Indian Law Resource Center

Centro de Recursos Jurídicos para los Pueblos Indígenas

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**Indigenous Peoples in the Brazilian Amazon and the COVID-19 Pandemic**

An Oral Statement offered by the Indian Law Resource Center

for the Central and South America and the Caribbean Regional meeting on

“The impact of COVID-19 on the rights of indigenous peoples under the UN Declaration on the Rights of Indigenous Peoples” (December 3, 2020), to be held during the

13th Session of theUN Expert Mechanism on the Rights of Indigenous Peoples

The Indian Law Resource Center offers this statement that we have developed in partnership with COIAB, the leading indigenous organization in the Brazilian Amazon. Indigenous peoples in Brazil are being devastated by COVID-19 and this situation is being made much worse by the government’s failures to provide healthcare and prevent land invasions. Indigenous people in the Brazilian Amazon are ten times as likely to have contracted the virus compared with other Brazilians in the area. One Brazilian Supreme Court Justice, Luiz Fux, accurately stated that the Brazilian government’s response to the pandemic among indigenous peoples can be described as genocide. Assistance from UN bodies, especially the Expert Mechanism, has been very helpful in focusing international attention on this crisis in Brazil. Continued attention and support are essential for bringing about change.

The Brazilian government is refusing to meet either the obligations of its own constitution to respect and protect indigenous land rights or the demands of its own judiciary to protect indigenous peoples’ health rights. Of course, indigenous peoples’ land and health rights are also explicitly recognized throughout the UN Declaration. With regard to land rights, by tacitly approving illegal invasions of indigenous territories by resource extractors and explicitly promoting missionary activity without indigenous peoples’ consent, President Bolsonaro’s actions have increased the spread of COVID-19.

With regard to health rights, President Bolsonaro has actively resisted efforts to aid indigenous peoples by vetoing measures designed to protect against and treat COVID-19 in indigenous communities. Further, Brazil has neither designed nor implemented an effective plan for combatting COVID-19 among indigenous people as mandated by the Supreme Federal Court. On October 22, the Supreme Court rejected the second version of the plan presented by the federal government because the plan did not describe the actions to be implemented, goals, criteria, and execution schedule with detail.

Despite the human rights violations and illegal actions of the government, indigenous peoples of Brazil have come together through indigenous organizations like COIAB to help themselves and their communities, including by providing sanitary equipment, medical assistance, and logistical support; disseminating information; and calling on the international community and human rights bodies like the Expert Mechanism for help.

To overcome the COVID-19 crisis, indigenous peoples in Brazil need the government to: protect their territories from invasion and to respect and uphold their rights to health by creating effective sanitary barriers; disseminating accurate information; establishing mobile medical units with adequate equipment; and ensuring access to hygienic supplies such as personal protective equipment, disinfectant, soap, and water. We welcome the continued support of the Expert Mechanism, the Human Rights Council, and all States in protecting the rights of indigenous peoples in Brazil.