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Indigenous lands at risk, as Amazon sellout by Brazil's Temer continues (commentary)

Commentary by Philip Fearnside on 6 November 2017

- *Brazilian president Michel Temer has twice survived National Congress votes to initiate impeachment against him on extensive corruption charges.*
- *Temer did so by selling out the environment, particularly the Amazon, to the ruralists who largely control the assembly.*
- *Among the concessions made or promised to the ruralists are presidential decrees to allow agribusiness to rent indigenous lands, forgiving unpaid environmental fines owed by landowners, and ending any enforcement of restrictions on labor “equivalent to slavery.”*
- *This post is a commentary. The views expressed are those of the author, not necessarily Mongabay.*



Brazilian President Michel Temer. Photo by Aluizio Gomes licensed under the Creative Commons Attribution 2.0 Generic license

[Michel Temer](#), the vice-president who became president of Brazil in 2016 with the impeachment of Dilma Rousseff, is the subject of an ever-growing array of charges of corruption, "criminal organization" and obstruction of justice.

He has now survived two votes in the National Congress on initiation of investigations and proceedings for impeachment, the first on August 2nd and the second on October 25th. Obtaining the necessary votes to block impeachment each time involved astronomical sums in various forms of handouts to selected federal deputies. The cost was not only financial – it was also paid by the environment, especially in Amazonia. The successful defeat of the second impeachment attempt did not end this pattern.

Public opinion polls currently indicate that Temer has an approval rating of [only 3 percent](#), an all-time low for any president since polling began in Brazil. This means that getting Temer's legislative agenda passed requires a continual appeasement of the voting blocks that support him in the congress, especially the "ruralists," or representatives of large landholders. There are also [25 proposals](#) for impeachment still pending in the Chamber of Deputies, which could be brought to the fore as a means of pressuring Temer for more concessions.

Indigenous lands appear to be part of the price in this new phase, as became apparent on November 1st, or one week after the second impeachment vote. Temer's minister of justice revealed plans to allow agribusiness to rent indigenous lands. This is currently illegal, but the minister stated that the arrangement would be implemented either by means of an executive order (*medida provisória*) or by supporting a bill to this effect in the National Congress. He suggested that it would then be up to the Supreme Court to strike down the measure if considered illegal.



Mundurucu cacique Disma Muõ: "The government didn't inform us. The government always spoke of the good things that would happen. They didn't tell us about the bad things." The Mundurucu number around 17,000 individuals living in the heart of the Amazon, and are just one of many indigenous groups fighting for their survival against the ruralists and the policies of Michel Temer. Photo by Mauricio Torres

However, many illegal actions are simply allowed to happen in practice. Building the Belo Monte Dam without consulting the indigenous people it impacted provides a concrete example: in 2012 a lower-court decision in favor of the indigenous people was appealed to the Supreme Court by the executive branch. The dam proceeded to be built, the reservoir was filled in 2015, and consideration of the case has yet to appear on the Supreme Court's agenda (see [here](#) and [here](#)).

Temer's favoring of the ruralist demand to open indigenous lands to "renting" (*arrendamento*) goes back to the lead-up to the second impeachment vote. On October 3rd, Temer met with ruralist deputies in the presidential palace, and, according to all reports (e.g., [here](#) and [here](#)), he promised to issue an executive order by October 9th allowing indigenous people to rent out their lands non-Indians. A firestorm of criticism ensued (see [here](#) and [here](#)). On October 4th, Temer [denied](#) he had agreed to issue the executive order. It should be noted that it is a common tactic by politicians in Brazil (and elsewhere) to deny controversial plans that in fact continue unchanged (e.g., see [here](#)). This recently occurred with president Temer in the case of reducing protected areas along the BR-163 Highway (see [here](#), [here](#), [here](#), and [here](#)).

Negotiations between ruralists and the administration on allowing agribusiness to rent Indigenous lands apparently continued after the president's denial (see [here](#), [here](#) and [here](#)). The most visible ruralist deputy behind the proposal has been [Luiz Carlos Heinze](#), who is best known for his [statement](#) in 2014 that Indians (along with gays, lesbians and descendants of escaped African slaves) represent "everything that is good-for-nothing." On October 18, 2017 a demonstration against a [public hearing](#) convened by the ruralist deputies on the proposal to allow renting indigenous lands turned violent, with some of the indigenous people gathered in front of the Chamber of Deputies building throwing rocks and the police responding with teargas and pepper spray.



Indigenous leaders tear-gassed by police in front of Brazil's National Congress in April 2017. Indigenous communities have seen a surge in violence against

them and a loss of land rights since Temer took power in 2016. Photo by Wilson Dias courtesy of Agencia Brasil

The influence of ruralists has been on the rise for several years, but the opportunity presented by the recent series of corruption scandals affecting the president has raised ruralist influence to unprecedented heights. [Bribes](#) to the various people included in the “criminal organization” that is alleged to include president Temer totaled US \$186 million according to then-General Federal Prosecutor [Rodrigo Janot](#).

The environmental costs of obtaining the support of enough Federal Deputies to block the first impeachment proposal on August 2, 2017 were high, but they may have been topped by the cost of surviving the second impeachment vote.

A 245-page [accusation](#) was submitted to the Supreme Court by Rodrigo Janot just before he retired on September 14, 2017, and the accusation was then forwarded to the National Congress where it would have had to be approved to begin an investigation and trial for impeachment. Emblematic events include the May 18, 2017 capture of Temer’s right-hand-man, Federal Deputy [Rodrigo Rocha Loures](#), with a [suitcase](#) containing the equivalent of US \$159,000, the amount that had been agreed to be paid weekly for a period of 20 years to buy the silence of former Temer ally [Eduardo Cunha](#), the now jailed former head of the Chamber of Deputies who was expected to turn state’s evidence in Brazil’s ongoing series of corruption probes. Police [wiretaps](#) had recorded Loures requesting the bribes in Temer’s name, and the [confession](#) of [Joesley Batista](#), CEO of the Brazilian multinational JBS (the world’s largest “animal protein” company), stated that the money was meant for Temer. Then on September 5, 2017 a cache equivalent to US \$16.3 million in suitcases and cardboard boxes was found in an apartment “loaned” to [Geddel Vieira Lima](#) — perhaps Temer’s closest associate who was Temer’s “minister of government” before being forced to resign in November 2016 in [another corruption scandal](#). JBS confessions again tied the money to Temer and his political party. Geddel Lima’s fingerprints were on some of the suitcases. There was also a [recording](#) surreptitiously made in March 2017 by Joesley Batista where Temer voiced approval for payment of bribes by JBS to silence Eduardo Cunha.



The vast rainforests of Brazil's Amazon basin are being put at risk by the anti-environmental, pro-ruralist policies of President Temer. Photo © Fábio Nascimento / Greenpeace

Approximately forty percent of Brazil's Chamber of Deputies is controlled by ruralists: an estimated 210 of the 513 members of the Chamber, or enough to block an impeachment vote.

In the lead-up to the first impeachment vote on August 2nd, Temer granted an amazing series of [concessions](#) to the ruralists. In the period leading up to the second impeachment vote, ruralist demands included a [pardon](#) of US \$10.8 billion in unpaid debts and fines by landowners who have failed to pay required contributions to a government pension fund for their employees. This is in addition to US \$5.4 billion that had already been effectively [pardoned](#) by converting them to installments known as "*refis*." The debt is first generously discounted, and the remaining balance is theoretically to be paid over many years, but in practice the installments are routinely left unpaid after the first couple of payments.

On the day the second accusation was submitted to the Congress, the Temer administration released US \$21 million in [pork-barrel allocations](#) (known as "*emendas parlamentares*") to selected deputies and promised an additional US \$317 million. These handouts translate into further subtractions from government support for other areas, most importantly the Ministry of Environment. On October 16th (nine days before the second vote) Temer's minister of labor issued an administrative [order](#) (*portaria*) essentially ending any enforcement of restrictions on labor "equivalent to slavery," which has long

been a ruralist demand. Nine days later the order was temporarily [suspended](#) by a supreme-court justice, pending a decision from the full court.



Michel Temer meets with his ministers, many of whom like agriculture minister Blairo Maggi, hail from, or have close ties to, Brazil's elite ruralists. Since this 2016 photo was taken, several ministers have been forced to resign due to corruption charges; both Maggi and Temer are currently under investigation. Photo by José Cruz / Agência Brasil

The ruralist demand to open indigenous areas to renting out of land in "partnerships" between indigenous people and agribusiness represents a direct impact on the forest. [Indigenous lands](#) protect more Amazon forest than do the "[conservation units](#)" administered by the Ministry of Environment. Opening the way to clearing in these areas would be an unparalleled disaster for the Amazon forest. The plan to open up indigenous lands led [Greenpeace-Brazil](#) public policy coordinator [Marcio Astrini](#) to describe Temer as Brazil's "worst president in history for the socio-environmental area."

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President Temer, under threat of serious corruption charges, has sold out the Amazon and indigenous people to the ruralist lobby in Congress. Photo credit: sara y tzunky via Visual hunt / CC BY-NC

Article published by [Glenn Scherer](#)

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