

# URGENT ACTION

## INDIGENOUS PEOPLES' RIGHTS STILL REMAIN AT RISK

After two years of trial, on September 27th Brazil's Supreme Federal Court (STF) concluded its decision on the unconstitutionality of the Time Frame thesis and reaffirmed the original right of Indigenous Peoples to the exclusive use of their ancestral territories. On the same day, the Federal Senate urgently approved Bill 2,903/2023, which aims to turn the Time Frame thesis into a law. We now want to pressure President Lula to reject completely this new proposed bill.

**NO FURTHER ACTION IS REQUESTED. MANY THANKS TO ALL WHO SENT APPEALS.**

The new bill is now in President Lula's hands for analysis, and it can happen at any moment within the next 15 working days. Because of this change in the scenario, we are closing this urgent action calling up Rodrigo Pacheco, president of the Senate.

Among the threats, indigenous organizations highlight illegal occupation in some Indigenous Lands. Based on the cross-referencing of land data from the National Institute for Colonization and Agrarian Reform (Incra), the report "The Invaders" conducted by De Olho nos Ruralistas shows 1,692 overlapping farms in indigenous lands, representing 1.18 million hectares, and of that total, 95.5% are in territories pending demarcation. Brazilian politicians, representatives in the National Congress, own 96,000 hectares of properties that overlap illegally with Indigenous Lands.

The Bill is a threat to indigenous rights since it proposes to:

- Condition the right to their ancestral territories only for peoples who were on them on October 5, 1988, the date of the Constitution's promulgation (Time Frame thesis).
- Authorize the construction of roads, dams, and other works in Indigenous Lands without prior, free, and informed consultation.
- Allow soybean cultivation, cattle breeding, promotion of mining, and mineral extraction in Indigenous Lands.
- Allow anyone to question the processes of territory demarcation, including those that have already been demarcated.
- Recognize the legitimacy of land possession by invaders of Indigenous Lands.
- Relaxing the policy of no contact with indigenous peoples in voluntary isolation.
- Reformulate constitutional concepts of indigenous policy, such as the traditionality of occupation, original rights, and the exclusive use of territories by Indigenous Peoples.

**NAME AND PRONOUN: Indigenous peoples/ They**

**THIS IS THE THIRD AND FINAL OUTPUT FOR UA 57/23**

**LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr19/6903/2023/en/>**