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Ferrante, L. & P.M. Fearnside. 2022.
Indigenous lands protect Brazil's
agribusiness. *Science* 376: 810.
<https://doi.org/10.1126/science.abq7243>

ISSN: 0036-8075

DOI: [10.1126/science.abq7243](https://doi.org/10.1126/science.abq7243)

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The original publication is available at:
O trabalho original está disponível em:

<https://doi.org/10.1126/science.abq7243>
<https://www.science.org/doi/epdf/10.1126/science.abq7243>

Indigenous lands protect Brazil's agribusiness

Since taking office as Brazil's president in 2019, Jair Bolsonaro has greatly weakened the protection of the Amazon and its Indigenous peoples (1). Bolsonaro's hate speech against Indigenous peoples and policies dismantling the protection of Indigenous lands have led to an increase in invasions and attacks on Indigenous, public, and conservation lands (2), which his administration has rewarded rather than deterred (2, 3). Proposed bill PL 490/2007 (4) would continue this trend by blocking or reversing the recognition of the rights of many Indigenous peoples to their traditional lands.

Brazilian law guarantees that Indigenous residents have exclusive rights to their Indigenous lands, protecting them from non-Indigenous individuals and companies (5). However, the protected status requires approval through a bureaucratic process that can take decades. There are currently 303 Indigenous lands that are in the process of obtaining protection.

PL 490/2007 would impede the final approval of the Indigenous lands currently working toward protection and allow revocation of the protected status enjoyed by many lands that were approved after 5 October 1988, the date of Brazil's current Constitution (6). Those that reached the final approval stage before 1988 will not be affected by PL 490/2007, although they continue to face threats from illegal invasions.

The bill, which has been stalled in the National Congress since 2007, is now racing toward final approval. It has passed the lower House of Congress and is being given priority in the Senate. A case before the Federal Supreme Court will decide on its constitutionality in the coming weeks. On 25 April, President Bolsonaro stated that if the Court rejects the policies outlined in the bill, he will likely refuse to comply with the decision (7).

Agribusiness representatives justify their support for the bill with the misleading argument that the preservation of Indigenous lands would negatively affect Brazil's agricultural production (7). However, the amount of idle deforested land in Brazil is more than sufficient to ensure the projected growth of Brazilian agribusiness (8). Indigenous lands protect 25% of Brazil's Amazon biome, where deforestation is now close to the limit that the forest can tolerate (9). Brazil is already facing a severe water crisis that has affected both agribusiness and water supply for domestic use (10). Further deforestation in the Amazon would worsen this crisis (11, 12), jeopardizing the country's agribusiness.

It is crucial that the Federal Supreme Court reject the policies proposed by PL 490/2007. If the protection of Indigenous lands is withheld or revoked, countries that import soy and beef from Brazil must boycott these commodities to prevent increased deforestation in the Amazon and violation of Indigenous rights.

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