
SOCIAL MOVEMENTS AGAINST LARGE MINING COMPANIES IN BRAZIL

Antonio José de Mattos Neto

PhD in Law from the Universidade de São Paulo. Professor in the Post-Graduate Program in Law at the Instituto de Ciências Jurídicas da Universidade Federal do Pará, where he was Director General. Professor at the Graduate Program in Law at the Universidade da Amazônia. Member of the World Union of University Agrarians, based in Pisa, Italy. Founding Member of the Academia Brasileira de Letras Agrárias. Founding Member and Vice-President of the Academia Paraense de Letras Jurídicas. Lawyer. Retired National Treasury Attorney. Author of books and articles published in Brazil and internationally. Former President of the Academia Paraense de Letras. Member of the Instituto Histórico e Geográfico do Pará.
Email: antoniojosedemattosneto@gmail.com

Romário Edson da Silva Rebelo

Master's degree in Law, in the "Human Rights" area of concentration and in the research line "Human Rights and Social Inclusion", by the Post-Graduate Program in Law of the Instituto de Ciências Jurídicas da Universidade Federal do Pará. History, Space and Culture by the History Department of the Faculdades Integradas Brasil Amazônia. Lawyer.
Email: romariorebelo@live.com

ABSTRACT

Based on a survey of primary data, this paper aims to analyze and analyze some strategies and counter strategies of social movements that deal with the extraction of ores in Brazil, in order to verify the formation and development of conflicts arising from social and environmental impacts and human rights violations caused by large mining companies in the country. To do so, the problem was first situated through an understanding of the way in which this activity is carried out, so that the attention is then directed to what is in dispute between the different agents that compose this field of tension, so that, in the end, it was possible to understand some strategies and counter strategies of these social movements, especially those related to the new mining regulatory framework, then elaborated by the Dilma Government, and to the provisional measures of the sector recently edited by the Temer Government. This led to the conclusion that the fronts of resistance, popular mobilization and political articulation lend themselves to deconstructing the "truths" disseminated by the big mining companies, showing how

much they violate human rights, especially those who are in a historical and of vulnerability.

Keywords: social movements; strategies and counterstrategies; large mining companies; social and environmental impacts; violations of human rights.

MOVIMENTOS SOCIAIS FRENTE ÀS GRANDES MINERADORAS NO BRASIL

RESUMO

A partir de uma pesquisa de dados primários, este trabalho se propôs a levantar e a analisar algumas estratégias e contraestratégias de movimentos sociais que fazem frente à atividade de extração de minérios no Brasil, com o objetivo de verificar como se formam e se desenrolam os conflitos decorrentes dos impactos socioambientais e violações de direitos humanos causados pelas grandes mineradoras no país. Para tanto, primeiro se situou o problema a partir da compreensão do modo como se põe em prática essa atividade, para que, em seguida, a atenção se dirigisse ao que está em disputa entre os diferentes agentes que compõem esse campo de tensão, para que, ao final, fosse possível compreender algumas estratégias e contraestratégias desses movimentos sociais, principalmente aquelas relacionadas ao novo marco regulatório da mineração, então elaborado pelo Governo Dilma, e às medidas provisórias do setor recentemente editadas pelo Governo Temer. Com isso, chegou-se à conclusão de que as frentes de resistência, mobilização popular e articulação política se prestam a desconstruir as “verdades” difundidas pelas grandes mineradoras, mostrando o quanto elas violam direitos humanos, principalmente daqueles que se encontram numa condição histórica e econômica de vulnerabilização.

Palavras-chave: *movimentos sociais; estratégias e contraestratégias; grandes mineradoras; impactos socioambientais; violações de direitos humanos.*

INTRODUCTION

Despite being among the largest funders of the national media, large mining companies have not been able to stifle many of the conflicts arising from mining activity in Brazil, and even in other countries where it has already installed some of the sector's undertakings. It is assumed that this is due to the great socio-environmental impacts intrinsic to the way of carrying out this activity, as it suggests cases such as Samarco S/A, whose ore tailings dam broke at the end of 2015 in Mariana, Minas Gerais General, affecting more than 30 cities¹ or the strategies and counter-strategies taken by many social movements to make these impacts visible and to disclose human rights violations by large mining companies, such as the *Public Eye Awards*, popularly known as the “Nobel of Shame”, given to Vale S/A in 2012².

Strategies are understood to be any action of resistance, isolated or articulated, on the initiative of the social movements, typically insurgents, to the socioenvironmental impacts, be they real or potential, resulting from the mining activity. And by counterstrategies, the actions taken by these same social movements in response to the attacks of the great miners in relation to their actions of resistance.

1 On February 13, 2016, Samarco S/A, a subsidiary of Vale S/A, responsible for the dam that broke in Mariana, Minas Gerais, began to broadcast a primetime advertising piece on various TV stations of the country, trying to show the “other side” of the company, which tries to recover the waters of the Rio Doce and mitigate the effects of the disaster. At one point in this publicity piece, an employee of the company says: “Suddenly people woke up with this mission to help people,” as if the responsibility for the event was not for Samarco S/A. However, the effect on viewers was exactly the opposite. The tone of criticism among Twitter users, for example, came close to unanimity among all posts in this social network, which marked one of the most talked about subjects on the night of February 15, 2016, when the ad was served in the range of the *Jornal Nacional* of Rede Globo, which led to its suspension. For more details, see the report of the editorial board of the magazine *Revista Fórum*, available at: <https://www.revistaforum.com.br/segundata/2016/02/16/samarco-tenta-melhorar-imagem-com-comercial-e-internautas-se-revoltam/>

2 The *Public Eye Awards* is a kind of contest organized by Greenpeace Switzerland, with the support of the NGO *Berne Declaration* since 2000, which lends itself to choose, by popular vote, the worst company in the world. To compete, the company must have caused great socioenvironmental impacts. In the year that Vale S/A won, in 2012, it competed with Tepco, the Japanese company responsible for the Fukushima nuclear disaster, which nevertheless took less votes than the Brazilian company due to the articulation of several organizations and groups that face Brazil, and in the world, including the *International Network of People Affected by Vale*, the *Rede Justiça nos Trilhos*, *Amazon Watch* and the *Movimento Xingu Vivo para Sempre*, which commemorated the result of Vale S/A being a multinational company present, at the time, in 38 countries, with social and environmental impacts cross-border, like *Belo Monte Hydroelectric*. For many social movements, the “Nobel of Shame” given to Vale S/A represented not only a “prize”, but the exposure of the Brazilian company in the eyes of the whole world, which in the name of its interests has already displaced many communities, deprived of their land, who still suffer from political persecution, threats by henchmen and gunmen, or exploitation of their labor force without due respect for their labor rights. For more details, see the report of *Brasil de Fato's* editorial staff, available at: <https://www.brasildefato.com.br/node/86877/>.

It is exactly on some of these strategies and counter strategies that this work intends to raise and analyze with the objective of verifying the extent to which they influence the conflicts related to this sector in Brazil.

In order to do so, the problem will first be solved by understanding how mining activity in the country is practiced. Then the attention will be directed to the conflicts arising from this activity, in order to have a vague idea about all the tension between the different agents that compose them. Finally, some of the social movements that deal with large mining companies will be approached, analyzing them through their own strategies and counter strategies, especially those related to the new mining regulatory framework elaborated by the Dilma Government, and to the provisional measures of the sector recently edited by Temer Government.

The research carried out for the development of this work consisted, at first, in the search for studies published in the platform *Scientific Electronic Library Online* (SciELO) from the pre-defined keywords “mining”, “socioenvironmental impacts” and “social movements”, selected after reading their respective summaries that had some direct relevance to the topic that was intended to be addressed, in addition to the sector reports published by the former National Department of Mineral Production (DNPM), replaced by the National Agency for Mining (ANM), recently instituted by Law no.13.575 de 2017.

Already in a second moment, through specialized *websites* in the area, it was sought to identify non-governmental organizations and depersonalized collectives that give shape to some of the social movements that face the big mining companies in Brazil, selecting those that list some of their main strategies and counterstrategies, or through more elaborate reports, pamphlets, or publications.

1 SITING THE PROBLEM OF ORE EXTRACTION ACTIVITY IN BRAZIL

Brazil is one of the richest countries in the world regarding geological diversity, with, for example, the largest niobium reserve (88.3%), the second largest reserve of kaolin (4.1%), the third bauxite (12.2%), the fifth largest iron ore reserve (8.3%), and the sixth largest tin stock (7.5%) of the existing deposits. This does not take into account oil,

which has its own peculiarities and specific legal treatment³, and a wide variety of other types of ores, metallic⁴ and non-metallic⁵, whose extraction represents considerably the sector in the national economy, which in the first half of 2017, according to the I Mining Report (2017, p. 2 and 5-6) published by DNPM referring to the same period, reached a growth of 5.5% compared to the first half of 2016, accounting for US\$ 14.7 billion of the country's exports, largely destined for China (41.8%), Japan (5.9%), The Netherlands (5.7%), the United States (5.6%), Malaysia (4.7%), England (3.1%), India (2.6%), South Korea (2.6%), Germany (2.5%) and Switzerland (2.5%).

Brazil is the fifth largest mineral extractor in the world. In the first half of 2017, according to the I Mining Report (2017, p. 5), iron production (US\$ 10.05 billion), gold (US\$ 1.3 billion), copper (US\$ 1.08 billion), ferroniobium (US\$ 7.7 million), manganese (US\$ 143.8 million), aluminum (US\$ 108.7 million), and kaolin (US\$ 97.5 million). The southeast (represented by Minas Gerais), soon after the north (represented by Pará), are the main mining regions of the country, where the collection of Financial Compensation for Exploration of Mineral Resources (CFEM) marks the highest values⁶.

Without taking into account small and medium-sized mining companies, or even illegal mining, the enterprises installed and operating throughout Brazil directly employ a higher total, according to the First Mining Report (2017, p. 7-9). to 165 thousand people, of whom 49.9% are concentrated in the southeast and only 14.4% in the north. In the Amazon alone, there are 52 large mining companies with some project installed and operating until 2015, Vale S/A being the largest among them, accounting for 65.83% of all production in the sector only in Pará.

3 For this reason, although it is a mineral resource very important for Brazil, oil will not be the object of analysis of this work.

4 Among metallic metals, bauxite, tin, copper, manganese ore, lead, zinc, nickel, vanadium, gold, silver and platinum are prominent.

5 Among the most non-metallic, stone, sand, clay, marble, granite, limestone, dolomite, gypsum and kaolin stand out.

6 Provided in art. 20, paragraph 1 of the 1988 Constitution, the CFEM is a royalty due to the states, the Federal District, the municipalities, and the organs of the administration of the Union, as consideration for the economic exploitation of the mineral resources in their respective territories, whose base to the provisional measures of the sector recently issued by the Temer Government, was charged on the net sales of those who exploited them, at a rate varying from 0.2% to 3%, depending on the ore. According to the First Mining Report (2017, p. 10-11), only in the first half of 2017, almost R\$ 921 million were collected from CFEM, an increase of 18.1% over the same period of the previous year. Of this total, 44.1% corresponded to the exploration of mineral resources in Minas Gerais, soon followed by Pará, whose exploration corresponded to 37% of the CFEM of the whole country.

In the face of all these figures, while important to understand the strength of the mineral extraction activity in the national economy and the importance of Brazil to the world market, it is difficult to know what is behind all this.

Perhaps, understanding the history of the process of mineral extraction in Brazil is the first way to have at hand an instrument of clarification regarding the interests involved in this activity, which are usually hidden behind a developmental discourse, typical of a strictly market logic.

Based on several studies of the area, it is common to divide ore extraction in Brazil into three historical phases, each depending on the way of carrying out this activity, which obviously is in agreement with the respective social, political contexts and economic conditions of each era, for which it corresponded to its own legal treatment⁷.

The first phase refers to the gold cycle of surface deposits, which fundamentally restructured Iberian mercantilism in the late seventeenth and early eighteenth centuries, to the point that Brazil has left the *status* of mere royal governorship to become the vice-kingdom, by a decree of 1720, of the Portuguese crown⁸. The second phase concerns the gold cycle of primary deposits, whose extraction was financed by foreign capital, especially English, which began to enter the country for this purpose in the early nineteenth century, but with little profit return with the “end” of slavery in 1888⁹. Finally, the third phase, seen from the beginning of the

7 In this sense, the studies of Guedes (2015, et seq.) and Kono (2014, et seq.) converge.

8 The colonial gold cycle was characterized by the extraction of this and other precious metals such as diamond, from surface deposits, and therefore, not exactly did without an active search underground. According to the various historians cited by Guedes (2015, p. 7-10 and 22-26), the records available differ between them as to the date and place of discovery of the large surface deposits in Brazil, since traditional narratives and the official correspondences exchanged between the royal governments of Bahia and Rio de Janeiro only reflect the findings of the first 10 years, and yet, inaccurate and late. What is known is that the campaigns of the bandeirantes at the end of the seventeenth century discovered, almost simultaneously, several superficial deposits of gold and diamond in the region that would later become Minas Gerais, which followed other discoveries, though not as important, in Pernambuco, Sergipe, Bahia and Espírito Santo. Since then, the author has begun a large-scale exploration of alluvial gold (the one easily extracted), leading Brazil to become the largest producer of this precious metal in the eighteenth century and the first commercial producer of diamonds, which until then it was only mined in India. During this period, an average of 1 million kilograms of gold extracted in Brazil were officially registered, and it is estimated that at least another 1 million were smuggled, which also occurred with the extraction of diamonds, since some of 2.4 million carats, and the amount counted from that precious metal is still incalculable.

9 Still based on the studies of Guedes (2015, p. 13 and 26), historical records indicate that the gold cycle of the primary deposits was the phase of extraction of precious metals started in 1824 by English companies, like The Ouro Preto Gold Mines of Brasil Ltd. (Mina da Passagem), St. John del Rey Gold Mines Co. (Mina do Morro Velho) and São Bento Gold Estates Ltd. (Mina Santa Bárbara), which were still supported by enslaved labor, began to use more sophisticated, but not less destructive, techniques of underground exploration, such as the use of gunpowder, dynamite, water force for drainage, mine

twentieth century to the present day, is related to the extraction of other minerals other than gold¹⁰ by large mining companies, whose activity lends itself to the demand, especially industrial, of the world market, and on which there are sub-phases, which vary with the political upheavals that occurred in the country during this period, especially during and after the military dictatorship.

It is about this third phase, called *neoextractivism*, that this work will chronologically *situate* the problem of ore extraction activity in Brazil.

According to the study developed by Guedes (2015, p. 14-19), with the industrial revolution, the demand for the most varied types of ores grew throughout the world, especially among the more developed countries (here called North-Global), whose mines had already reached exhaustion. This demand only increased with the first and second world war, which led, for example, to a closer relationship between the United States and Brazil.

The Americans began to finance a series of researches in the soil and in the Brazilian subsoil for piezoelectric quartz, manganese, zirconium, kaolin and barite¹¹. The findings of these surveys have prompted several multinational corporations to purchase large tracts of land in Brazil, setting up extraction, processing and, of course, ore exports. This all coincided with the country's industrialization policy instituted by the Vargas Government, which lasted until the Kubitschek Government, the period in which the great public enterprises of the sector were created due to the promotion of the internal market, which has as its main raw materials the iron, coal and petroleum¹².

ventilation, as well as "purification" of precious metals, such as mercury amalgamation, which is a very dangerous technique to the health of the person handling it.

10 Since the colony, minerals other than gold or diamond have been extracted, such as iron. A letter from José de Anchieta dating from 1554 already tells about the extraction of iron in Brazil during this period. According to Guedes (2015, p. 9), a Catalan factory was installed in Araiçoaba, near Sorocaba, in São Paulo, for the manufacture of simple instruments for domestic use or in agriculture.

11 In addition to these, Scliar (1996, p. 83) says that the Brazilian territory was scanned by North American geologists with the objective of finding ores, such as niobium, tantalum, tungsten, beryl and quartz, to supply the demand for ores from the war industry. Explaining the context, for example, of the discovery of the gold deposit in Carajás, Pará, in 1962 by a geologist in the service of the United States Steel Company, who had been promoting research in the area since 1949.

12 In this context, contrary to what is assumed, Guedes (2015, p. 15) says that an influential movement formed in the 1930s by technicians, entrepreneurs and directors of Minas Gerais professional associations, maintained that the industrialization of Brazil would be the end of all the economic backwardness suffered by the sector, also arguing that only the protection of the domestic industry from the inflow of foreign capital would be able to keep it strong. Thus, mainly in the Vargas Government, an intense process of implantation of public companies directed to this sector began, like the Companhia Siderúrgica Nacional (CSN), installed in Volta Redonda, in Rio de Janeiro, from the nationalization of a mine of iron ore belonging to the German company A. Thun and Companhia Vale do Rio Doce

Throughout the 1940s and 1950s, the sector undergoes a restructuring, which, according to Guedes (2015, p.16), ends only in the 1960s, and yet, quite differently, between the major extraction regions of the country's (southeast and north) minerals, due to the so-called national integration policy adopted by the military dictatorship, which basically defined the current model of this activity, since substantial parts of the Mining Code (Decree-Law no. 227, 1967) in force date from this period.

Kono (2014, *et seq.*) Offers a more detailed study of the national integration policy in the Amazonian territoriality, more precisely in Pará, where most of the enterprises of the sector were installed, in the midst of what he calls "landed babel", which only contributed to intensify a negative isonomy regarding access to land in the region.

The "landed babel" in Pará would result from several factors, of which Kono (2014, p. 48) highlights: the traumatic political-economic process of occupation¹³; the disarticulated public land titling policies and the problems of location and falsification (*grilagem*)¹⁴; and federal intervention stemming mainly from the national integration policy of the military dictatorship, leading to the confused management of public lands in the state.

(CVRD), now Vale S/A, which resulted from the transfer to the Union's assets of an iron ore mine belonging to the British company Itabira Iron Ore Co., located in Itabira, Minas Gerais, even though this occurred to comply with one of the clauses of the Washington Agreement signed between Brazil, the United States and England for the benefit of the Allied war industry.

13 In relation to this first factor, Kono (2014, p. 48-56) clarifies that the occupation in Pará is divided into four phases: that of the Amerindian peoples, long before the arrival of Europeans in the Americas; well afterwards, that of the Portuguese, occupying, above all, the banks of the rivers; the one of the *nordestinos*, with the aim of working in the rubber plantations in the times of the rubber boom; and that of the immigrants, with emphasis on the *nordestinos* once again, after the investments of capital from the 1960s to the present day. The first three phases contributed fundamentally to the formation of the traditional amazonian *cabloco* peasantry, a product of the miscegenation among indigenous people, blacks, *nordestinos* *seringueiros* and other outsiders, who organized themselves in communal societies based on family work, subsistence agriculture and animal and vegetal extractivism, whose fruits of labor belonged to all.

14 As for the second factor, Kono (2014, p. 56-73) first explains that the disarticulated public land titling policies in Pará are, in principle, based on the more than 24 types of land documents issued over the course of Brazil's history, each one in the frame of the regime in which it was dispatched, which vary between the *sesmarial* regime (1500-1821), the *posses* regime (1821-1850), and between the regime of the *Lei de Terras* (1850-1889) to the republican (1889-currently). In addition to this large diversity of land documents, there are still other problems that lead to the disarticulated land titling policies in Pará, such as imprecise titles (usually due to the lack of technical cartographic information that prevents identification and location of corresponding land), and of the false titles resulting from the process that has become known as *grilagem*. In order to have a vague notion of the phenomenon of *grilagem* in Pará, a survey carried out by the extinct *Ministério da Política Fundiária e do Desenvolvimento Agrário (MPFDA)* identified that of the more than 100 million hectares of land in Brazil related to *grilagem*, 30% were located in Pará. Regarding *grilagem*, see the publication of a working group created by the *Ministério do Meio Ambiente (MMA)* to study this phenomenon in the *Amazônia: BRASIL. Ministério do Meio Ambiente. A Grilagem nas terras públicas da Amazônia brasileira. IPAM: Brasília: MMA, 2006.*

The objective of this policy depended on the emptying of the power of local authorities and oligarchies, concentrating the management of the region's lands in the hands of the Union. But Kono (2014, p. 73) says that this was only possible, in fact, from the 1967 Constitution, which made federal intervention possible for "national defense" and for the "development of the country." Extensive land areas of the Amazon, mainly from Pará, were federalized as of Decree-Law no. 1.164, 1971, which would then be used by the Northeastern people occupying the newly constructed highways (Belém-Brasília, Transamazonica, BR-230 and Pará-Maranhão) attracted by the propaganda of the military dictatorship.

However, it can be said that the federalized lands even served the capital that sought to exploit the forest and mineral resources of the Amazon. That's because, great miners, who had already started the search for minerals in the Amazon almost a decade ago¹⁵, then settled in the region with tax incentives and facilitated credit, obtaining the right to extract the miners from deposits acquired according to the rules of the Mining Code then approved.

2 THE CONFLICTS ARISING OUT OF ORE EXTRACTION IN BRAZIL

Facing the activity of mineral extraction in Brazil by a strictly market logic, typical of the developmental discourse that is heard more often, all the tension between the different agents that compose it becomes more tangible, to the point of looking with other lenses the conflicts arising from this activity, which developed along the consolidation of a historical asymmetric power structure.

In this regard, Wanderley (2009, *et seq.*) Clarifies that conflicts such as these are usually analyzed in the light of (un)social justice in access to natural resources, which, because they are finite, do not involve distribution according to a model based on concentration. For him (2009, 2-4), this analysis does not serve to understand many aspects of conflicts between local communities and large mining companies, since such conflicts are developed as a function of the dispute for control and management of the territory, and not exclusively by the resources, whose

¹⁵ Between 1953 and 1959, gold was discovered in the Tapajós region of Pará (later in the Serra Pelada region, also in Pará), plus the exploitation of cassiterite in the city of Ariquemes, Rondônia (and also, in the City of São Félix do Xingu, also in Pará), causing a mining explosion in the Amazon, which functioned as another migratory seduction.

access, more or less (un)fair, is only one of the consequences.

Thus, it is clear why local communities, when opposed to the installation of large mining companies, do not want to take their place in the exploitation of iron or bauxite, since it is not necessarily the ore that is at stake, but all the socioenvironmental impacts arising from its extraction over the territory on which the dispute takes place¹⁶.

Obviously, it is impossible to deal with all the conflicts arising from the mining activity in Brazil in the context of this work. For this reason, the Onça Puma Ltda. case, which is relatively recent and has had less repercussion, was selected to analyze it in the light of inductive reasoning, without, however, claiming to generalize its aspects and impacts as if was common to all other conflicts.

In May 2011, the Federal Public Prosecutor's Office (MPF) filed a public petition (ACP) requesting the Federal Civil Court to suspend the mining activities of Onça Puma Ltda., A subsidiary of Vale S/A, whose business is located in the southeastern region of the state of Pará, comprising the rural zone of the Municipalities of Parauapebas, São Félix do Xingu and Ourilândia do Norte, from where it extracts nickel and benefits it in a metallurgical plant installed in the region. The deposits of the enterprise are located in the Serras do Onça e do Puma, which gave name to the subsidiary, an area adjacent to the Xikrin indigenous land¹⁷.

According to MPF's ACP (2011, p. 2-3 and 39-40), this indigenous land lies on the banks of the Cateté River in the Xingu River basin and was demarcated in 1981 but only ratified in 1991, after almost seventeen years of study, identification and delimitation. Even demarcated, in more than 430 thousand hectares, an important area of hunting and traditional fishing of the headwaters of an affluent river, consisting of almost 13 thousand hectares, was suppressed of the demarcation, leading to the indignation of the Xikrin that still claims it. Today, the Xikrin are divided into three villages, *Pukatingró* (700 people average), *Djudjekô* (over 420 people) and

16 Taking into account several examples in Brazil, for Wanderley (2009, p. 6), the main socioenvironmental impacts on the territory caused by the mining activity are: changes in the water table; change in drainage and depletion of water resources; silting of rivers and springs; erosion; threat to local biodiversity; deforestation; soil and air pollution; movement of population masses, both of people attracted by the activity, and of people deprived of their way of life, resulting in social problems; besides the restlessness that the hole left in the region after the abandonment of the enterprise of extraction causes in the local community; among other socioenvironmental impacts.

17 For further details, see process no.0002383-85.2012.4.01.3905 on the website of the Tribunal Federal da 1ª Região (TRF1), which also contains some documents available for viewing, available at: <https://processual.trf1.jus.br/consultaProcessual/processo.php?proc=00023838520124013905&sec=ao=RDO&pg=1&enviar=Pesquisar>.

Oodjã (about 175 people).

Giannini (2001, unpagged) explains that the cosmology of the Xikrin is defined according to the division of the world into four distinct natural spaces: the domain of heaven (the world that lies to the east, is the place of origin of all things) ; the domain of the land, divided into forests (the world of aggressive relations, where hunting, fishing, and warfare develop) and clearing (the world where aggressive relations are neutralized by means of domestication of plants and animals, and where the village is fixed because it is the place where kinship relations are built); the aquatic domain (the world of strengthening the body and spirit of anyone who bathes in the waters in rituals of submersion, which in addition to healing, even makes the knowledge mature); and the subterranean domain (the antisocial world, where one is the prey of the larvae that feed on the dead).

Such a cosmology is directly related to how the Xikrin have been dealing with the installation and operation of the large mining company bordering their lands. The cava (mine opening), for example, means the very opening of the subterranean domain, which places bad omen on the land.

But it goes much further.

A technical study carried out in 2011, shortly before MPF's filing of the ACP, found a concentration of nickel above the level allowed for human security in the Cateté River. Due to the consumption of contaminated water, the Xikrin began to present a population decline due to gastrointestinal diseases, besides cases of malformation among their newborns, causing a great impact on their beliefs, since it was the disease that was coming from the domain water, not healing, as they had previously believed.

In the ACP, the MPF (2011, 4-12) claimed that its preliminary investigations led it to the conclusion that environmental agencies in Pará had been lenient with Onça Puma Ltda. This was because, in 2004, a prior license was issued to the subsidiary of Vale S/A, which had as a counterpart the presentation of a plan of measures for the prevention, mitigation and compensation of the indigenous people bordering the enterprise due to the socioenvironmental impacts that could come to cause.

In 2005, already with an outline of the required plan¹⁸, Onça 18 Measures to prevent, mitigate and compensate the Xikrin for the socioenvironmental impacts that might be caused, related to: energy (without more data); to sport (without more data); to the economy, through partnership and sale of surpluses; water quality through recovery of riparian forests; supporting and reinforcing school education; institutional development (without major data); to communication (without further data); quality control and water flow; to the control of solid waste emission by

Puma Ltda. was able to issue the installation license, which was only followed by an ethnoecological study financed by the subsidiary of Vale S/A because it should present it when it would require the issuance of the operating license¹⁹. In 2008, even without adopting the necessary measures for the prevention, mitigation and compensation of the socioenvironmental impacts then foreseen, the operating license was issued, and renewed two years later, without any type of inspection by the environmental agencies of Pará. For almost three years, the extraction of nickel in the region was not preceded by any measure that would at least reduce the major socioenvironmental impact, in particular the Xikrin, and which, moreover, were factors in the issuing and renewal of licenses.

If even the conditions for the issuance and renewal of the licenses were not observed, much less was the concern of prior and informed consultation with the Xikrin and the local communities about the installation of the venture in the region.

Lastly, the Federal Justice suspended the activities of Onça Puma Ltda., but did not accept the request made by the MPF for the subsidiary of Vale S/A to pay, for each of the three villages of Xikrin, R\$ 1 million, until the necessary measures for the prevention, mitigation and compensation of socioenvironmental impacts were effectively adopted. The preliminary decision led to a judicial battle that ended in 2017, allowing the regular continuity of the process²⁰.

territorial ordering; and infrastructure (without more data).

19 Elaborated by two anthropologists, including Giannini (2001, et seq.), who had already been developing ethnographic research with the Xikrin, the ethnoecological study found that these people know their environment thoroughly and in detail, and they handle it with diversified and sophisticated techniques, in addition, showed that it is a society whose subsistence has a high degree of dependence on its territory and the natural resources present in it, especially those of the Rio Cateté. In the conception of the Xikrin, the forest, rivers, soil and nature are not only “natural resources” but the abode of innumerable supernatural beings and determining entities for social well-being. It is these beings that define, for example, health and disease, life and death. Disturbances to the environment therefore represent not only physical but also spiritual problems, explaining many of the concerns of different individuals. The ethnoecological study reported some of these concerns, mainly regarding the intensification of the confinement of indigenous land, through territorial bottlenecks, often due to the increasing enclosure of the area already demarcated by non-indigenous high environmental transformation enterprises and occupations, which lead to episodes of invasions, and potential impacts on the Cateté River, as well as other possible socioenvironmental impacts, such as noise intensification and air pollution, especially as a result of the location of the metallurgical facility, considered by the Xikrin to be very close, and the stress among the people due to the uncertainty and the fears of the physical and symbolic consequences resulting from the mining activity by the subsidiary of Vale S/A.

20 Against the chapter of the preliminary decision that did not grant the request of R\$ 1 million per month for each village of the Xikrin, the MPF and the Associação Indígena Bayprã filed an appeal against the second instance of the Federal Court, an appeal in which the rapporteur granted an injunction in totum, this time causing Vale S/A to file a writ of mandamus to the president of TRF1, which, in analyzing the matter, suspended the decision of the court of appeal. Against this ruling, the MPF, once again with the support of the Associação Indígena Bayprã, filed an ordinary appeal to the

Cases such as that of Onça Puma Ltda., in which the territory is the target of dispute between large mining companies and local communities, are numerous across Brazil, and may be increasingly frequent²¹. Only in Pará, for example, there are numerous requests for mining, even granted, that affect indigenous lands or the territory of other local communities.

3 THE SOCIAL MOVEMENT STRATEGIES AND COUNTER STRATEGIES AGAINST THE LARGE MINING COMPANIES IN BRAZIL

Looking at some specialized *websites* in the area, the impression is that many social movements (from local communities, workers in the sector or others that are affected, from activists for the environment, from researchers or from certain political parties) speak of the same issue (the conflicts arising from the mining activity) in different ways.

Social movements gain a body through depersonalized nongovernmental and collective organizations that define a specific, generally more abstract object of action, or a set of common goals, making the claim more concrete, which obviously impacts on their strategies and counteracting strategies.

Strategies and counter strategies go far beyond blocking high traffic roads and streets, and may be much more difficult from the point of view of *marketing* itself for large mining companies to deal with, as it was

Superior Tribunal de Justiça (STJ), which, in turn, suspended the decision of the TRF1 to re-confirm the decision of the rapporteur of the grievance. Vale S/A then used a recusal sub-contract to maintain the activities of Onça Puma Ltda., and with the support of the Government of Pará itself, filed in the Federal Supreme Court (STF) in 2015 an autonomous action called *Suspensão de Liminar* (Suspension of Limitation), whose foundation originates from the time of the military dictatorship. In the *Suspensão de Liminar*, Minister Ricardo Lewandowski allowed the continuity of the activities of Onça Puma Ltda., which was object of a regimental aggravation brought by the MPF and the Associação Indígena Bayprã. The case then entered the agenda of the STF plenary in 2016, but its judgment was suspended by the request of the Minister Luís Roberto Barroso who, in 2017, returned it to the plenary to head the divergence followed by the majority, in order to assert the decision of the rapporteur of the instrument of appeal adjudicated in the second instance of the Federal Court, suspending the activities of Onça Puma Ltda. and also with the obligation to pay monthly R\$ 1 million to each village of the Xikrin. For more details, see the official press report of the Supremo Tribunal Federal on the decision of the plenary in SL n. 933, available at: <http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=345183&caixaBusca=N>.

21 A very similar case, which today only witnesses to the sad consequences, concerns the Marisqueiras de Santo Amaro in Bahia. According to the ethnographic research developed by Barreto and Freitas (2017, et seq.), the traditional activity of catching mangrove shellfish, both for the consumption of the Marisqueiras community itself and for sale on the coast, suffered heavy impacts after the pollution of rivers and even of mangrove caused by a paper company and a mining company, the latter having even dumped highly toxic solid waste, such as lead, into the environment. This led to a serious crisis of food insecurity (hunger) for this traditional community, as well as health problems.

with Vale S/A when it received the “Nobel of Shame” in 2012.

An example is the recent strategy of the Movimento pela Soberania Popular na Mineração (MAM) to mobilize several communities confined to large mining companies through the awareness of a documentary, launched on December 22, 2017 on the *website* of this movement and in the community of Bandarro, in Ceará. In the documentary, some socioenvironmental impacts suffered directly by this community, especially those related to the water of the Poty River, located in the same state, due to the extraction of iron by Globest Participações Ltda., which continues to operate even when its licenses have been suspended by the environmental agency of Ceará, and have been convicted of the practice of environmental crime against permanent preservation vegetation²².

Another strategy of a similar nature concerns the publications of the Rede Justiça nos Trilhos, for example: the magazine *Não Vale*²³, which is already in its third edition; of *Insustentabilidade da Vale's* annual reports²⁴; the booklet *Que Trem é Esse?*²⁵; and other thematic publications, such as recent releases *Violações de direitos humanos na siderurgia: o caso TKCSA, Desastre no Vale do Rio Doce: antecedentes, impactos e ações sobre a destruição e Suspensão de segurança, neodesenvolvimentismo e*

22 Other facts that call attention to the Globest Participações Ltda. case, Refers to the damage caused to the health of the community of Bandarro, mainly due to the presence of dense dust that has been causing respiratory problems and allergies among the younger ones, to job opportunities, since only seven of the 283 employees of this big mining company come from the community, who did not even work on a formal contract (records from the Ministry of Labor and Employment indicate that only 28 employees had the contract signed). To watch the documentary Sertão de Inhamuns: mineração e destruição visit the MAM website or YouTube, respectively available at: <http://mamnacional.org.br/2017/12/22/video-destaca-a-contradicao-entre-o-territorio-campones-e-a-industria-mineral/> and <https://www.youtube.com/watch?v=hNUZ2-5ZKxI>.

23 The magazine *Não Vale* is a biannual publication, organized by Rede Justiça nos Trilhos. Born of the need to publicize the negative impacts of mining in Carajás corridor, giving voice mainly to communities affected by Vale S/A. In the third edition, the magazine features articles and reports on community resistance and the negative impacts of the S11D project, such as trampling and criminalization of local leaders. The magazine is available in PDF in the Rede Justiça nos Trilhos website, available at: <http://justicanostrilhos.org/2017/02/10/revista-nao-vale-iii-edicao/>.

24 Produced in partnership with the International Network of People Affected by Vale, Vale's annual Sustainability reports lend visibility to the conflicts arising from the mining activity developed by Vale S/A in the different countries where this large mining company operates. The 2015 report, for example, among the discouraging data that it brings about socioenvironmental impacts, still addresses the supposed espionage that Vale S/A promotes in relation to unions and social movements. This specifically report is available in PDF in Portuguese, Spanish and English, in the Rede Justiça nos Trilhos website, available at: <http://justicanostrilhos.org/2015/06/01/relatorio-de-insustentabilidade-da-vale-2015-2/>.

25 The booklet *Que Trem é Esse?* aims to disseminate information about the discomforts, damages and conflicts caused in the communities by Vale S/A, to guide communities on how to organize themselves so as not to be misled by the promises of the great mining company and end up suffering even more and sharing positive experiences of people from communities or people who fought and were able to maintain their rights guaranteed. The booklet is not available on the Rede Justiça nos Trilhos website.

*violação de direitos humanos no Brasil*²⁶. This same strategy is also assumed by Justiça Global, which has already published numerous studies²⁷.

The table below lists the depersonalized nongovernmental and collective organizations that most publicize their strategies and counter strategies on their own *websites* (or official social networking sites such as *facebook*, as well as related *blogs*), specifying their main fronts of resistance. Regarding the social movements whose object of action does not only concern the socioenvironmental impacts resulting from the mineral extraction activity, their respective fronts of resistance were selected from the results of the research by the keyword “mining”.

Table 1: Strategies and counter-strategies of social movements against large mining companies in Brazil.

Organization or collective	Resistance fronts
Central Única dos Trabalhadores (CUT)	Institutional debates among trade unions in the sector, pressure for inspection and immediate investigations into violations of workers' rights of large mining companies, monitoring and support for stoppages and strikes.
Comitê Mineiro em Defesa dos Territórios e do Mundo Natural Frente à Mineração	Representations against major mining enterprises, based on technical studies, to control bodies, in particular, to the Public Prosecution Service.
Comissão Pastoral da Juventude (CPJ)	Holding of meetings of the youth affected by mining in Pará and Maranhão, bringing together more than 100 young activists and members of the 120 communities that suffer from the impacts of the mining activity, especially with the Carajás Railroad, where debates, workshops, critic theatrical plays and marches with banners and posters through the streets of the cities where the meetings are held occur.
Comissão Pastoral da Terra (CPT)	It promotes one of the most comprehensive studies on human rights violations and violations in the field, including those arising from mining activity. There is no further information on resistance fronts in this sector, although their studies serve other social movements.

²⁶ All of these publications, as well as many others, are available on the Rede Justiça nos Trilhos website: <<http://justicanostrilhos.org>>.

²⁷ Some of the publications are available in PDF at the Justiça Global website : <<http://www.global.org.br/blog/category/biblioteca/biblioteca/>>.

<p>Federação de Órgãos para Assistência Social e Educacional (FASE)</p>	<p>Organization of events and workshops on the socioenvironmental impacts arising from the mining activity with the partnership of university research centers, carrying out the publication of articles and other scientific productions on the matter, which can be sent to the <i>e-mail</i> of those who register on the <i>website</i> for information.</p>
<p>Fórum Carajás</p>	<p>Promotion of technical studies, including the support of international partners, on businesses regarding the Grandes Carajás Project that have influence not only in Pará, but also in Maranhão and Tocantins, used to raise public awareness, training of local leaders, qualified intervention in public policies related to these ventures and in audiences held between public bodies and institutions, banks and large mining companies to enable discussions and negotiations.</p>
<p>Instituto Brasileiro de Análises Sociais e Econômicas (IBASE)</p>	<p>Organization of the agenda of various local and national events on mining activity, as well as participation in foreign and international events held by other social movements. Recognition and valorization of vulnerable groups, like women in the countryside, as resistance to large mining companies.</p>
<p>Instituto Socioambiental (ISA)</p>	<p>In addition to anthropological studies, especially among indigenous peoples, gathered in publications and the <i>website</i> reserved only for these peoples, addressing the impacts of the mining activity on them, it also articulates alliances between social movements and indigenous associations in defense of rivers and territories.</p>
<p><i>International Network of People Affected by Vale</i></p>	<p>Through reports and dossiers, it catalogs the socioenvironmental impacts caused by Vale S/A in the countries where this great mining company installs its enterprises, holding meetings between representatives of various social movements and local communities in order to draw up a common narrative on the aggressive model of mineral extraction and, thus, to draw up counter strategies, mainly against the cooptation of authorities by Vale S/A. Acts and popular demonstrations, including representatives of up to twelve countries, at the headquarters of Vale S/A when the annual shareholders' meeting (April 12 to 15) takes place to force them to negotiate from the delivery of the reports and dossiers, which in Brazil are also usually filed with the City Councils, Legislative Assemblies and National Congress.</p>
<p>Movimento dos Atingidos por Barragens</p>	<p>Dams built as a function of mining activity, such as those that serve ore tailings, are on the demand side like any other dam, whose projects are questioned in articulation with social movements in other countries, due to the often inter-frontier dimension of the actual and potential socioenvironmental impacts.</p>
<p>Movimento dos Trabalhadores Rurais Sem Terra (MST)</p>	<p>Occupation of major mining enterprises, blockade of railways and pipelines, support to settlers of the agrarian reform threatened by the exploitation of ores, acts and popular demonstrations.</p>

Sindicado dos Trabalhadores e Trabalhadoras Rurais de Canaã dos Carajás	Information Bulletin on the situation of rural workers in Canaã dos Carajás after the installation of large mining enterprises in the region, partnerships with researchers from the social sciences of the Universidade Federal do Pará and the Comissão Pastoral da Terra, local events, highlighting to the I Encontro dos Atingidos pela Mineração em Canaã dos Carajás, who discussed the follow-up of the resettlement process already underway by the resettled peasant families so that access to the land of these families is guaranteed, as well as compensation through, for example, the implementation and improvement of basic public services, such as health and education by large mining companies.
Xô Mineradoras	Using social networks, it publishes a series of photographs, maps, cartoons, videos and reports with the purpose of clarifying to those who follow its pages in these social networks about the socioenvironmental impacts resulting from the extraction of ores in Brazil, as well as the <i>lobby</i> that the big mining companies develop together with the National Congress. Keeping a <i>link</i> open for chats, <i>like the facebook messenger</i> , creates a direct channel among activists, researchers and anyone interested in the subject.

Source : See the *websites* (or official social networking sites like *facebook*, as well as related *blogs*) listed in the “References” section.

Note 1 : A total of 89 depersonalized nongovernmental and collective organizations with some relation to social movements against mining in Brazil, of which 18 were selected for study because of the more active participation in the area, without losses meant to indigenous associations that end up entering into the discussion when in defense of indigenous lands against the interests of large mining companies.

Note 2 : Although cited as important partners by many social movements in the face of mining in Brazil, some nongovernmental organizations, such as the Associação para a Gestão Socioambiental do Triângulo Mineiro, Conferência Nacional dos Bispos do Brasil (CNBB), Instituto Políticas Alternativas do Cone Sul (PACS), Instituto de Estudos Socioeconômicos (INESC) and Sociedade Paraense de Defesa dos Direitos Humanos; depersonalized collectives, like the Movimento Xingu Vivo para Sempre; unions, with emphasis on Sindicato dos Petroquímicos do Paraná (SINDIQUÍMICA-PR); and political parties, especially the Partido Socialista dos Trabalhadores Unificado (PSTU) do not maintain on their *websites* (or official pages on social networks like *facebook*, and related *blogs*) more detailed information on their own mining activities resistance fronts in the country.

Note 3 : The *website* of the Movimento pelas Águas e Serras de Minas, although mentioning some of its strategies and counter strategies, has not had updates since

2011, which is why it no longer compose the table.

Note 4 : Since they were mentioned in particular, the strategies and counter strategies of the Movimento pela Soberania Popular pela Mineração, of the Rede Justiça nos Trilhos e da Justiça Global, were not included in the table.

Perhaps, among all strategies, the most ambitious was the creation of the Comitê Nacional pela Defesa dos Territórios da Mineração (from now on only the Comitê), about which Guedes (2015, *et seq.*), through a series of interviews with people who developed some type of secretariat in the Comitê, raised the largest amount of information available, considering that it is a newly founded depersonalized collective that gathers more than 80 social movements against mining, divided among non-governmental organizations, other depersonalized collectives, trade unions and political parties²⁸.

In an interview with Guedes (2015, p. 109), Carlos Bittencourt, researcher and representative of the IBASE in the Comitê, explained that, although it was founded in 2013, the Comitê was already undergoing a construction process throughout 2012, when a working group consisting of IBASE, INESC, FASE and the Rede Justiça nos Trilhos²⁹ got a strategic rapprochement with Claudio Scliar, then Secretary of Geology, Mining and Mineral Transformation of the Ministry of Mines and Energy, and his adviser Maria Amélia da Silva Enriques, responsible for developing the draft of the bill that the Government Dilma would refer with constitutional urgency to the National Congress to approve it as the new milestone of mining in the country³⁰.

Only this approach has already been an achievement for social movements, since until then the development of the draft of this bill had

²⁸ All those mentioned in this section are members of the committee.

²⁹ According to the interview of Julianna Malerba, national advisor and FASE representative in the Comitê, to Guedes (2015, p. 109-110), the working group emerged in 2008 when several local communities began to look for FASE to report the conflicts arising from the steel industry and, eventually, the mining activity. FASE then began to articulate with the Rede Justiça nos Trilhos, which carried out a series of north-south caravans to identify conflicts of this nature, yielding, for example, the publication of the dossier “Os impactos e violações da Vale no mundo” and the creation of the International Network of People Affected by Vale, in an event occurred in 2009. For further reflection on Vale S/A’s recent economic expansion process on coal mines in Mozambique, characterizing what has come to be called the sub -imperialism of countries such as Brazil on the South-Global, read the work: SANTOS, Boaventura de Sousa; CHAUI, Marilena. *Direitos humanos, democracia e desenvolvimento*. São Paulo: Cortez, 2013.

³⁰ Claudio Scliar, also in an interview with Gudes (2015, p. 41 and 141), explained that, at the request of the Dilma Government, he and his adviser drafted three bills, one to deal with the new mining, itself, another that provided for DNPM’s conformation into a regulatory agency, and the latter to regulate royalties, but which, in the Civil House, decided to unify it.

not had any popular participation, only of the large mining companies³¹. And even though it was initially founded to investigate and discuss the reasons for the increase in investments in the sector, the Comitê started to deal exclusively with democratization in the process of elaborating the new mining milestone³², which in the National Congress (Chamber of Deputies) became the PL n.5.807 of 2013³³.

Since then, the Comitê has been exclusively concerned with the new mining milestone. So much so that in the National Congress, when the Comitê was already better structured, it proved to be much more efficient, so as to make the Dilma Government withdraw the constitutional urgency of PL n.5.807 of 2013, allowing the debate to widen.

The Committee also represented the then rapporteur of PL n.5.807 of 2013, Federal Deputy Leonardo Quintão, from the Partido do Movimento Democrático Brasileiro de Minas Gerais (PMDB-MG), to the Executive Board of the Chamber of Deputies, for having had the electoral campaign financed, at something around R\$ 400 thousand, by large mining companies³⁴.

31 Carlos Bittencourt, in an interview with Guedes (2015, p. 111), stated that the Committee attempted to obtain a copy of the draft of the new mining milestone bill prior to submission to the Congresso Nacional, but did not obtain permission from Gilberto Carvalho, then Secretário-Geral da Presidência da República, let alone Gleisi Hoffman, then Ministra da Casa Civil, to which the Secretaria de Geologia, Mineração e Transformação Mineral do Ministério de Minas e Energia had sent him. In his words: "We had two meetings with Gilberto Carvalho. Then he brokered a meeting with Gleisi Hoffman. At the meeting were present the MST and a number of organizations, which are the basis of the Comitê. It was a quick meeting. We put forward the claims. The main claim was: we want to have access to the project, we want to debate. She said it was impossible to open the proposal, because democracy would disrupt the content".

32 Until the founding of the Committee can be considered as a strategy. Carlos Bittencourt, in his interview with Guedes (2015, p. 112-113), said that it was necessary to make the CNBB an ally in order to make it the point of equilibrium among the different social movements, since the CNBB had so much influence with those most favorable to the Dilma Government, as well as those most critical. Today, the CNBB, besides composing the Committee, still houses the headquarters of the secretariat in Brasília.

33 Making a comparison between the then Mining Code and PL n.5807 of 2013, one of the most significant changes concerns the right of exploration of the subsoil, since the first one was defined by the right of priority, a kind of order of arrival (who first required the authorization of research, the first stage of the authorization of mining, would be entitled to extract the mineral resources discovered), while the second, until the amendments of the rapporteur in the Câmara dos Deputados, the exploration of the subsoil, regardless of the authorization of research, would be tendered (in the form public call) for the signature of a contract between the Union and the one that presented the best proposal. Another equally important change concerns the calculation basis of the CFEM, which then focused on the net sales of those who developed mining activity, passed on to gross revenues, ending a series of divergences as to what this net sales would be. CFEM aliquots would also change, which would be no more than 0.2% to 3% (depending on ore), to be up to 4%. For more details on CFEM, see footnote 8 of this article.

34 For more details, see the report Macedo (2014, nonpaged), available on the website of the Câmara dos Deputados: <<http://www2.camara.leg.br/camara/noticias/noticias/POLITICA/467461-ALVO-DE-REPRESENTACAO,-LEONARDO-QUINTAO-NEGA-IRREGULARIDADES-EM-CAMPANHA-ELEITORAL.html>>.

It is assumed here that the Comitê is one of the most ambitious strategies in relation to mining activity in Brazil, for at least two reasons: the first is related to the strength in its representativeness, which is due to the large number of the most varied social movements facing the large mining companies; and the second refers to the common objectives defined at an event held at the headquarters of the Conselho Federal da Ordem dos Advogados do Brasil in 2013, which led to the founding of the Comitê³⁵, showing the ability to make local demands turn into national fronts of resistance, to the point of making them a general interests of various communities that suffer from the socioenvironmental impacts resulting from the exploitation of ores in the country.

Even with all the asymmetry in the dispute, since the great mining companies had always a greater influence, as much in the drafting of the bill of the new milestone of mining, as in the parliamentary amendments made to PL n.5.807 of 2013 in the National Congress³⁶, the Comitê was showing strength in the insurgent articulation of resistance to the mining model that is put into practice in Brazil. But with the Temer Government, all this effort disappeared, at least it was what it seemed.

This is because, in July 2017, on the eve of the vote of the Chamber of Deputies for allowing the continuation of the complaint filed by the Attorney General's Office against the President of the Republic, Temer Government launched the Programa de Revitalização da Indústria Mineral Brasileira, a program that through its three provisional measures repealed the Mining Code, in force since the military dictatorship and, unilaterally, restructured many of the rules governing mining activity in Brazil³⁷, totally ignoring the popular debate of almost six years locked over

35 In all, the Committee has seven objectives common to all non-governmental organizations, depersonalized collectives, trade unions and political parties that compose it, namely: guarantee democracy and transparency in the formulation and application of Brazilian mineral policy; guarantee the right of prior and informed consultation, in addition to the consent and veto of the local communities affected by the mining activities; respect defined rates of ore extraction rates; delimit and respect areas free of any type of mining; control environmental damage and ensure mine closure plans with prior contingency of resources; respect and protect the rights of workers; and to ensure that mining on indigenous lands complies with Convention No. 169 of the International Labor Organization (ILO) and is subject to the approval of the Estatuto dos Povos Indígenas.

36 This can easily be seen by the number of public hearings held by the Congresso Nacional (Câmara dos Deputados) to discuss PL n.5.807 of 2013. According to Guedes (2015, p. 136-137), of the 17 public hearings, 6 discussed issues directly related to the logistics and economic profit of the sector, while only 3 were reserved to discuss socioenvironmental impacts.

37 Provisional Measure no. 789 of 2017, which amends provisions on CFEM (see image 1 of this article), converted by the National Congress in Law 13.540 of 2017; Provisional Measure n. 790 of 2017 amending the General Regime (non-metallic ores) and the Special Regime (metallic ores) for the Exploration of Mineral Resources (see footnotes 6 and 7 of this article); and Provisional Measure n. 791 of 2017, which creates the Agência Nacional de Mineração (ANM) and extinguishes the DNPM,

the issue.

As a counter strategy, the Comitê, which was not even invited to the launching ceremony of the Programa de Revitalização da Indústria Mineral Brasileira, in which only authorities and large mining companies, besides the press, were present, began to argue, through allied federal deputies, the National Congress (Chamber of Deputies) roll, preventing the approval, in a timely manner, of the main provisional measure (Provisional Measure No. 790 of 2017, amending the General Regime and the Special Regime for the Exploration of Mineral Resources) published by Temer Government for the sector. While keeping the former Mining Code partially in force, the Comitê was able to return the discussion on the issue to PL 5.807 of 2013, on which there are already several other bills of law joined in the most varied directions³⁸.

CONCLUSÃO

Throughout the research resulting from this work, three conclusions were reached regarding the strategies and counter strategies of social movements against mining activity in Brazil.

The first conclusion refers to the way in which the mineral extraction activity developed in the country is understood. This is because all the tension between the various agents of this field can only be measured if the developmentalist discourse, typical of the market logic, is left out, allowing us to perceive how the conflicts arising from the mining activity form and unfold throughout the history of Brazil.

The second conclusion, however, is exactly what can be considered as the center of these conflicts. Several cases show that the local communities affected by some large mining enterprises are in dispute for the control and management of the territory as a whole, and not exactly for the mineral resources, seeking to leave it safe from the most diverse socioenvironmental impacts that are intrinsic to the way to put this activity into practice.

The third conclusion, on the other hand, is related to the resistance fronts of various depersonalized non-governmental and collective organizations (including also, in certain cases, unions and political parties)

changing the rules of sector supervision, converted by the National Congress in Law n.13.575 de 2017.

38 In this sense, Declaratory Act no. 64 of 2017 of the Presidência da Mesa do Congresso Nacional, in which he states that Provisional Measure no. 790 of 2017 had its term of validity ended on November 28, 2017.ty

that give shape to these social movements. There are a number of resistance fronts, some local, others regional or national, which, through well-developed studies, popular mobilization and political articulation, lend themselves to deconstructing the “truths” disseminated by the big mining companies, showing how much they violate human rights, especially to those who are in a historical and economic condition of vulnerability.

REFERENCES

BARRETO, Mércia Ferreira; FREITAS, Maria do Carmo Soares. Segurança alimentar e nutricional e contaminação ambiental: tabu e estigma. Rio de Janeiro: *Revista de Ciência & Saúde Coletiva*, n. 22(2), p. 527-534, 2017.

BLOG DO PEDLOWSKI. *Comitê [Mineiro em Defesa dos Territórios e do Mundo Natural Frente à Mineração] quer proibir mineroduto da multinacional Angloamerican*. Disponível em: <<https://blogdopedlowski.com/2014/10/09/comite-quer-proibir-mineroduto-da-multinacional-angloamerican/>>. Acesso: 19 dez. 2016.

BRASIL. Câmara dos Deputados. *Projeto de Lei n. 5.807, de 19 de junho de 2013*. Dispõe sobre a atividade de mineração, cria o Conselho Nacional de Política Mineral e a Agência Nacional de Mineração, e dá outras providências. Disponível em: <http://www.camara.gov.br/proposicoesWeb/prop_mostrarintegra;jsessionid=2089B79445251582A49F3A632DF474BC.proposicoesWebExterno1?codteor=1101841&filena me=PL+5807/2013>. Acesso em: 11 dez. 2017.

BRASIL. Congresso Nacional. *Ato Declaratório n. 64, de 6 de dezembro de 2017, da Presidência da Mesa do Congresso Nacional*. Prazo de vigência encerrado da Medida Provisória n. 790, de 25 de julho de 2017, que altera o Decreto-Lei n. 227, de 28 de fevereiro de 1967 (Código de Mineração), e a Lei n. 6.567, de 24 de setembro de 1978, que dispõe sobre regime especial para exploração e aproveitamento das substâncias minerais que especifica e dá outras providências. Disponível em: <http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2017/Congresso/adc-064-mpv790.htm>. Acesso em: 30 dez. 2017.

BRASIL. *Decreto-Lei n. 227, de 28 de fevereiro de 1967*. Dá nova redação ao Decreto-Lei n. 1.985, de 29 de janeiro de 1940 (Código de Mineração). Disponível em: <http://www.planalto.gov.br/ccivil_03/decreto-lei/Del0227.htm>. Acesso em: 11 dez. 2017.

BRASIL. Departamento Nacional de Produção Mineral. *Anuário Mineral Estadual do Pará*: 2016, ano base 2015. Brasília: DNPM, 2016.

BRASIL. Departamento Nacional de Produção Mineral. *I Informe Minerário*: 1º/2017. Brasília: DNPM, 2017.

BRASIL. Departamento Nacional de Produção Mineral. *Programa de Revitalização da Indústria Mineral Brasileira* [folder]. Brasília: DNPM, 2017.

BRASIL. *Medida Provisória n. 789, de 25 de julho de 2017*. Altera a Lei n. 7.990, de 28 de dezembro de 1989, e a Lei n. 8.001, de 13 de março de 1990, para dispor sobre a Compensação Financeira pela Exploração de Recursos Minerais (CFEM). Disponível em: <http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/Mpv/mpv789.htm>. Acesso em: 16 dez. 2017.

BRASIL. *Medida Provisória n. 790, de 25 de julho de 2017*. Altera o Decreto-Lei n. 227, de 28 de fevereiro de 1967 (Código de Mineração), e a Lei n. 6.567, de 24 de setembro de 1978, que dispõe sobre regime especial para exploração e aproveitamento das substâncias minerais que especifica e dá outras providências. Disponível em: <http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2017/Mpv/mpv790.htm>. Acesso em: 16 dez. 2017.

BRASIL. *Medida Provisória n. 791, de 25 de julho de 2017*. Cria a Agência Nacional de Mineração e extingue o Departamento Nacional de Produção Mineral. Disponível em: <http://www.planalto.gov.br/CCIVIL_03/_Ato2015-2018/2017/Mpv/mpv791.htm>. Acesso em: 16 dez. 2017.

BRASIL. Ministério do Meio Ambiente. *A Grilagem nas terras públicas da Amazônia brasileira*. IPAM: Brasília: MMA, 2006.

BRASIL. Ministério Público Federal: *Ação Civil Pública do Caso Onça Puma Ltda*. Marabá: Procuradoria da República em Marabá, 2011.

BRASIL. Supremo Tribunal Federal. *Supremo encaminha ação sobre projeto de mineração no Pará para instâncias anteriores*. Brasília, 2017. Disponível em: <<http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=345183&caixaBusca=N>>. Acesso em: 14 dez. 2017.

BRASIL DE FATO. *Vale vence prêmio de pior empresa do mundo*. Disponível em: <<https://www.brasildefato.com.br/node/8687/>>. Acesso em 12 dez. 2017.

CENTRAL ÚNICA DOS TRABALHADORES. *Mineração* [palavra-chave]. Disponível em: <<https://cut.org.br/busca/?q=minera%C3%A7%C3%A3o>>. Acesso em: 21 dez. 2016.

COMISSÃO PASTORAL DA JUVENTUDE. *Mineração* [palavra-chave]. Disponível em: <<http://www.pj.org.br/2-encontro-da-juventude-atingida-pela-mineracoma/>>. Acesso em 17 dez. 2016.

COMISSÃO PASTORAL DA TERRA. *Mineração* [palavra-chave]. Disponível em: <<https://cptnacional.org.br/component/search/?searchword=minera%C3%A7%C3%A3o&ordering=newest&searchphrase=all>> Acesso em: 17 dez. 2017.

FACEBOOK. *Fórum Carajás*. Disponível em: <<https://pt-br.facebook.com/forum.carajas>>. Acesso em: 30 dez. 2016.

FACEBOOK. *Xô Mineradoras*. Disponível em: <<https://www.facebook.com/xomineradoras>>. Acesso em 30 dez. 2017.

FEDERAÇÃO DE ÓRGÃOS PARA ASSISTÊNCIA SOCIAL E EDUCACIONAL. *Mineração* [palavra-chave]. Disponível em: <<https://fase.org.br/pt/resultados-da-busca/?k=minera%C3%A7%C3%A3o&c=>>>. Acesso em 30 dez. 2017.

GIANNINI, Isabelle Vidal. *Kayapó Xikrin: cosmologia*. Instituto Socioambiental, 2001. Disponível em: <<https://pib.socioambiental.org/pt/povo/xikrin-mebengokre/1633>>. Acesso em: 28 dez. 2017.

GUEDES, Gisele Barbosa. *Mineração e movimentos sociais*. Dissertação: Mestrado em Ciências Sociais em Desenvolvimento, Agricultura e Sociedade. Universidade Federal Rural do Rio de Janeiro: Rio de Janeiro, 2015.

INSTITUTO BRASILEIRO DE ANÁLISES SOCIAIS E ECONÔMICAS. *Mineração* [palavra-chave]. Disponível em: <<http://ibase.br/pt/?s=minera%C3%A7%C3%A3o>>. Acesso em: 21 dez. 2017.

INSTITUTO SOCIOAMBIENTAL. *Mineração* [palavra-chave]. Disponível em: <<https://www.socioambiental.org/pt-br/search/node/minera%C3%A7%C3%A3o>>. Acesso em 21 dez. 2017.

JUSTIÇA GLOBAL. *Mineração* [palavra-chave]. Disponível em: <<http://www.global.org.br/blog/category/biblioteca/biblioteca/>>. Acesso em: 27 dez. 2017.

KONO, Bruno Yoheiji Ramos. *A questão fundiária na Amazônia e os reflexos jurídicos no uso e ocupação do solo público pela mineração: estudo de caso do Estado do Pará*. Dissertação: Mestrado em Direito. Pontífice Universidade Católica: São Paulo, 2014.

MACEDO, Idhelene. *Alvo de representação, Leonardo Quintão nega irregularidades em campanha eleitoral*. Brasília, 2014. Disponível em: <[http://www2.camara.leg.br/camaranoticias/noticias/POLITICA/467461-ALVO-DE-REPRESENTACAO,-LEONARDO-QUINTAO-NEGA-](http://www2.camara.leg.br/camaranoticias/noticias/POLITICA/467461-ALVO-DE-REPRESENTACAO,-LEONARDO-QUINTAO-NEGA)>

IRREGULARIDADES-EM-CAMPANHA-ELEITORAL.html>. Acesso em: 29 dez. 2017.

MOVIMENTO DEBATE E AÇÃO. *Sindicato dos Trabalhadores e Trabalhadoras Rurais de Canaã dos Carajás lança boletim*. Disponível em: <<https://mineracaosudesteparaense.wordpress.com/2010/10/12/sindicato-dos-trabalhadores-e-trabalhadoras-rurais-de-canaa-dos-carajas-lanca-boletim-informativo/>>. Acesso: 20 dez. 2016.

MOVIMENTO DOS ATINGIDOS POR BARRAGENS. *Mineração* [palavra-chave]. Disponível em: <<http://www.mabnacional.org.br/search/node/minera%C3%A7%C3%A3o>>. Acesso em 21 dez. 2017.

MOVIMENTO DOS TRABALHADORES RURAIS SEM TERRAS. *Mineração* [palavra-chave]. Disponível em: <<http://www.mst.org.br/lutas-e-mobilizacoes/>>. Acesso em: 21 dez. 2016.

MOVIMENTO PELA SOBERANIA POPULAR NA MINERAÇÃO. *Video destaca a contradição entre o território camponês e a indústria mineral*. Disponível em: <<http://mamnacional.org.br/2017/12/22/video-destaca-a-contradicao-entre-o-territorio-campones-e-a-industria-mineral/>>. Acesso em: 12 dez. 2017.

REDE JUSTIÇA NOS TRILHOS. *Publicações*. Disponível em: <<http://justicanostrilhos.org/category/publicacoes/>>. Acesso em: 18 dez. 2017.

REVISTA FÓRUM. *Samarco tenta melhorar imagem com comercial e internautas se revoltam*. Disponível em: <<https://www.revistaforum.com.br/segundatela/2016/02/16/samarco-tenta-melhorar-imagem-com-comercial-e-internautas-se-revoltam/>>. Acesso em: 14 dez. 2017.

SANTOS, Boaventura de Sousa; CHAUI, Marilena. *Direitos humanos, democracia e desenvolvimento*. São Paulo: Cortez, 2013.

SCLIAR, Cláudio. *Geopolítica das minas do Brasil*. Rio de Janeiro: Revan, 1996.

VIVAT INTERNATIONAL. *Justice on Tracks and the “1st International Meeting of the People Affected by Vale”*. Disponível em: <http://www.microsofttranslator.com/bv.aspx?ref=SERP&br=ro&mkt=pt-BR&dl=pt&lp=EN_PT&a=http%3a%2f%2fvivatinternational.org%2fblog%2f2010%2f06%2f09%2fjustice-on-tracks-and-the-%25e2%2580%259c1st-international-meeting-of-the-people-affected-by-vale%25e2%2580%259d%2f>. Acesso em 21 dez. 2017.

WANDERLEY, Luiz Jardim de Moraes. Conflitos e impactos ambientais na exploração dos recursos minerais na Amazônia. Rio de Janeiro, *GEOPUC*, v. 3, p. 1-26, 2009.