

BRAZIL REPORT:

Four Crucial Themes for the 2022 Elections

APRIL 2022



The Washington Brazil Office (WBO) is an independent institution which specializes in thinking about Brazil and supporting actions that strengthen the role of civil society and institutions dedicated to the promotion and defense of democracy, human rights, freedoms, and sustainable socioeconomic and environmental development of the country.

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EXECUTIVE SUMMARY

As the October presidential election approaches in Brazil, concerns regarding the respect for democratic norms, the future of the Amazon, and the deterioration of human rights — among other issues — have been growing in Brazil. Bolsonaro's reelection or loss will directly affect the lives of Brazilians, but also influence the political future of other countries in the region. This report focuses on four crucial themes and sub-themes related to the current political, social, environmental, and economic crisis that the country is facing, which must receive attention in this election year.

1. DEMOCRACY & HUMAN RIGHTS (p. 5)

Bolsonaro has consistently attacked democratic practices, freedom of expression, and human rights as president. The last year was marked by the consolidation of the human rights crisis that began when he took office, and his constant attacks on the elections must prompt international governments to support democracy in Brazil.

2. AMAZON, ENVIRONMENT & CLIMATE CHANGE (p.10)

Bolsonaro's administration has radicalized and accelerated its anti-environmental agenda in the lead up to this year's election, and rights of Indigenous Peoples continue to be severely attacked. The results of this election will define the future of the Amazon and other important biomes that are crucial to control the effects of climate change.

3. SOCIO-ECONOMIC ISSUES AND CHALLENGES (p.16)

Unemployment rates have reached historical highs in the last year, and hunger is part of the reality of millions of Brazilians again. In 2021, Brazil was put back on the world hunger map after being removed in 2014, and inflation has also reached record levels. If reelected, Bolsonaro's mismanagement of the economy will continue to harm millions of lives in Brazil.

4. THE ROLE OF SOCIAL MOVEMENTS (p.21)

The role of organized civil society and social movements in the past years has been crucial in preventing the further deterioration of fundamental rights in Brazil. Their role will be particularly important this year in the defense of a democratic election.

INTRODUCTION

Since taking office in 2019, President Bolsonaro has put into practice policies that reveal the anti-rights, anti-environment, and authoritarian tendencies that he has publicly expressed since the time he was a congressman. In 2021, Brazilians faced a number of attacks on democracy, human rights, and the environment. Consequently, the consolidation of the social, political, and economic crisis has not only put the Amazon rainforest at a turning point, but also has brought hunger back to Brazil. The seriousness of these crises is presented in detail throughout this report.

Bolsonaro has always been vocal about his admiration for the Brazilian Dictatorship (1964-85) and its perpetrators. Therefore, the extent of his commitment to democratic values and norms has constantly been questioned by Brazilian civil society and political experts. In September 2021, on Brazil's Independence Day, Bolsonaro encouraged pro-coup rallies throughout the country and showed the world that he represents a dangerous threat to Brazilian democracy. Since the redemocratization of Brazil in the 1980s, democratic institutions had never been as threatened, and a democratic rupture seemed imminent during the events of that day.

The past year was also marked by significant and concerning advances in the anti-environmental and anti-human rights agenda of the Bolsonaro administration. On multiple occasions, the Brazilian government attempted to weaken environmental law enforcement, approving cuts to the environmental budget, and allowing deforestation to continue reaching record highs. All this happened while Bolsonaro attacked the rights of Indigenous Peoples and other marginalized groups. In 2021, police killed in Brazil the highest number of people – mainly Afro-descendants – of any year on record. Free speech rights of journalists were severely undermined, and NGOs and human rights defenders were constantly threatened.

The Washington Brazil Office 2022 Report sheds light on the most pressing social, economic, and political issues in Brazil, underlining significant events from the last year. In the process of writing this report, The Washington Brazil Office consulted civil society organizations and social movements in Brazil, as well as Brazil scholars based in the U.S. and in Brazil, about themes and information they deemed relevant to include in the document. The report was written by top specialists in each area and elucidates how the United States government and other international actors should continue their engagement with Brazil considering the current situation facing the country.

CHAPTER 1: DEMOCRACY & HUMAN RIGHTS

1.1 - Attacks Against Democratic Institutions and Threats to the 2022 Brazilian Elections

Jair Bolsonaro started his attacks on Brazil's Electoral System during the 2018 General Election by promoting disinformation campaigns to cast doubt on the electronic voting system. On September 16, 2018, he posted on his social media accounts a video criticizing the voting machines and making baseless accusations that he could lose the elections because the machines were fraudulent. One month later, the Superior Electoral Court (TSE) ordered YouTube and Facebook to remove the video from their platforms.¹

Bolsonaro counted on a human infrastructure, which included his sons Flavio and Eduardo, who were each running for Congress, to lead disinformation campaigns about the voting machines and convince people to question the integrity of the elections. Immediately before the first round of the 2018 elections, a Facebook user posted a fabricated video of a voter trying to cast a vote on a presidential candidate using the electronic ballot box, and seeing the machine immediately change their vote to Fernando Haddad (Workers' Party – PT). The video was shared by Flavio Bolsonaro on Twitter, which was later shared by Infowars' Paul Joseph Watson. The conspiracy that voting machines were rigged was also tweeted by Eduardo Bolsonaro, who asked voters to share photos of their voting machines to ensure electoral integrity despite it being illegal to record or take any photos while voting.

Bolsonaro continued to double down on his false claims of voting fraud even after winning the 2018 General Elections. In March 2021, during a trip to the United States, Bolsonaro said that if it weren't for the fraudulent voting machines, he would have been elected in the first round of votes – even though all polls, including the exit polls, showed that a second-round runoff against presidential candidate Fernando Haddad (PT) was inevitable. To this day, Bolsonaro has not presented any indisputable or convincing evidence to confirm his claims that voting machines are fraudulent.

That has not stopped him from intensifying his attacks on the 2022 Brazilian Elections. In the past year, he started claiming that the only way to verify that voting machines were not rigged was through a paper trail of the votes; and, therefore, his next strategy was to advocate for printed ballots. However, according to TSE, there are three major drawbacks to the printed vote. The first one is that it is more likely to be rigged than electronic voting, as people will handle the papers. The second one is that every two years, it would be necessary to set up a large logistical scheme to guarantee the safe transport and storage of the

¹"Facebook, YouTube Take down Bolsonaro Video over False Vaccine Claim," *Reuters*, October 26, 2021, <https://www.reuters.com/world/americas/facebook-takes-down-bolsonaro-video-over-false-vaccine-claim-2021-10-25/>.

votes of 148 million Brazilian voters. The third one is the risk of turning election results into drawn-out court battles.

Defense Minister General Walter Braga Netto amplified Bolsonaro's threats regarding the election by stating that there would be no elections in 2022 if printed ballots were not implemented. He issued the warning alongside the military head of the Army, Navy, and Air Force.² This threat pressured Arthur Lira, the president of the Chamber of Deputies, to vote on a constitutional amendment that would mandate the printed vote in the elections. On August 28, 2021, the bill was voted on, but it did not get enough support to pass. The day after this defeat, Bolsonaro indicated, once again, that he might not accept the result of the elections. On September 7, 2021, during the Independence Day event in Brasilia, Bolsonaro insisted on defending and demanding the printed vote in the 2022 General Elections. He claimed that "*we cannot accept an electoral system that does not offer any security, and it is not someone from the Superior Electoral Court who will tell us that this process is safe and reliable,*" in a reference to then-TSE president, Justice Luís Roberto Barroso.

Immediately before leaving the presidency of TSE, Barroso accused Bolsonaro of aiding "digital militias and hackers" by leaking the entirety of a confidential investigation by the Federal Police into an alleged cyberattack on the court. Bolsonaro is the subject of an investigation at the Supreme Court because of the leak that took place in August 2021. According to Barroso, "*there are no adjectives for the deliberate attitude of facilitating criminal attacks. The President of the Republic leaked the internal structure of the TSE's IT infrastructure. We had to take several steps to strengthen the cybersecurity of our systems to protect ourselves.*" The investigation shows that Bolsonaro has attempted to compromise the Electoral System to validate his point that it is rigged.

Beyond attacks on democratic institutions, Brazil is also witnessing increased persecution of journalists and the curtailment of freedom of expression. The country remains one of the most dangerous in the world for journalists and the practice of journalism in general. This hostility has become fully institutionalized, with State agents, including the President himself alongside ministers and family members, actively threatening the work of journalists and others in the media.

In summary, Bolsonaro is not concerned with the integrity of the elections, and he is trying to find any reason to contest the results – even before they take place. He continues doing so because Luiz Inácio Lula da Silva (Lula) has regained his political rights and is leading the polls in the presidential race. Reminiscent of Trump's rhetoric in 2020, Bolsonaro has already said that he may not accept the results of the 2022 election, creating fertile ground for disinformation and extremist acts. Bolsonaro is creating the conditions for a very unstable election environment and, if he loses, the world should bear in mind the

² Gabriel Stargardter and Lisandra Paraguassu, "No Banana Republic: Brazil's Politicos Guarantee 2022 Vote after Bombshell Story," *Reuters*, July 22, 2021, <https://www.reuters.com/world/americas/report-brazil-defense-minister-threatened-2022-vote-sparks-uproar-2021-07-22/>.

January 6, 2021 attack on the U.S. Capitol and should be prepared to witness a likely more extreme version in Brazil.

More than ever, it is necessary to enforce the commitment of the international community to the free flow of truthful information and democratic values. National and international articulations to strengthen the institution of freedom of expression as a fundamental and indispensable value for the exercise of democracy must be particularly reinforced in this electoral year. The countless anti-democratic threats made by Bolsonaro and his allies must prompt other nations to prioritize the respect for civil liberties and democratic norms in their diplomatic relations with Brazil.

1.2. - Assaults Against Marginalized Groups

It is widely known that presidential candidate Jair Bolsonaro ran a far-right campaign fraught with misogynistic, homophobic, and racist remarks. For instance, during a speech at Hebraica Club in Rio de Janeiro in April of 2017, he referred to descendants of enslaved Brazilians who live in *quilombos* (communities organized by former fugitive slaves) as if they were cattle and claimed they were lazy and useless “even for procreation.” He declared that “the minorities must bow to the majority” and that “not a centimeter” of *Quilombola* or Indigenous land would be left if he were elected.³

In 2021, the human rights crisis that had worsened in the previous three years was consolidated in Brazil. The misguided and denialist policies of the Bolsonaro government toward the Covid-19 pandemic increased inequalities and resulted in a scenario of instability for populations that already suffered before the pandemic. Brazil currently has the second highest number in the world of people who have died from Covid-19. The Bolsonaro government’s negligence in the face of its political challenges not only prolonged the health crisis triggered by the Covid-19 pandemic, but aggravated other conditions, such as food insecurity and unemployment. According to the Parliamentary Commission of Inquiry of the Brazilian Congress, 120,000 deaths from Covid-19 could have been avoided in Brazil. In other words, the last year was marked by thousands of preventable deaths because of the pandemic, only exacerbating already intolerable conditions of inequality, oppression, and violence.

The federal government has not committed itself to coordinating effective responses to manage the pandemic and, as a consequence, groups that suffer historical discrimination have been disproportionately affected by the health emergency, which has exacerbated the economic and social

³ Karla Mendes and Nadia Pontes, “Indigenous Land, Culture at Stake in Brazil Election - Experts,” *Thomas Reuters Foundation*, October 26, 2018, <https://www.reuters.com/article/us-brazil-election-landrights-deforestation/indigenous-land-culture-at-stake-in-brazil-election-experts-idUSKCN1N0241>.

crisis. Unsurprisingly, the highest mortality rates from Covid-19 were among Black people and those living in poverty.

Another serious problem in 2021 was the increase in food insecurity in the country. According to the Brazilian Research Network on Food Sovereignty and Security, food insecurity has grown by 54% since 2018, and in 2021, 19 million people, or 9% of the population, were severely food insecure. Paradoxically, populations that traditionally produce food were hit the hardest. Among farming, *Quilombola*, Indigenous and riverside communities, hunger affected 12% of the households. Extreme poverty, in turn, grew with the reduction of emergency aid and affected Black women more severely – among women of African descent, 38% live in poverty and 12.3% in extreme poverty.⁴

In education, there was an increase in school dropout rates in 2021, associated with problems related to remote learning adopted during the pandemic, such as lack of internet access and adequate equipment. Last year, the National High School Exam used for admission to higher education institutions registered the lowest number of candidates in 13 years.⁵

As mentioned previously, the press, social movements and NGOs spent another year under constant attack by Bolsonaro. Censorship of journalists was considered the main form of violence against press freedom in 2021. In total, 140 cases were identified throughout the year, representing 32.56% of attacks on the press since 1998. The data was revealed in the latest edition of the Report on Violence Against Journalists, collected by the National Federation of Journalists (Fenaj). Empresa Brasil de Comunicação (EBC), a public media outlet, was the main target of censorship, accumulating 138 of the 140 cases registered in 2021.

In addition, 80 transgender people were killed in the country in the first half of 2021 alone, and the number of rapes in the first half of 2021 was 8.3% higher than in the same period of 2020. There were 666 femicides recorded from January to June 2021, the highest number in the period since 2017, when data started being collected.

Quilombola, riverside, Indigenous and peasant populations face an increase in rural conflicts and the invasion of their lands, which, between 2019 and 2020, jumped 102%. Last year alone, around 13,000 km² of forest were cut down in the Brazilian Amazon – a record high since 2006. In addition, Brazil had the fourth highest number of murders of environmental leaders and land defenders in the world. Recently, Will Goiana da Silva was killed by the military police in Sergipe inside an occupation of the Landless Workers'

⁴ Edison Veiga, "Como o Brasil Chegou Ao Atual Cenário De Fome?," *DW*, February 7, 2022, <https://www.dw.com/pt-br/como-o-brasil-chegou-ao-atual-cen%C3%A1rio-de-fome/a-60685226>.

⁵ Vinicius De Andrade, "Os Brasileiros Que a Escola Não Alcança," *DW*, April 29, 2021, <https://www.dw.com/pt-br/os-brasileiros-que-a-escola-n%C3%A3o-alcan%C3%A7a/a-57377231>.

Movement, despite being unarmed, showing the inability of Brazilian authorities to resolve land conflicts in the countryside as well as in urban areas.

Bolsonaro has long been a member of the pro-gun block of Congress. As a candidate, he vowed to change the gun control law to make it easier for civilians to carry firearms and alleged that police killings are justified because not all lives are worth the same. According to Amnesty International, the Brazilian police kill the largest number of people in the world; among their victims, “almost 80 percent . . . were Black and three in four were between the ages of 15 and 29.” In 2021, Brazil witnessed in dismay the emblematic police operation in the Jacarezinho favela, in Rio de Janeiro, which resulted in the death of 27 residents and one policeman, and the November massacre in Complexo do Salgueiro, also in Rio, which left nine people dead.^{6 7} Another negative moment in the fight against police impunity was the acquittal in August of five police officers accused of killing 13 people in the Nova Brasília favela in Rio de Janeiro in 1994, according to the Amnesty International report.

Racist incidents have gone up throughout the country. In 2020, a Black professor was accused of robbery after having paid for groceries at a supermarket in Curitiba, Paraná. In another incident, personnel at a hospital in Rio Grande do Sul falsely accused a Black senior citizen of theft while he was visiting his wife; she died of a heart attack as a result of the stress. On November 19, the eve of Black Conscience Day in Brazil, a Black man was beaten and asphyxiated to death by two White security guards at a supermarket in Rio Grande do Sul. While demonstrations erupted throughout the country, Vice-president Mourão categorically denied it had anything to do with racism because, he argued, unlike the United States, Brazil does not have that problem. Two days later, Bolsonaro tweeted that he was “colorblind” and that the murder had nothing to do with race. A year before, Bolsonaro appointed Sérgio Camargo president of the Palmares Foundation, whose goal has been to promote Afro-Brazilian culture. A self-proclaimed “right-wing Black man,” he negated the existence of racism in Brazil, affirmed that Brazilian slavery had been “beneficial for the descendants [of enslaved] Africans,” disrespected Afro-Brazilian religions, and dismissed November 20, the Day of Black Consciousness, as a “shameful” holiday.

Although assaults against marginalized groups in Brazil are not a new phenomenon, their increase points to the acquiescence of a government that, in negating the existence of racial inequality, allows them to occur with impunity.

⁶ “Brazil: Jacarezinho Massacre in Rio De Janeiro Is Reprehensible and Unjustifiable,” *Amnesty International*, May 6, 2021, <https://www.amnesty.org/en/latest/news/2021/05/brazil-jacarezinho-massacre-rio-de-janeiro-reprehensible-unjustifiable/>.

⁷ “Entidades Cobram Explicações Após Chacina No Rio,” *DW*, November 23, 2021, <https://www.dw.com/pt-br/entidades-cobram-explica%C3%A7%C3%B5es-ap%C3%B3s-chacina-no-rio/a-59910421>.

CHAPTER 2: AMAZON, ENVIRONMENT & CLIMATE CHANGE

2.1 - Deforestation and Impunity

Over the first year and a half of the Biden-Harris administration, the Brazilian government, under President Jair Bolsonaro, has confirmed the prediction of many that Bolsonaro would not become a trustworthy partner for conservation-oriented negotiations. Through 2021, Bolsonaro continued to side with environmental criminality in Brazil. Furthermore, his administration has only radicalized and accelerated its anti-environmental and anti-human rights agenda in the lead up to this year's election. Deforestation rates continue to hit record numbers, significantly increasing in comparison to the year before Biden took office. Given the state of environmental degradation in Brazil, the U.S. government should pursue accountability to the extent possible in its engagement with the Brazilian federal government and take action to address the role of the U.S. trade, finance, and foreign policy in driving deforestation and enabling human rights abuses. The U.S. government needs to continue its work on Lacey Act enforcement to address imports of illegal timber from Brazil. In addition, as a major market for Brazilian minerals, it should oppose the controversial proposals to allow mining on Indigenous Peoples' lands.

In the beginning of Biden's term, John Kerry, Biden's climate envoy, signaled great interest in reaching a conservation-oriented agreement and engaged the Brazilian government in frequent negotiations that involved then-Environmental Minister Ricardo Salles. Brazilian civil society expressed great concern that a deal, especially one that involved sending funds to Brazil for conservation, was unwarranted. In the lead up to Biden's April 2021 climate summit, 200 Brazilian environmental, Indigenous, labor, civil rights, racial and gender justice NGOs sent a letter to Biden urging him to avoid closed-door negotiations with Bolsonaro.

During the climate summit Bolsonaro used his remarks to ask for money for environmental achievements of Brazil that he has aggressively tried to reverse throughout his time in power. Around the same time the Brazilian government changed rules for levying environmental fines.⁸ Over 400 IBAMA environmental agency staff sent an open letter to Eduardo Bim, who headed the agency at the time, saying that the new rules stopped environmental enforcement in its tracks⁹.

⁸ "Instrução Normativa Conjunta MMA/IBAMA/ICMBIO," *Imprensa Nacional*, No. 1, April 12, 2021.

⁹ "Servidores do Ibama Denunciam Que Fiscalização Ambiental Está Paralisada Após Decisão De Salles," *G1*, April 20, 2021, <https://g1.globo.com/natureza/noticia/2021/04/20/mais-de-400-servidores-do-ibama-denunciam-em-carta-estarem-com-as-atividades-de-fiscalizacao-ambiental-paralisadas.ghtml>.

After Bolsonaro's speech, John Kerry commended Brazil's commitment to addressing illegal deforestation by 2030. Given Bolsonaro's active dismantling of systems to crack down on illegal deforestation and the unspent resources to support such an effort, Kerry's praise was undeserved.

No deal between Brazil and the United States was made that involved funding in exchange for conservation over the past year. Meanwhile, Bolsonaro and allies in Congress pushed forward a group of bills that some describe as having the potential to "break the Amazon", in reference to the region moving closer towards its tipping point. Legislation in Brazil's Congress would have the effect of rewarding land grabbing of public lands (a practice linked to 1/3 of deforestation in the Amazon), allowing open mining on Indigenous Peoples' territories, ending public involvement in environmental permitting, and reducing the size of Indigenous Peoples' lands and preventing pending Indigenous land rights claims from being demarcated. The land grabbing bill and environmental licensing bill passed through the lower house Chamber of Deputies under "emergency rules" that limited public input. Brazilian civil society organizations are bracing for the land grabbing bill to be introduced in the Brazilian Senate, as it will stimulate large-scale deforestation if passed.

Months after the summit, Environmental Minister Ricardo Salles resigned in the wake of a Brazilian Supreme Court inquiry on whether or not Salles had interfered in an investigation by Brazilian Federal Police into illegal logging in the Amazon. Eduardo Bim, the head of IBAMA, also resigned but returned 90 days later to his post. News reported that the U.S. Fish and Wildlife Attaché in Brasilia acted as a whistle blower in his role working with Brazilian authorities on illegal timber investigations. Salles has served as the face and architect of Bolsonaro's dismantling of environmental governance in Brazil.

Bolsonaro did not attend the UN climate conference in Glasgow. Nonetheless, Eduardo Leite, Brazil's new environmental minister, was present in order to advance a PR offensive to distract from Brazil's anti-environmental actions over the last two years and pursue partnerships for carbon credit markets. At the conference, the Brazilian delegation sold its radical legislative agenda as a solution in contradiction to scientific reports that show that the land grabbing law would instigate an increase in deforestation. Moreover, the Brazilian government did not release its annual deforestation numbers before or during the annual UN climate negotiations as it normally does. The figures were released shortly thereafter, revealing a shocking 21% increase under Brazil's PRODES monitoring system. Prior to releasing these figures, Leite had said that he was seeing deforestation decrease. In the subsequent DETER monthly deforestation alerts for February there was a 62% increase over the prior year, followed by a similar record in January.¹⁰ Both the U.S. and Brazil signed the Glasgow Forest Declaration to end deforestation along with private sector entities and other governments. There is no reason to believe that such a pledge will be met. Many

¹⁰ David Biller, "Brazil Detects Record Amazon Deforestation in Jan. and Feb.," March 11, 2022, <https://abcnews.go.com/International/wireStory/brazil-detects-record-amazon-deforestation-jan-feb-83390957>.

of these same signatories have broken forest-related commitments, and many continue to pursue actions that would only increase deforestation.

In 2021 threats and violence towards Indigenous Peoples from illegal miners increased in intensity. Bolsonaro's government only reacted when it was forced to under court order, after bungling operations to remove miners, thus making these operations ineffective. The miners have been brazen in their activities and plans, organizing a flotilla in the Amazonian Madeira River. Bolsonaro and Brazilian agribusiness have also begun to exploit the Russian-Ukrainian crisis to justify the use of emergency legislative rules that would change the Brazilian constitution and open up Indigenous territories for mining. Brazil imports potash from Belarus and Ukraine, and under the guise of securing a supply, Bolsonaro is pushing this policy change. This move would put in danger a large number of forests in Indigenous Peoples' lands, equivalent to twice the size of California, according to one projection. Analysts from the University of Minas Gerais found that Brazil has enough potash supplies outside of these lands to satisfy demand. Nonetheless this legislation has advanced under emergency measures in the Brazilian lower house of congress and is likely to pass quickly.

On Earth Day, 2022, Biden announced executive orders to combat deforestation by addressing U.S. Government purchasing of agricultural commodities like beef, soy, and palm oil linked to illegal or recent deforestation.¹¹ Addressing U.S. government purchases is a minimal "do no harm" step that Biden can do without congressional approval. The order only commits to study the issue and develop a plan to reduce or eliminate such purchases, so it is too early to tell if the resulting plan will have the scope and commitment to make an impact on the ground. Bringing U.S. government purchasing power to the global demand for zero deforestation agriculture is welcome, but, just two years ago, consumer brands and commodities traders broke 2020 commitments for zero deforestation supply chains. These voluntary commitments will not be sufficient on their own to address deforestation if we do not address the overall demand for land for agriculture that pressures critical ecosystems. To do address the demand for land we need to stabilize and reduce global meat consumption and not rely on biofuels. Unfortunately, the broader Biden agricultural agenda is increasing more investment in biofuels and continuing a business-as-usual approach for animal-protein centric agriculture.

Biden also announced that he would support more sustainable forest management overseas in order to protect forests. Sustainable forest management is unfortunately a very broad term and, in places like the Brazilian Amazon, the timber sector is a black box that still cannot ensure traceability for timber purchases. Sustainable forest management has been presented as an alternative to deforestation but, in practice, logging has acted as a catalyst for deforestation, even when called sustainable forest management.

¹¹"FACT SHEET: President Biden Signs Executive Order to Strengthen America's Forests, Boost Wildfire Resilience, and Combat Global Deforestation", April 22, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/22/fact-sheet-president-biden-signs-executive-order-to-strengthen-americas-forests-boost-wildfire-resilience-and-combat-global-deforestation/>

The increasing deforestation rate is a reminder that the United States needs to do more to address its own role in deforestation outside of its borders. Nonetheless, the U.S. government should avoid false solutions that could exacerbate the loss of nature and cause runaway climate change. Washington policymakers need to be wary of flimsy carbon offset market mechanisms that extend fossil fuel use and are unable to ensure actual emissions reductions, respect for human rights, and accountability mechanisms. Even as new standards attempt to address leakage, additionality, and permanence, carbon offset projects continue to be plagued with double counting and efficacy questions. Brazil has also continued to demonstrate its ability to package dangerous development pathways as solutions. Notably, in a region in the southern Amazon Rainforest, constituting portions of Amazonas, Acre, and Rondonia states, agribusiness and other economic interests are pushing plans to expand high risk infrastructure projects and spur more deforestation, under the guise of “sustainable development.”

2.2 - Indigenous Peoples’s Rights Under Attack

On March 15, 2022, Brazilian Justice Minister Anderson Torres awarded President Jair Bolsonaro, along with himself and twenty three others (cabinet members, government officials, and a handful of private citizens) the Medal of Indigenist Merit (Medalha de Mérito Indigenista) in recognition for their “altruistic service related to the well-being, protection, and defense of Indigenous communities” in Brazil.¹² This self-accolade is deeply cynical, as the executive has worked diligently to undermine Indigenous peoples and their interests since well before his 2017-18 campaign for the presidency, when Bolsonaro promised to incorporate Native peoples forcibly into dominant society and vowed notoriously that “not one centimeter” of Brazilian territory would be demarcated as Indigenous land under his watch.¹³ In fact, since taking office in 2019, Bolsonaro and his administration have aimed not only to prevent any further protection of Indigenous territory—an unmet promise of Brazil’s 1988 Constitution—but also to unravel the fragile institutional support system and limited legal safeguards that Native Brazilians and their allies have labored arduously over decades to create and defend.

Building on an entrenched, wide-reaching, and well-funded anti-Indigenous network, including the agribusiness lobby and their stakeholders in the National Congress, the administration’s efforts to sabotage Native well-being, and particularly, Native land rights, have achieved increasingly dangerous and potentially irreversible levels of harm since 2021. Key among these new and recycled threats are major legislative initiatives that encroach on the constitutional rights of Indigenous peoples and other vulnerable

¹²See: *Diário Oficial da União*, Portaria MJSP, No. 47, March 15, 2022.

¹³See: “Bolsonaro é acusado de racismo por frase em palestra na Hebraica,” *Veja*, April 6, 2017 and “What Brazil’s President, Jair Bolsonaro, Has Said About Indigenous People,” *Survival International*, n.d., <https://www.survivalinternational.org/articles/3540-Bolsonaro>.

populations. Fast-tracked for approval by the lower house of the Brazilian Congress in March 2022,¹⁴ PL 191/2020 would legalize research and mining of mineral and hydrocarbon resources and the development of hydropower on Indigenous lands—all gross violations of Native rights that have been taking place for decades, both illicitly and through circuitous “legal” pathways, but which have expanded exponentially since Bolsonaro assumed office.

The second piece of fatal legislation is PL 490/2007, one of many initiatives backed by the Bolsonaro administration to limit the legal timeframe within which Indigenous peoples can claim exclusive use, protection, and demarcation of their traditional lands.¹⁵ This proposed law, under debate in the National Congress since 2007, is based on the *marco temporal* legal theory¹⁶ which holds that only Indigenous peoples who can prove occupation of their claimed lands, or who can document an official legal dispute or material claim involving those lands as of October 5, 1988 (when the Federal Constitution was promulgated) can present a legitimate claim for demarcation. The notion thus ignores three important realities: 1) that many Indigenous peoples had been expelled from their ancestral lands prior to October 1988; 2) that prior to October 1988, Indigenous peoples were wards of the state (*tutelados do estado*) without judicial autonomy to defend their own interests; and 3) that by dint of their uncontacted status, over 100 Indigenous communities would have no possible means to demonstrate their occupation of contested territories.¹⁷

In late August 2021, the Brazilian Supreme Court (STF) was set to uphold or deny the *marco temporal* theory by ruling on a landmark case (Recurso Extraordinário nº 1.017.365) involving the Environmental Institute of Santa Catarina, the National Indian Foundation/FUNAI, and the Xokleng Indigenous people regarding the Ibirama-Laklanõ Indigenous Territory in the state of Santa Catarina—lands that have been contested for over a century and mired in legal dispute for decades.¹⁸ Of crucial importance was the STF’s decision during the first phase of the proceedings, in 2019, that per Constitutional Amendment n. 45, the ruling would set a precedent (“general repercussions”) for all pending demarcation cases across the country (approximately 300), as well as, potentially, all future

¹⁴ Carol Siqueira and Eduardo Piovesan, “Câmara aprova urgência para projeto sobre mineração em terras indígenas,” *Agência Câmara de Notícias*, March 9, 2022.

¹⁵ See: *Diário Oficial da União*. Portaria, No. 667, February 9, 2022, <https://in.gov.br/en/web/dou/-/portaria-n-667-de-9-de-fevereiro-de-2022-379226707>.

¹⁶ The STF adopted the *marco temporal* in a landmark 2009 case over the Raposa/Serra do Sol Indigenous reserve in Roraima. The term has since been translated into English-language materials in several ways, as “temporal framework,” “temporal milestone,” and “temporal benchmark,” for example.

¹⁷ Eloy Terena, “Indigenous Land Rights in Brazil: Strategies for Advocacy and Resistance,” Webinar, *USNDB*. August 19, 2021. <https://www.youtube.com/watch?v=mYxvqBxurJQ&t=11s>.

¹⁸ Supremo Tribunal Federal, <https://stf.jusbrasil.com.br/jurisprudencia/1100850294/recurso-extraordinario-re-1017365-sc-0000168-2720094047214>.

demarcation cases.¹⁹ It is therefore crucial to note that the *marco temporal*/legal theory ignores decades of Brazilian legal convention and contradicts outright the 1988 Constitution, whose article 231 states that: “Indigenous peoples are recognized for their social organization, customs, languages, beliefs and traditions, and for their *original rights* over the lands they traditionally occupy; and it is up to the Union to demarcate them and protect and ensure respect for all their assets.”²⁰ Those who oppose the *marco temporal* (including some STF justices) have endorsed a contrasting legal theory—that of *indigenato*—to argue that rights of Indigenous peoples to traditional lands are rooted in colonial legislation and thus prior to the State itself. In their campaigns for self-defense, many Indigenous organizations have therefore come to embrace and deploy the slogan: “*Nossa história não começa em 1988*” (Our history doesn’t begin in 1988).²¹

While the STF has delayed ruling on the *marco temporal*, suspending their decision indefinitely in September 2021 to study the case further, legal ambiguity has left Indigenous peoples and lands extremely vulnerable. President Bolsonaro has openly criticized anticipated support for Indigenous land rights from the STF, declaring on multiple occasions that increasing protection for Native territories would mean the “end of Brazil” and insinuating that his administration would neither respect nor abide by such an outcome.²² This attitude, held widely by the president’s supporters, thus erroneously suggests that “the demarcation of Indigenous land [is] political benevolence rather than a constitutional right.”²³

While the compendium of sociopolitical harms faced by Indigenous peoples in Brazil is vast, ranging from virulent racism to childhood malnutrition, and from religious and linguistic discrimination to a lack of adequate healthcare and pervasive depression and suicide, most of these grave difficulties result directly or indirectly from the relentless and ongoing violations of the physical integrity of Indigenous territories, where deforestation under Bolsonaro’s governance has increased by 138%.²⁴ Since early 2021, such violations have eroded communal and individual security and well-being among Native communities

¹⁹FUNAI identifies over 1,000 Indigenous territories in Brazil, while fewer than 800 of them are officially recognized and fewer than 500 have concluded the final stages of demarcation. See: “Muita terra para pouco índio?,” *Instituto Socioambiental*, March 16, 2022, <https://terrasindigenas.org.br/en>.

²⁰ *Constituição da República Federativa do Brasil*, http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm.

²¹ See: “Nossa história não começa em 1988,” *Instituto Socioambiental*, August 3, 2017, <https://www.socioambiental.org/pt-br/noticias-socioambientais/nossa-historia-nao-comeca-em-1988-marco-temporal-nao>.

²² See: Marcus Sabaru, “Máquina de moer história: sobre o marco temporal,” *APIB*, March 16, 2022, <https://apiboficial.org/marco-temporal/>.

²³ Mariana Brazão, Lara Bartilotti Picanço, and Natália Tosi, “Interview with Eloy Terena, Indigenous Land Rights Activist in Brazil,” *Think Brazil*, August 9, 2021, <https://www.wilsoncenter.org/blog-post/interview-ely-terena-indigenous-land-rights-activist-brazil>.

²⁴ Taina Aragao and Sandra Silva, “Desmatamento em terras indígenas,” *Instituto Socioambiental*, December 22, 2021, <https://www.socioambiental.org/pt-br/noticias-socioambientais/desmatamento-em-terras-indigenas-cresceu-138-nos-ultimos-tres-anos>.

across the country, including, for example, the Yanomami and Munduruku peoples in the Amazon, who suffer mercury contamination from eating fish from waters polluted by illegal mining, as well as the Guarani Kaiowá in Mato Grosso do Sul, whose communities find their lands, homes, and houses of worship under constant attack by large scale agriculturalists backed by law enforcement, including Military Police.

For members of the international community who care about human rights and the environment in Brazil, the Americas, and across the globe, the future of these struggles could not be more vital. The interrelationship between Indigenous well-being and the well-being of the natural world is well-documented. Nearly 14% of Brazilian territory is currently demarcated as Indigenous territory, and 98% of that land is in the Amazon. Indigenous lands serve as barriers to deforestation and store vast amounts of carbon, despite the fact that they have been and continue to be under various forms of attack. A 2020 study in the *Proceedings of the National Academy of Sciences* showed a “nine-fold difference in net carbon loss outside Indigenous Lands and Protected Natural Areas compared with inside,”²⁵ numbers that corroborate not only the message of global institutions of science like the Intergovernmental Panel on Climate Change (IPCC), but also what Indigenous peoples in Brazil and across the world have been telling us for as long as they have been able to make their messages heard.

While Native Brazilians endeavor to resist the slow but steady devastation of their communities by engaging in local, national, and global activism, by waging legal battles in and outside of Brazil, and by employing a wide variety of social media,²⁶ the Bolsonaro administration treats the transgressors of Indigenous rights not only with impunity, but also, as the recent announcement of the “Medal of Indigenist Merit” has demonstrated, with praise. This cynicism is both outrageous and dangerous. What happens to Brazilian Indigenous peoples over the months to come should matter to us all.

CHAPTER 3: SOCIO-ECONOMIC ISSUES AND CHALLENGES

3.1 - Rising Unemployment and Diminishing Workers’ Rights

During the pro-worker and pro-union administration of President Luiz Inácio Lula da Silva (2003-10), followed by the progressive government of President Dilma Rousseff (2011-16), Brazil made unprecedented advances in expanding formal sector employment, strengthening trade union rights,

²⁵Wayne S. Walker et al. “The Role of Forest Conversion, Degradation, and Disturbance in the Carbon Dynamics of Amazon Indigenous Territories and Protected Areas,” *PNAS* 117, No. 6 (2020), <https://www.pnas.org/doi/10.1073/pnas.1913321117>.

²⁶“Mundurukus recorrem a drones,” *Clima Info*, February 3, 2022, <https://climainfo.org.br/2022/02/03/mundurukus-recorrem-a-drones-e-celulares-para-barrar-invasao-de-terras/>.

reducing inequality, delivering over 30 million Brazilians out of poverty, reducing child and forced labor, and enhancing decent work. With the impeachment and removal of President Rousseff in 2016, followed by the neo-liberal Michel Temer administration (2016-18), and culminating with the alt-right Bolsonaro regime coming to power in January 2019, Brazilian labor law and its guarantees have been targeted for a complete overhaul, including a total deconstruction of sustainable union organization and collective bargaining.

In less than four months in 2017, the Temer administration and the center-right Brazilian Congress pushed through the most anti-worker and anti-union labor law reform in modern Brazilian history, rivaling and even exceeding, in some respects, the anti-labor repression of the military dictatorship (1964-85).

The combined effect of the legislative and judicial measures since 2017, which invalidate the obligatory contributions of Brazilian workers that underwrite the costs of their collective bargaining representation, has reduced the budgets of Brazilian labor unions by nearly 90 percent. Brazil has become, in U.S. terms, a total “right to work” or “right to work for less” regime.²⁷

In addition, the 2017 reform undermines minimum labor standards and perverts collective bargaining in the following ways: 1) collective agreements take legal priority over many legislated guarantees, even when those agreements are inferior in terms of worker protection; 2) collective agreements with individual employers take legal precedence over the sectoral agreements with multiple employers at the municipal and regional level, even when they are inferior in terms of wages, benefits and other terms and conditions; and 3) agreements with individual workers take legal precedence over *all* collective agreements, even when they are inferior, if the employee has a university diploma, and earns a monthly salary equal to, or greater than, twice the value of the highest monthly benefit paid by the social security system. Hundreds of thousands of middle-class Brazilian workers fall into such a category.

Moreover, the 2017 reform exempts mass layoffs from collective bargaining obligations and permits the expansion of intermittent work (zero-hour contracts). It also provides that “self-employed” autonomous workers are never to be considered directly employed, and, therefore, cannot receive the formal legal protections of regular employees (even when their contract is exclusively with one employer). Finally, according to separate legislation passed in 2017, all functions of an enterprise may be contracted out, potentially gutting established collective bargaining structures.²⁸

²⁷ See: Ana Virginia, Moreira Gomes, and Stanley Arthur Gacek, “Trade Union Financing Law in Brazil and the United States – a Dangerous Convergence,” *On Labor*, Harvard Law School, April 5, 2020, <https://www.onlabor.org/trade-union-financing-law-in-brazil-and-the-united-states-a-dangerous-convergence/>.

²⁸ See: Joao Renda Leal Fernandes, *The 2017 Brazilian Labor Reform: A Brief Overview*, study presented at the *Brazil-Japan Litigation and Society Seminar: Courts and Dispute Resolution*, Shinshu University (Matsumoto, Nagano, Japan), January 2018; and Afonso de Paula Pinheiro Rocha and Ana Virginia Moreira Gomes, “The fallout from the 2017 labour reform in Brazil for the trade union movement,” *International Centre for Trade Union Rights (ICTUR)* 24, no. 4 (2017).

The bad dream of the 2017 labor reforms has turned into a veritable nightmare under Jair Bolsonaro. Bolsonaro has questioned publicly the need for continuing the Brazilian labor judiciary, which, if eliminated, would undermine stable labor relations for workers and employers alike. He also calls for individual employment contracts taking legal priority over all collective agreements, sounding the death knell for collective bargaining. He supports eliminating the penalty for firings without just cause (amounting to 40% of the value of severance payments to an employee under the FGTS, or federal severance pay fund). Such drastic and destructive measures are set forth in a report issued on November 29, 2021 by the GAET (Grupo de Altos Estudos Sobre o Trabalho), a special commission which Bolsonaro established without any worker and trade union representation.²⁹

Since the beginning of his administration, Bolsonaro has wreaked havoc on the regulatory and remedial role of Brazilian governmental agencies dedicated to labor rights, including the eradication of child and forced labor. In 2020, the Bolsonaro government cut the funding dedicated to monitoring forced labor and saving victims of such unlawful practices by over 40%, leading to an increase in conditions analogous to slavery throughout the country.³⁰ Cases of child labor also rose by over 270 percent in 2020 at the outset of the COVID pandemic, and thanks to the drastically reduced inspection and enforcement capacity under President Bolsonaro.³¹ Moreover, Bolsonaro and his allies in the Brazilian Congress are attempting to obtain the approval of a constitutional amendment to expand child labor in the country, by lowering the minimum employment age from 16 to 14 years, even with over 14 million adult workers currently without jobs.³²

Bolsonaro's intention to debilitate labor unions, end collective bargaining, and undermine decent work is not generating more employment, despite his rhetoric during the 2018 presidential campaign that "you can have either rights or jobs, but not both." According to the most recent International Labour Organization report, the official unemployment rate in Brazil (which does not include the millions of workers who have become permanently discouraged from participating in the labor market due to a paucity of formal employment) reached a high of 11.9% in 2019, rose to 14.4% in 2021, and continues at 13.6% at the beginning of 2022. The current and official unemployment rate translates into well over 14

²⁹Remir-ABET, "Bolsonaro ensaia a "Reforma" insana, December 21, 2021, <https://outraspalavras.net>.

³⁰See: Thiago Reis, "Em ano de pandemia, verba para combate ao trabalho escravo encolhe mais de 40% e a menor dos últimos 10 anos", February 21, 2021, <https://g1.globo.com/economia/noticia/2021/02/21>.

³¹See: Mayara Oliveira, "Casos de trabalho infantil tem alta de 271% durante a pandemia," July 19, 2020, <https://www.metropoles.com/brasil/direitos-humanos-br/casos-de-trabalho-infantil-tem-alta-de-271-durante-a-pandemia>; Vinicius Sassine, "Governo Bolsonaro desvia verba para fundos e esvazia fiscalizacao trabalhista," November 7, 2021, <https://www1.folha.uol.com.br/mercado/2021/11/governo-bolsonaro-desvia-verba-para-fundos-e-esvazia-fiscalizacao-trabalhista.shtml>.

³²See: Ana Flavia Gussen and Fabiola Mendonca, "Bolsonaristas tentam legalizar o trabalho infantil – e o governo dificulta a fiscalizacao," *Carta Capital*, November 20, 2021, <https://www.cartacapital.com.br/sociedade/bolsonaristas-tentam-legalizar-o-trabalho-infantil-e-o-governo-dificulta-a-fiscalizacao/>.

million Brazilian workers, as noted above. And there is no expectation of the rate returning to its pre-pandemic level anytime this year.³³

3.2 - Poverty and Food Insecurity

Currently, one of the most pressing socioeconomic policy concerns in Brazil is the combat against poverty and hunger, which has been exacerbated by the COVID-19 pandemic. Although the global pandemic contributed to a global recession and inflation, the political and social conditions in Brazil ensured that the country suffered severely more in comparison with other countries.

Bolsonaro's statements during Brazil's Independence Day celebrations, alluding to a coup, his direct confrontation with other branches of government, especially with the Judiciary, and his insistence on questioning the fairness of the electoral process contributed to fomenting political instability.³⁴ This concerning scenario promoted an outflow of foreign capital and a decrease in export revenues in dollars by Brazilian companies, which have preferred to keep their money abroad in more secure markets.³⁵ As a result, the official inflation at the end of 2021 was 10.06%, the highest level since 2015.³⁶

The income of Brazilians has not been able to keep up with the strong increase in inflation. According to the Getulio Vargas Foundation, about 27.7 million Brazilians are now living below the poverty line, with a monthly income of just 261 BRL (equivalent to roughly 50 USD). This lack of income has resulted in more than half of the Brazilian population, roughly 55.2%, suffering from some form of food insecurity.³⁷ About 32 million people are going hungry every day, and 65 million do not ingest the minimum necessary amount of calories daily, eating precariously. The vast majority of people in this condition are concentrated in the Northeast region, where 23 million face mild food insecurity, more than 9 million experience a moderate degree of insecurity, and another 7 million live with severe food insecurity. It is

³³See: Jamil Chade, "OIT: desemprego no Brasil não voltará ao patamar pré-pandêmico em 2022," *UOL* January 17, 2022, <https://noticias.uol.com.br/colunas/jamil-chade/2022/01/17/governo-brasileiro-deixara-pais-em-2022-com-14-milhoes-de-desempregados.htm>.

³⁴Davi Medeiros, "Flavio Bolsonaro admite que o pai foi aconselhado a dar um golpe," December 17, 2021, <https://politica.estadao.com.br/noticias/geral,flavio-bolsonaro-jair-golpe-7-setembro-entrevista,70003929115>.

³⁵"Volta Do Brasil Ao Mapa Da Fome é Retrocesso Inédito Diz Economista." *Folha De S. Paulo*, 23 Jan. 2022., <https://www1.folha.uol.com.br/mercado/2022/01/volta-do-brasil-ao-mapa-da-fome-e-retrocesso-inedito-no-mundo-diz-economista.shtml?origin=folha>

³⁶"Índice Nacional de Preços ao Consumidor Amplo (IPCA)," *IBGE*.

³⁷ (PNAD and POF (IBGE) and Inquérito Nacional sobre Insegurança Alimentar no Contexto da Pandemia da COVID-19 da Rede Penssan)

estimated that out of these Northeasterners, 57% are women, mostly Black, single parents, who are self-employed, informal workers or unemployed.³⁸

To aggravate the issue, agricultural commodities – corn, sugar, meat, coffee, wheat – are annexed in dollars, so whenever the dollar rises, their price in *reais* increases as well. The devaluation of the *real* also encourages producers to export their goods instead of selling them to the domestic market, thus reducing supply. As a result, food prices have increased an average of 14.66% in the last 12 months (IBGE), particularly the price of sugarcane (47%), cooking oil (32%), coffee (50%), and meat (25%).³⁹ The situation is so precarious that supermarkets in the Northeast regions are now selling bones that used to be discarded,⁴⁰ and even making a distinction between the quality of the bones: “1st rate,” “2nd rate” and “3rd rate” type of bones, varying in price from 24.99 BRL to 2.50 BRL per kilo.

It is important to highlight that not all Brazilians are experiencing this scenario equally. In 2021, about 38% of Blacks were below the poverty line, compared to 19% of Whites, and roughly 12% of Blacks experienced extreme poverty compared to about 5% of Whites.⁴¹ Even among those who were employed, a significant racial gap exists: Whites who were employed had a monthly income that was 73% higher than the income of nonwhites in 2020⁴² — 3,056 BRL versus 1,764 BRL. Women are particularly more vulnerable. In the absence of social benefits, the national rate of Black and Brown women in poverty in 2021 reached 42.4% according to the The Brazilian Institute of Geography and Statistics.

With no expectations of controlling food insecurity in the short term, the Brazilian diet follows a worrisome path. High food prices are causing malnutrition, hunger, and multiple other related health challenges in poorer communities.⁴³ High food prices are also leaving communities trapped in a vicious cycle of hunger, poor health, and poverty. There is an increase in the consumption of ultra-processed foods and a decrease in the presence of fresh foods, especially on the table of low-income families. Excessive consumption of processed foods is associated with an increase in problems such as obesity, poor nutrition, diabetes, hypertension, cancer, and even depression.

³⁸ See: “Insegurança Alimentar e Covid-19 no Brasil”, March 2021, http://olheparaafome.com.br/VIGISAN_Inseguranca_alimentar.pdf

³⁹ “Índice Nacional de Preços ao Consumidor Amplo (IPCA),” *IBGE*.

⁴⁰ “Ossos de Primeira e de Segunda São Vendidos em Fortaleza”, *Folha de S. Paulo*, 4 Nov, 2021, <https://www1.folha.uol.com.br/mercado/2021/11/ossos-de-primeira-e-de-segunda-sao-vendidos-em-fortaleza.shtml>

⁴¹ Luiza Nassif-Pires, Luísa Cardoso, and Ana Luíza Matos de Oliveira, “Gênero e raça em evidência durante a pandemia no Brasil: o impacto do Auxílio Emergencial na pobreza e extrema pobreza,” *Made USP*, n.d., <https://madeusp.com.br/publicacoes/artigos/genero-e-raca-em-evidencia-durante-a-pandemia-no-brasil-o-impacto-do-auxilio-emergencial-na-pobreza-e-extrema-pobreza/>.

⁴² João José Oliveira, “Brasil sai da pandemia mais desigual, e vai piorar, dizem economistas,” *UOL*, February 19, 2022, <https://economia.uol.com.br/noticias/redacao/2022/02/19/brasil-sai-da-pandemia-mais-desigual-e-quadro-vai-piorar-dizem-economistas.htm>

⁴³ Saroj Pathirana, “Por que preços de alimentos sobem tanto,” *BBC News*, October 19, 2021, <https://www.bbc.com/portuguese/internacional-58968175>.

Food insecurity can also impact cognitive development, particularly for children, and can force students to leave school preemptively in order to pursue informal labor to help support their families. This situation not only affects the learning abilities of students, but can contribute to the increasing dropout rates, which have increased in the past year for low-income high schoolers. Of particular concern is the 77.4% reduction in the number of low-income nonwhite potential college students who enrolled in the national university admission exam this year.⁴⁴

Overall, the current situation in Brazil is an unprecedented setback for a country which under the administrations of President Luiz Inácio Lula da Silva and President Dilma Rousseff was able to move Brazil out of the UN Hunger Map and which had made important strides in reducing poverty through social initiatives such as *Bolsa Família* and *Minha casa, Minha vida*. The current administration has dismantled social protection policies by cutting spending in social, cultural, and labor areas.⁴⁵ Rather than expanding and improving *Bolsa Família*, a well-established conditional cash program for low-income families introduced almost two decades ago by the Workers' Party, the current administration ended the program this year. Instead, it introduced a new social program, *Auxílio Brasil*, which is full of uncertainties, structural issues, and limited in providing the financial support to Brazilians who most desperately need it.

If re-elected, Bolsonaro's administration will continue to carry out measures that aim to undermine the progress made by previous administrations. If Brazil is to become a more equitable and just country, it should elect a president who is committed to supporting socio-economic policies, a president who has a proven track record of reducing poverty and ensuring that Brazilians are not going to bed hungry each night.

CHAPTER 4: THE ROLE OF SOCIAL MOVEMENTS

Brazil has an organized civil society with a long tradition of defending socioeconomic and environmental rights. Over the last 30 years, spaces for institutional participation, transparency mechanisms, and regulatory frameworks have been implemented, allowing greater popular participation in decision-making processes. This participation was fundamental for the creation and improvement of public policies and for the consolidation of Brazilian democracy and, as a result, led to the improvement of practically all indicators of national development. Civil society groups helped stabilize the economy,

⁴⁴ João José Oliveira, "Brasil sai da pandemia mais desigual, e vai piorar, dizem economistas," *UOL*, February 19, 2022, <https://economia.uol.com.br/noticias/redacao/2022/02/19/brasil-sai-da-pandemia-mais-desigual-e-quadro-vai-piorar-dizem-economistas.htm>.

⁴⁵ Thiago Resende and Danielle Brant, "Bolsonaro cuts government spending in social, cultural, and labor areas," *UOL*, December 26, 2019, <https://www1.folha.uol.com.br/internacional/en/brazil/2019/12/bolsonaro-cuts-government-spending-in-social-culture-and-labor-areas.shtml>

increase human development indices, and reduce deforestation rates. All this was possible thanks to a free and active press, the strengthening of non-governmental organizations, the adoption of mechanisms for the transparency of public data, and the strengthening of State institutions, which civilian governments implemented with the direct and indirect support of organized civil society.

This process, however, suffered a setback with the inauguration of Jair Bolsonaro, elected with an openly anti-democratic agenda. The last three years have been marked by the closing of civic spaces, the degradation of checks and balances systems, the silencing of dissonant voices of opposition, and the rigging of State institutions. Faced with this scenario, social organizations began to direct, to a large extent, their efforts to prevent the collapse of democracy in the country. In addition to their respective agendas, social organizations also started to fight to guarantee the minimum conditions of existence and action. In the midst of constant and very serious attacks, urgencies and emergencies began to largely guide the activities of these entities. The ability to dream, propose and re-oxygenate the public arena, so characteristic of Brazilian civil society, has been stifled by a government that needs chaos to govern.

Despite this dismal scenario, civil society has shown an enormous capacity for resilience and inventiveness and remains steadfast in the defense of democracy and fundamental rights. After three years of Bolsonaro's government, several campaigns, coalitions, fronts, and networks of joint action were formed, bringing together a myriad of entities, very different from each other, but gathered in the objective of defending Brazilian democracy, putting differences aside, and understanding the importance of the dramatic historical moment that the country is living. In 2021, these various fronts closed ranks when, for example, Bolsonaro attempted a coup d'état, or when he placed war tanks in front of the National Congress to pressure legislators to vote on a project to weaken the electoral system. It was thanks to the work of organized civil society that the National Security Law, an authoritarian remnant of the military dictatorship and the main mechanism for political persecution used by the president, was extinguished and crimes against democracy were specifically named. Civil society was also present when the pro-government base tried to criminalize social movements or buy illegal espionage tools. It continues to resist attempts to create heavily armed ideological militias and to defend journalists and activists whenever they are attacked.

In 2021, Arthur Lira was elected president of the Chamber of Deputies and Ciro Nogueira was appointed Chief Minister of the Civil House, essentially the president's chief of staff. Both are allies of President Bolsonaro and leaders of the "Centrão," (the Big Center), a political group with wide representation in the National Congress, whose main goal is to extract personal or party advantages from their role as legislators. With this change, the government's legislative agenda gained broad support. Upon assuming the presidency of the Chamber of Deputies (the equivalent of the House of Representatives), Lira put an end to mechanisms that the opposition could use to encourage debate on legislation, such as Special Commissions. He has also been trying to make changes to the bylaws to centralize power in his hands. Civil society has been working since then to prevent legislative processes from becoming the unilateral expression of the will of the President of the Chamber and, therefore, of the President of the

Republic. Lira also tried to limit, without dialogue, participation or time for debate by candidates during the election process, which would be the biggest reform of the electoral system in the country's recent history. The project further weakened the already scarce diversity in national political representation and the mechanisms of oversight and control of the political system. The measure was not approved in time for the 2022 elections, only because of the intense work carried out by civil society against the legislation.

It is in this context of political belligerence, closure of civic spaces, and opacity of political processes that Brazilian social organizations had to act throughout 2021. It was a year fighting the weakening of the Disarmament Statute relating to gun control, the exclusion of mechanisms to prevent illegal police operations, the dissolution of Indigenous territories, the predatory exploitation of the environment, the indiscriminate use of pesticides, among many others. It was also a year in which Brazilian society needed to challenge the government and promote actions to combat the pandemic. Organizing campaigns for donating food and hygiene materials, encouraging the use of masks, promoting social distancing, purchasing oxygen cylinders for overloaded hospitals, and distributing mobile internet plans for public school students to continue studying were some of the actions carried out by civil society groups without any support from the federal government. Rather, attempts to implement these measures were boycotted by the Bolsonaro administration, which adopted a denialist stance on the pandemic, going against all national and international scientific guidelines.

The new challenges that loom on the horizon in the face of this year's electoral process offer a key moment to contain the process of democratic erosion and affirm democracy as a central value for Brazil's development. Civil society groups and social movements in the country are at the forefront of this fight, and the U.S. and other governments should work to ensure that these groups are consulted and integrated in the process of elaborating policies regarding Brazil.

