica/noticia/2010/07/13/idaron-acata-decisao-do-mpf-mas-pede-fiscalizacao-na-resex-rio-ouro-preto.html>

⁹⁷ IDARON, "Ofício n° 1,468/GAB/IDARON", 06 October 2010.

previous cases, Rondônia's government has legitimized the establishment of livestock properties in environmentally protected areas through the emission of Animal Transport Permits, agreeing with the entry and exit of herds, thus legitimizing the criminal activity and reinforcing illegal land seizures with documents".⁹⁸

In May 2018, Federal Public Prosecutor Office recommended to IDARON to stop issuing Animal Transport Permits inside the Uru-Eu-Wau-Wau Indigenous territory and Pacaás Novos National Park because of the "evident incompatibility between the activity with the objectives of the protected areas".⁹⁹ Two months later, IDARON responded it was updating the identification with geolocation of all properties inside both protected areas and that, subsequently, it would stop issuing Animal Transport Permits for these properties.¹⁰⁰ In 2019, the Federal Public Prosecutor's Office twice requested an update on the geographic identification of the properties to be blocked.¹⁰¹ As of November 2019, IDARON had not provided this information.

Although IDARON said it would abide by the recommendation, the state agency also denied that illegal land seizures take place through the emission of Animal Transport Permits, arguing that the emission of Animal Transport Permits occurs after illegal land seizures.¹⁰²

The Federal Public Prosecutor Office considers cattle movement data, including private information, should be published by state animal health control authorities.¹⁰³

In June 2019, Amnesty International submitted Freedom of Information requests for Rondônia's and Mato Grosso's complete Animal Transport Permit dataset. However, both requests were rejected on the grounds the data includes private information. IDARON (in Rondônia) provided partial data, such as the municipalities of origin and destination, purpose of movement and amount of cattle transported. INDEA (in Mato Grosso) declined to provide any data and claimed the request "should be made officially, containing the name of the author and the function he performs, as the information requested may expose the concerned citizens for commercial purposes". INDEA periodically provides partial cattle movement data on its website, informing the municipalities of origin and destination, purpose of movement and number of cattle transported for each Animal Transport Permit.

Amnesty International could not confirm the number of cattle and properties inside protected areas in Mato Grosso. The state animal health control agency, INDEA, presented contradictory responses to the four requests submitted by Amnesty International and did not provide data on the number of cattle and properties in Indigenous territories and environmentally protected areas.

While in the second response to Amnesty International INDEA affirmed the data could be provided "through a standard request, with author's data and due legal representation", its following responses argued that INDEA does not interfere with Indigenous territories and environmentally protected areas and doesn't have jurisdiction to register cattle properties inside Indigenous territories. Amnesty International could not confirm whether INDEA issues Animal Transport Permits for cattle movement entering protected areas in Mato Grosso state.

Amnesty International considers there is a strong public interest in cattle-related data, particularly where that data may indicate illegal activity. The lack of transparency and unreasonable denials to access cattle-related data, including cattle movement and the number of cattle in protected areas, undermines the public's right to access information on indigenous and environmental protection and governance.

⁹⁸ Chico Mendes Institute of Biodiversity's Conservation, "Ofício SEI nº 5/2018-PARNA Pacaás Novos/ICMBio", 18 February 2018.

⁹⁹ Rondônia's Federal Public Prosecutor Office, "Recomendação nº 9, de maio de 2018", 23 May 2018.

¹⁰⁰ IDARON, "Ofício 2002/2018/IDARON-GISDA", 18 July 2018.

¹⁰¹ Rondônia's Federal Public Prosecutor Office, "Ofício nº 795/2019/GABPR2-DLF", 29 March 2019, and "Ofício nº 1,347/2019/GABPR2-DLF", May 21 2019.

¹⁰² IDARON, "Ofício 2002/2018/IDARON-GISDA", 18 July 2018.

¹⁰³ Federal Public Prosecutor Office uses the (lack of) access to cattle movement data as one of several indicators to assess environmental transparency of state animal health control agencies. Federal Public Prosecutor Office, "Itens avaliados", *Ranking da Transparência Ambiental*, http://www.transparenciaambiental.mpf.mp.br/www/itens_avaliados

CONCLUSIONS AND RECOMMENDATIONS

Brazil's Constitution affirms the right of everyone to a healthy environment.¹⁰⁴ The Constitution and Brazil's international human rights obligations recognize Indigenous peoples' and traditional residents' rights to their land, its use and natural resources.¹⁰⁵ National legislation protects Reserves and Indigenous territories. Illegal land seizures, including for cattle ranching, in Reserves and Indigenous territories constitute crimes under Federal law.¹⁰⁶

This report documents cattle grazing and the recent expansion of illegal land seizures for cattle farming in five protected areas (Reserves and Indigenous territories) across Brazil's Amazon and its human rights implications on Indigenous peoples and traditional residents. It demonstrates state animal health control agencies have data on cattle properties, farmers and movement. Where state authorities register cattle properties and/or issue Animal Transport Permits for cattle movement even if the cattle property is in Reserves or Indigenous territories, they effectively enable illegal cattle ranching.

Amnesty International urges Brazilian authorities to end illegal cattle farming in protected areas in the Amazon region. Amnesty International calls on state animal health control authorities to take all possible measures to counter illegal cattle ranching in protected areas in the Amazon region.

Amnesty International recommends President Bolsonaro:

- Refrain from criticizing Indigenous peoples and environmental protection agencies;
- Proceed with the demarcation of Indigenous territories, as established in the Constitution;
- Adopt policies to strengthen Indigenous and environmental protection agencies, including with financial and human resources, to enforce its legislation and step up monitoring and patrols of Indigenous territories and environmentally protected areas in the Amazon region, as well as to ensure the safety of government officials.

Amnesty International recommends Federal and state Public Prosecutor Offices and police authorities:

- Investigate and hold perpetrators to account those responsible for illegal land seizures and cattle ranching in protected areas in the Amazon region;
- Investigate and hold perpetrators to account those responsible for threats and acts of intimidation against Indigenous people, residents of Reserves and government agents responsible for defending protected areas in the Amazon region.

Amnesty International recommends State animal health control authorities in the Amazon region:

- Suspend the registration of cattle ranching properties located in protected areas;

¹⁰⁴ Article 225 of Brazil's Constitution.

¹⁰⁵ OAS American Declaration on the Rights of Indigenous Peoples Art. XXV, ILO Indigenous and Tribal Peoples Convention 169 Art. 14, jurisprudence of Interamerican Court on Human Rights incl. *Saramaka People v. Suriname* (Preliminary Objections, Merits, Reparations, and Costs) (Series C No. 172) Inter-American Court of Human Rights, (2007). Brazil's Constitution defines Federal government, states and municipalities have shared jurisdiction over environmental and forest protection. It also places environmental protection as a principle guiding economic activities. Articles 23, 170 of Brazil's Constitution.

¹⁰⁶ Article 20 of Brazil's Federal Law 4,947/66; Articles 48 and 50-A of Brazil's Federal Law 9,605/98.

- Prevent the entry of cattle in areas where cattle ranching is illegal;
- Work in collaboration with Federal and state environmental authorities to prevent the entry of (and remove existing) cattle illegally grazing in protected areas;
- Provide public access to data on cattle properties, cattle farmers and cattle movement, including in protected areas.

Specifically, in Rondônia, Amnesty International recommends Rondônia's animal health control agency (IDARON):

- Adopt an animal health control policy that is consistent with the protection of the environment and Indigenous rights, based on Federal and Rondônia's Public Prosecutor Offices recommendations, and consistent across protected areas to counter illegal cattle ranching in protected areas;
- Work in collaboration with Federal and state environmental authorities to remove the cattle illegally grazing in protected areas, including Rio Jacy-Paraná and Rio Ouro Preto Reserves and Uru-Eu-Wau-Wau Indigenous territory.

Specifically, in Mato Grosso, Amnesty International recommends Mato Grosso's animal health control agency (INDEA):

- Investigate, based on its available data, the number of cattle and cattle properties inside protected areas and publish these findings;
- Inspect cattle ranching and properties inside the Manoki Indigenous territory (for example, whether they are registered or not) and take the appropriate measures to end illegal cattle ranching there;
- Adopt an animal health control policy that is consistent with the protection of the environment and Indigenous rights, and that counters illegal cattle ranching in protected areas;
- Work in collaboration with Federal and state environmental authorities to remove the cattle illegally grazing in protected areas, including in the Manoki Indigenous territory;
- Implement the Federal Public Prosecutor Office's recommendation on the transparency of environmental information, including cattle movement data.

Amnesty International recommends IBAMA, ICMBio and states' Secretaries of Environment:

- Work in collaboration with Federal and state animal health control authorities to prevent the entry of cattle in protected areas in the Amazon region, and remove cattle illegally grazing there;
- Investigate and hold perpetrators accountable for illegal cattle ranching in protected areas in the Amazon region.

Amnesty International recommends FUNAI:

- Work in collaboration with Federal and state environmental and animal health control authorities to prevent the illegal entry of cattle in Indigenous territories in the Amazon region, and remove cattle illegally grazing there.

This report is part of an ongoing investigation into cattle ranching linked to illegal deforestation in Brazil's Amazon, and resulting human rights violations, particularly against Indigenous peoples.

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FENCE OFF AND BRING CATTLE

ILLEGAL CATTLE FARMING IN BRAZIL'S AMAZON

Illegal cattle ranching has been the underlying driver of the uptick in violence and illegal land seizures that have marked Brazil's Amazon this year. The destructive fires that grabbed the world's attention in July and August were part of a broader process to convert protected rainforest into pasture land for cattle.

Amnesty International documented recent efforts to illegally seize land for cattle farming in five protected areas (Indigenous territories and Reserves) across Brazil's Amazon. The illegal land seizures were accompanied by threats and acts of intimidation against local residents, Indigenous peoples and government officials in charge of protecting the environment and Indigenous territories.

This briefing is part of an ongoing investigation into the human rights violations, particularly against Indigenous peoples, driven by illegal cattle ranching in Brazil's Amazon.