

## MARKERS OF BRAZILIAN SOCIO-ENVIRONMENTAL NECROPOLICY

### INDICATIVOS DA NECROPOLÍTICA SOCIOAMBIENTAL BRASILEIRA

Article received on: 09/19/2022

Article accepted on: 12/15/2023

**José Edmilson de Souza-Lima\***

\* Centro Universitário Curitiba (Unicuritiba), Curitiba/PR, Brazil

Lattes: <http://lattes.cnpq.br/8225855745037056>

Orcid: <https://orcid.org/0000-0002-5434-0225>

[zecaed3@gmail.com](mailto:zecaed3@gmail.com)

**Luciana Ricci Salomoni\*\***

\*\* Universidade Federal do Paraná (UFPR), Curitiba/PR, Brazil

Lattes: <http://lattes.cnpq.br/6351966141282114>

Orcid: <https://orcid.org/0000-0002-4750-640X>

[luciana@rslaw-br.com](mailto:luciana@rslaw-br.com)

**Fernanda Gewehr de Oliveira\*\***

\*\* Universidade Federal do Paraná (UFPR), Curitiba/PR, Brazil

Lattes: <http://lattes.cnpq.br/2905682294356850>

Orcid: <https://orcid.org/0000-0001-9458-6660>

[nanda\\_gewehr@hotmail.com](mailto:nanda_gewehr@hotmail.com)

The authors declare no conflict of interest.

#### Abstract

Within the context of the socio-environmental crisis evident in the Legal Amazon region, this article aims to identify links between the actions of the current Brazilian government (2019-2022) and socio-environmental necropolitics. Among the specific objectives, the proposed investigation seeks to demonstrate the involvement of the current federal government in the increase of fires, deforestation, invasions of Indigenous territories, illegal mining,

#### Resumo

*No contexto de crise socioambiental que se evidencia na Amazônia Legal, este artigo tem como objetivo geral identificar vínculos entre as ações do governo brasileiro vigente (2019-2022) e a necropolítica socioambiental. Dentre os objetivos específicos, a investigação proposta visa a demonstrar a participação do governo federal em vigor no aumento dos incêndios, desmatamentos, invasões a territórios indígenas, garimpo ilegal e violência na Amazônia Legal. Com base na obra de*



and violence in the Legal Amazon region. Drawing from Achille Mbembe's thesis, the study aims to delineate a humanitarian crisis stemming from the necropolitics of the Bolsonaro government. Employing a quantitative methodology, the research involved collecting data related to the dismantling of environmental norms that guarantee public policies, official discourses inciting the violation of environmental norms, inertia in combating environmental crimes in the Amazon and against Indigenous peoples, spanning from January 2019 to August 2022. In a qualitative analysis, these data were integrated into the analytical framework derived by the authors from Mbembe's work on necropolitics. As a result, the accusations of crimes against humanity filed against the Brazilian president the International Criminal Court (ICC) are further reinforced and justified.

**Keywords:** crimes against humanity; Brazilian federal government; environment; socio-environment necropolitics; International Criminal Court.

*Achille Mbembe, este estudo busca delimitar uma crise humanitária originada na necropolítica do governo Bolsonaro. Fazendo uso de uma metodologia quantitativa, esta pesquisa partiu da coleta de dados relacionados à desarticulação de normas ambientais garantidoras de políticas públicas, discursos oficiais de incitação à violação de normas ambientais e inércia no combate a crimes ambientais na Amazônia e contra os povos indígenas no período de janeiro de 2019 a agosto de 2022. Em uma análise qualitativa, tais dados foram inseridos em um quadro analítico derivado da obra de Mbembe sobre a necropolítica. Como resultado, restam reforçadas e justificadas as denúncias de crime contra a humanidade que tramitam contra o Presidente da República perante o Tribunal Penal Internacional (TPI).*

**Palavras-chave:** crime contra a humanidade; governo federal brasileiro; meio ambiente; necropolítica socioambiental; Tribunal Penal Internacional.

## Introduction

This theme was chosen due to the violence involved in the murder of Dom and Bruno<sup>1</sup> while working on behalf of Indigenous peoples in the Amazon, and the federal government's disregard for what happened. The destruction of the Brazilian environment during the term of the current government (2019-2022) is evident and brings direct and permanent consequences, both by the appropriation

<sup>1</sup> Throughout the text, the authors only mention their first names—"Dom" and "Bruno"—in an attempt to raise the reader's awareness, typical of the decolonial methodology that guides this study. The victim was Dominic Mark Phillips (1964-2022), a British journalist who worked for large international newspapers and lived in Brazil from 2007 to 2022, until he was murdered while interviewing Indigenous people and riverside dwellers for a book about the Amazon in the Javari Valley, the second largest Indigenous land in Brazil, in the extreme west of Amazonas. Dom was murdered along with Bruno da Cunha Araújo Pereira (1980-2022), a Brazilian indigenist and temporary public servant of the National Indian Foundation (FUNAI), considered one of the greatest experts on isolated or recently contacted Indigenous peoples in the country and with vast knowledge of the Javari Valley.

of the country's natural resources, in a national context, and by increase in global warming.

In an environment of extreme legal uncertainty, vulnerable groups, including Indigenous peoples, are greatly affected. In this context, the central research question was: to what extent is the performance of the current Brazilian government, in socio-environmental issues, anchored in constituent elements of a socio-environmental necropolitics?

Methodologically, the starting point was the collection and analysis of data related to the dismantlement of environmental standards that guarantee public policies, official speeches inciting the violation of environmental standards, and inertia in combating environmental crimes in the Amazon and against Indigenous peoples, in the period from January 2019 to August 2022. The data time frame corresponds to the period between the moment the current head of the Executive Power took office until the completion of this article.

This study also involved theoretical analysis, with bibliographical research and literature review, with the purpose of identifying possible connections between actions of the current federal government and socio-environmental necropolitics. As the authors' epistemological choice, decolonial approaches and thinkers from countries outside the Eurocentric axis were prioritized. Starting from this premise, the authors extracted constituent elements of the concept of necropolitics with a view to developing an analytical framework of the research findings.

Necropolitics is understood here as a State of terror and as a policy that destroys any link other than enmity. The analytical framework serves to verify the extent to which government actions approach or distance themselves from the elements constituent of necropolitics (Table 1).

## 1 Brazilian socio-environmental policy from 2019 to 2022

In this section, some government actions that can be identified as constituents of necropolitics practices will be presented. To this end, the authors developed an analytical framework derived from the work of Mbembe (2017) (Table 1).

**Table 1.** Constituent Element of Necropolitics

| Element Constituent of Necropolitics (EC) | Description             |
|---|-------------------------|
| EC1 = Concept                             | State of terror         |
| EC2                                       | Relation without desire |

|     |  |
|-----|--|
| EC3 | Destruction of any link other than enmity  |
| EC4 | Power is only exercised at the cost of someone's life                                    |
| EC5 | It is not associated with disciplining, but with eliminating undesirable populations     |
| EC6 | It creates groups that get used to living on the edge of a knife, on the margins of life |
| EC7 | It brings forth people for whom living means always being exposed to death.              |
| EC8 | Its founding element is racism   |
| EC9 | Suspension of rights with the justification of protecting them                           |

Source: authors' elaboration based on Mbembe (2017).

The analysis will be carried out as follows: government actions will be compared with the elements constituent of necropolitics described in Table 1.

First, it is necessary to highlight that the federal government in force (2022) failed to comply with the fundamental right of access to information, contained in article 5, XXXIII, of the Brazilian Federal Constitution (BRAZIL, 1988). This was materialized via discourses discrediting the materials produced by specialized bodies and technicians in a context of irregularities in the socio-environmental data management. There is a lack of clarity and adequate disclosure of socio-environmental data by official sources; therefore, collecting the data that supported this study was difficult, but even so, the set is large and explicit enough to demonstrate the results obtained.

Among the data collected, those related to the dismantlement of environmental standards that guarantee public policies underwent survey and analysis of provisional measures, Bills initiated by the Federal Executive Power, and Decrees issued by the Brazilian president in the period under study. Official speeches inciting the violation of environmental standards are notorious and were compiled from government and media websites. Data relating to inertia in combating environmental crimes in the Amazon and against Indigenous peoples were also obtained, essentially, from the TerraBrasilis Program of the National Institute for

Space Research (INPE), Real-Time Deforestation Detection System (DETER), MapBiomas Network, Brazilian Amazon Forest Satellite Monitoring Program (PRODES), SOS Amazônia (Non-Governmental Organization – NGO), and Amazon Institute of People and the Environment (IMAZON).

TerraBrasilis is an INPE online platform for organization, access and use of geographic data produced by its environmental monitoring programs. Available since 2015, it is fed with data from DETER, an alert system that has the function of supporting the control and inspection of deforestation and forest degradation carried out by the Brazilian Institute of the Environment (IBAMA). MapBiomas is a NGO composed of several civil associations, which brings together information collected throughout the year and verifies the data, eliminating interference to present consolidated data from the previous year.

Data on the growth of violence against Indigenous peoples were compiled from *Atlas da Violência 2021* (IPEA, 2021), produced by the Institute for Applied Economic Research (IPEA) in conjunction with the Brazilian Public Security Forum (FBSP), and from the Missionary Indigenist Council (CIMI, 2016; 2021), based on reports from the years 2016, 2017, 2018, 2019, 2020, and 2021, whose source is the Special Secretariat for Indigenous Health (SESAI). Even though the results are significant, the number of underreported events must also be considered, as well as the severity of the violence, which is often not properly reported, also because most murders have unknown reasons; the research did not differentiate deaths according to gender.

The data collected throughout this study present an environment of legal insecurity and extreme uncertainty regarding socio-environmental rights over the last four years in Brazil. Before detailing them, it is worth pointing out, again, that this research focused on surveying: (i) information linked to the dismantlement of standards that guarantee environmental public policies; (ii) official speeches inciting the violation of environmental standards, and (iii) inertia in combating environmental crimes and crimes against Indigenous peoples within the Amazon, in the period between January 2019, when the current head of the Executive Power took office, and August 2022, when this text was finished.

In the tables below, the chronological order of government actions was maintained so that the reader can follow the government path.

**Table 2.** Government actions and links with necropolitics – from 1/1/2019 to 4/11/2019

| Date       | Government actions  | Element Constituent of Necropolitics (EC) |
|------------|---|---|
| 1/1/2019   | The head of the Executive Power transferred the process of identification, recognition, delimitation, demarcation and titling of Indigenous lands from FUNAI to Mapa through Provisional Measure (MP – <i>Medida Provisória</i> ) 870 (BRAZIL 2019j), later converted into Law No. 13.844, of 2019 (BRAZIL, 2019h).   | EC3<br>EC6                                |
| 02/28/2019 | Ordinances No. 107 to 127 of the Ministry of the Environment, publicizing the dismissal of 21 of the 27 IBAMA superintendents in several states (BRAZIL, 2019k).  | EC3<br>EC6                                |
| 03/29/2019 | Publication of Decree No. 9.741/2019 (BRAZIL, 2019c), through which the Brazilian president reduced the budget of the Ministry of the Environment drastically, resulting in the blocking of R\$ 187.4 million, equivalent to 22.7% of its discretionary spending (PINA, 2019).  | EC3<br>EC4<br>EC9                         |
| 04/11/2019 | Through Decree No. 9.759/2019, the Brazilian president abolished the Committees and Councils responsible for activating the National Contingency Plan for Oil Pollution Incidents in Water, making their action unfeasible (IBAMA, 2019).   | EC3<br>EC6                                |
| 04/11/2019 | After the Minister of the Environment announced the intention to compensate rural owners who were expropriated for having properties within conservation units with resources from the Amazon Fund, on 05/17/2019 (BARBOSA, 2019), thus regulating the land—an act that is not permitted by the Fund's governance (FUNDO AMAZÔNIA, 2022)—the Brazilian president abolished the Amazon Fund's Technical Committee (CTFA) and Guidance Committee (COFA) (BRAZIL, 2019d), also via Decree No. 9.759/2019 | EC3<br>EC9                                |
| 04/11/2019 | Decree No. 9.760/2019, later established by Joint Ordinance 1/2019, also created the Environmental Conciliation Center to review environmental fines applied by IBAMA (BRAZIL, 2019e; 2019l). Consequently, by August/2019 the application of environmental fines fell by 29.4% (SHALDERS, 2019).   | EC3<br>EC9                                |

|            |  |                          |
|------------|--|--------------------------|
| 08/29/2019 | During a live broadcast on social media, the Brazilian president stated that he would review the demarcation of Indigenous lands due to suspected irregularities related to the sale of protected lands for foreigners to explore; without presenting evidence, he declared: “it’s too much land for too few Indigenous people” (É MUTA TERRA..., 2019).   | EC1<br>EC3<br>EC5<br>EC8 |
| 08/30/2019 | Officially identified on 8/30/2019, approximately four months after Decree No. 9.759/2019, an oil spill reached the Brazilian coast, and by 11/22/2019 it reached 4,334 km of coastal strip in 11 coastal states; this is the largest crude oil spill in Brazilian history and one of the most extensive ever recorded in the world (PENA <i>et al.</i> , 2020).<br>Nevertheless, 41 days passed before the spill began to be tackled by the federal government (IBAMA, 2019). | EC3<br>EC6               |

Source: authors’ elaboration.

The Amazon Fund was created more than 10 years ago and basically consists of the application of resources donated by Norway and Germany for projects directed at monitoring and reducing deforestation in the region, and managed by the Brazilian Development Bank (BNDES). Until it was made unfeasible by the current federal government, more than R\$3 billion had already been donated to research and income generation projects in the Amazon (FUNDO AMAZÔNIA, 2022).

The declaration of allocating Amazon Fund resources for land regularization—which is not permitted by the Fund’s governance—coupled with the extinction of the CTFA and COFA by Decree No. 9.759/2019 (BRAZIL, 2019d), without restoring governance, resulted in the cessation of distribution of amounts that totaled R\$2.9 billion in 2020. The commitment of the Amazon Fund is the subject of ADO 59 (Direct Action of Unconstitutionality by Omission), one of the actions of the “Green Package”, which is being processed before the Federal Supreme Court (STF, 2022b).

**Table 3.** Government actions and links with necropolitics – on 5/29/2019

| Date       | Government actions   | Element Constituent of Necropolitics (EC) |
|------------|--|---|
| 05/29/2019 | Publication of Presidential Decree No. 9.806/2019, which changed the composition of the National Environmental Council (CONAMA), the main consultative and deliberative body for the National Environmental Policy, reducing the number of advisors from 96 to 23, with 17 government representatives and only four advisors from environmental entities and two advisors from business entities; the presidency of the body was assigned to the then Environment Minister Ricardo Salles (BRAZIL, 2019f). | EC3<br>EC9                                |

Source: authors' elaboration.

Strictly speaking, CONAMA has a collective body that reflects the democratic regime, composed of the Public Power, the business sector, and environmental entities, which, among other duties, have to establish standards for the licensing of potentially polluting activities, monitor the creation and management of Conservation Units (UCs), determine the conduction of studies on alternatives and possible environmental consequences of public or private projects, and regularly evaluate the implementation and execution of the country's environmental policies and standards, establishing indicator systems (BRAZIL, 1981). For Rocha Neto (2021, p. 299; our translation), it is “fair to say that the current political context is one of weakening participation and, therefore, of shared decision-making bodies”.

**Table 4.** Government actions and links with necropolitics – on 6/18/2019

| Date       | Government actions  | Element Constituent of Necropolitics (EC) |
|------------|---|---|
| 06/18/2019 | The Brazilian president issued MP No. 886, again removing from FUNAI the authority to demarcate Indigenous lands, but kept the body within the scope of the Ministry of Justice due to a previous determination by the National Congress (BRAZIL, 2019a). MP No. 886 was converted into Law No. 13.901/2019, which now provides for the basic organization of the bodies of the Presidency of the Republic and the Ministries, an occasion in which it refers to the National Council for Indigenous Policy (XV), economic ecological zoning (VIII), and other provisions that change secretaries, sub-chiefs and positions of a special nature, coming into force in November of the same year (BRAZIL, 2019i). In addition, the explanatory memorandum—which, erroneously, refers to MP 870 and not 886—is signed by the Minister of Labor and Social Security, Onyx Lorenzoni, and by the Minister of Economy, Paulo Roberto Nunes Guedes. | EC3<br>EC7<br>EC9                         |

Source: authors' elaboration.



In this action, the link was made clear not only with EC3 (which accentuates enmity) and EC9 (which suspends rights under the claim of protecting them), but also with EC7, which condemns vulnerable groups to be exposed to death. This is one of the most pronounced links between government actions and the foundations of socio-environmental necropolitics.

**Table 5.** Government actions and links with necropolitics – from 7/1/2019 to 8/7/2019

| Date       | Government actions  | Element Constituent of Necropolitics (EC) |
|------------|---|---|
| July 2019  | The leader of the Mariry village, from the Wajāpi ethnic group, in Amapá, was stabbed to death after a group of 50 heavily armed miners invaded the village. He asked for help through social media and institutional bodies without receiving any adequate response from the State (INVASION OF EARTH..., 2019).   | EC1<br>EC3<br>EC4                         |
| 07/03/2019 | <p>Figures released by INPE, from the “TerraBrasilis” system, showed that deforestation in the Amazon biome in June/2019 (920.4 km<sup>2</sup>) was 88% higher than in June/2018 (488.4 km<sup>2</sup>) (TERRABRASILIS, 2019b).</p> <p>The increase in deforestation in Amazon Indigenous areas are even more alarming. In the Ituna-Itatá Indigenous Land (IL), which was the most affected among the areas listed, the deforested dimension went from 15.72 km<sup>2</sup> in 2018 to 119.96 km<sup>2</sup> in 2019. In the Apyterewa IL, deforestation increased from 18.91 km<sup>2</sup> in 2018 to 85.27 km<sup>2</sup> in 2019 (TERRABRASILIS, 2019c).</p> | EC7                                       |
| 08/07/2019 | Ordinance No. 2.170 was published in the Federal Official Gazette, dismissing Ricardo Galvão from the position of Director at INPE (BRAZIL, 2019n), a body subordinate to the Ministry of Science, Technology, Innovations and Communications, responsible for collecting deforestation data, after a public clash between him and head of the Executive Power on the quality and publicity of deforestation data released by the agency (A POLÊMICA..., 2019). Galvão, who is a professor at USP Physics Institute, was assigned to INPE, where he worked as a researcher for over 40 years (FERREIRA; DIAS; ESCOBAR, 2019).                                     | EC3                                       |

Source: authors' elaboration.

On August 10, 2019, rural producers began a joint criminal movement of forest fires, organized through WhatsApp groups, which became known as “Fire

Day”. As it is an environmental crime, its damage does not respect borders; the smoke generated by the fires in the Amazon on the “Fire Day” traveled thousands of kilometers and carried its soot to São Paulo, turning day into night (MON-CAU, 2020). Satellite data collected by INPE reveals an increase of more than 300% in the volume of fires in the north of the country when compared to the previous day’s numbers (MACHADO, 2019). The journalist who denounced the “Fire Day” is under threats (SILVÉRIO *et al.*, 2019).

**Table 6.** Government actions and links with necropolitics – from 8/14/2019 to 10/1/2019

| Date       | Government actions  | Element Constituent of Necropolitics (EC) |
|------------|---|---|
| 08/14/2019 | By 8/14/2019, there were around 32,728 fires in the Amazon biome alone, which represents an increase of around 60% compared to the average of the previous three years in the same period (SILVÉRIO <i>et al.</i> , 2019).  | EC3                                       |
| 09/24/2019 | The Brazilian president declared, at the opening of the General Assembly of the United Nations (UN), that the Amazon “has not been devastated or consumed by fire, as the media falsely says” (OLIVEIRA; ARAÚJO, 2022).   | EC3                                       |
| 09/30/2019 | During a meeting with businesspeople in Saudi Arabia on behalf of the Future Investment Initiative Forum, the Brazilian President stated that Indigenous peoples were responsible for the fires in the Amazon (OLIVEIRA; ARAÚJO, 2022).   | EC3                                       |
| 10/1/2019  | Via Ordinance No. 1.597/2019, the executive secretary of the Ministry of Justice and Public Security dismissed Bruno Pereira from his role as general coordinator for the Isolated and Recent Contacted Indigenous Peoples at FUNAI Territorial Protection Directorate (BRAZIL, 2019m). | EC3                                       |
| 11/26/2019 | The Executive Power proposed PL 6.162/2019, which consists of a “Regional Development Plan for the Amazon for the period from 2020 to 2023” (BRAZIL, 2019b).  | EC3<br>EC4<br>EC5<br>EC9                  |

Source: authors’ elaboration.

Annex III of the aforementioned PL 6.162/2019 brings a series of indeterminate concepts permeated by the term “sustainable”, with strong indications of stimulus to activities that are inappropriate for the Amazon region, such as: “improvement of commodity flow” (6.2), “implementation of a biorefinery program” (6.17), “construction and asphalt paving” (4.4), “creation of incubators” (2.6) (BRAZIL, 2019b).

In a war, which is also discursive, the current federal government uses words as developmental strategies to mischaracterize communities and the territory and allow the exploration of the forest at national and international levels. PL 6.162/2019 serves to characterize the dismantlement of public environmental policies and the lack of attention that the federal government gives to the issue, given that the proposition points to two possible paths: change or extinction of (i) the responsible institutions and (ii) public policies, in the name of the country’s regional development scenario, mainly the Amazon region (BRAZIL, 2019b).

This is yet another action committed to enmity policies (EC3) and practices that, by making Indigenous groups invisible, tend to condemn them to the condition of undesirable groups in the “development” juggernaut (EC4, EC5 and EC9).

Throughout 2019, fire outbreaks across the country exceeded the average for the last 22 years in the months of January, February, April, and August. Within the Legal Amazon, the numbers exceeded the twenty-year average in the months of February, May, and August, also surpassing the maximum in March and April (SILVÉRIO *et al.*, 2019). The occurrence of a greater number of fires in 2019, which presented a milder drought, indicated that deforestation could be a factor driving the flames, as the relationship between fire outbreaks and deforestation recorded from the beginning of the year until the month of July 2019 proved to be especially strong. The concentration of forest fires in recently deforested areas with mild drought represented a strong indication of the intentional nature of these fires, which were set to clear such areas (SILVÉRIO *et al.*, 2019).

In 2019, the Brazilian Amazon had already lost 17% of its forest. At that time, experts estimated that if this percentage rate increases by 20% to 25%, “we will reach the critical and irreversible turning point, from which the biome will transform into savannah” (LOVEJOY; NOBRE, 2018). Deforestation between January and July 2019 (km<sup>2</sup>) of the 10 municipalities in the Amazon corresponds to: (1) Apuí/AM: 151.0 km; (2) Altamira/PA: 297.3 km; (3) Porto Velho/RO: 183.5 km; (4) Caracará/RR: 16 km; (5) São Félix do Xingu/PA: 218.9 km; (6) Novo Progresso/PA: 67.8 km; (7) Lábrea/AM: 197.4 km; (8) Colniza/MT: 82.4

km; (9) Novo Aripuanã/AM: 122.3 km; e (10) Itaituba/PA: 67.8 km (adapted from IPAM, “*Amazônia em chamas*” [SILVÉRIO *et al.*, 2019], with data from INPE and SAD/IMAZON). Data from the Amazon Institute of Man and Environment (FONSECA *et al.*, 2019) show that, in September 2019, 802 km<sup>2</sup> were deforested in the Legal Amazon, 80% more than in September 2018. According to IMAZON’s Deforestation Alert System (SAD), monitoring of the last two years is on progress and the forest has already lost, in comparative terms, the equivalent of 2,000 soccer fields per day, which is the greatest devastation in the last 15 years (IMAZON, 2022).

**Table 7.** Government actions and links with necropolitics – from 2/6/2020 to 6/28/2021

| Date       | Government actions   | Element Constituent of Necropolitics (EC) |
|------------|--|---|
| 02/06/2020 | The Executive Power proposed Bill No. 191/2020 to “regulate” § 1 of Art. 176 and § 3 of Art. 231, from the Federal Constitution (BRAZIL, 1988), to authorize research and mining of mineral and hydrocarbon resources, use of water resources to generate electricity, and the planting of transgenic crops on Indigenous lands, in addition to establishing compensation for “restriction of usufruct” of Indigenous lands (BRAZIL, 2020b). | EC3<br>EC4<br>EC5<br>EC6<br>EC7<br>EC8    |
| 04/22/2020 | In a ministerial meeting chaired by the head of the Executive Power, Environment Minister Ricardo Salles stated: “we have to make an effort, while in this moment of tranquility in terms of press coverage that only talks about COVID, and drive the herd, change all the rules and change norms”, in order, according to the minister, “to give the regulatory simplification that we need” (STF LIBERA..., 2020; our translation).       | EC3<br>EC4<br>EC9                         |
| 06/09/2020 | The head of the Executive Power ordered the Rondônia Military Police to suspend the support provided to IBAMA and ICMBio inspectors in operations to combat deforestation (MAISONNAVE, 2019).  | EC4<br> EC6<br> EC9                       |

|            |   |   |
|------------|---|---|
| 07/07/2020 | The head of the Executive Power sanctioned with vetoes Law No. 14.021/2020, which provided for protection measures directed at Indigenous communities during the COVID-19 pandemic (BOLSONARO SANCIONA..., 2020). Throughout 2020, numerous MPs were proposed, providing extraordinary credits for various sectors of the economy and Ministries due to the COVID-19 pandemic; however, the federal government vetoed 22 provisions of the emergency plan to combat COVID-19 in Indigenous territories, which established protection measures directed at indigenous communities during the same pandemic period (RAMOS, 2020). The obligation for public authorities to provide items such as drinking water, cleaning, hygiene, and disinfection materials; ICU beds, lung ventilators, and informative materials about COVID-19 (BRAZIL, 2020c) were among the vetoed items. | EC3<br>EC4<br>EC5<br>EC6<br>EC7<br>EC8<br>EC9 |
| 09/13/2020 | The current government cut the budgets of IBAMA and ICMBio for 2021, reducing their operational capacity drastically. In the case of IBAMA, the cut in funding was 4%, to R\$1.65 billion. Of the total, R\$513 million (31%) still depended on extra credit to be approved by Congress. Regarding ICMBio, the reduction was even greater: a drop of 12.8% to R\$609.1 million and R\$260.2 million (43%) (BRANT; MACHADO, 2020).   | EC3   |
| 09/28/2020 | Ricardo Salles decided, at the 135 <sup>th</sup> Ordinary Meeting, to revoke the four CONAMA resolutions (SHALDERS, 2020), since two of them restricted deforestation and occupation in areas of mangroves, <i>restingas</i> and dunes (BRAZIL, 2002), and the other two contained restrictions relating to areas located around water reservoirs, mangroves and <i>restingas</i> , encouraging real estate speculation in strips of beach vegetation and the occupation of mangrove areas called “apicuns” for shrimp production, in an explicit attempt to favor the hospitality industry that intended to invest in enterprises on coastal areas (SALLES APROVA..., 2020).   | EC3   |
| 06/28/2021 | Under the allegation that it was necessary to combat deforestation, the Brazilian president authorized, by signing Decree No. 10.730/2021, the use of the Armed Forces to Guarantee Law and Order (GLO) in Indigenous lands, in federal environmental conservation units, in federal areas in general and, upon request from the respective governor, in other areas of the covered States, from June 28 to August 31, 2021 (BRAZIL, 2021b).  | EC3   |

Source: authors' elaboration.

Since the beginning of the current government's administration, less than 3% of the 155,367 deforestation alerts in the Amazon have been monitored or occurred in areas with authorization for vegetation suppression; 85.4% of the area was not inspected or did not have authorization for suppression, that is, only around 14.6% of the area was inspected or had deforestation permission (MAP-BIOMAS, 2022).

Aguiar (2019) explains that the Amazon has determinants regarding deforestation: (i) territorial motive (1970s and 1980s), extensive livestock farming and soybean expansion (1990s); (ii) logging for the creation of the BR 0101 and BR 230 roads; (iii) mining, and (iv) low capacity to execute laws to preserve the environment. Deforestation in the Amazon region is directly related to criminal forest fires.

In August/2020, a total of 29,307 fires were recorded in the Legal Amazon. The high rates of devastation occur despite the use of the military, with Operation Verde Brasil 2, to try to contain the damage in the region. The Armed Forces have been operating in the region since May, at a cost of R\$60 million per month (BRANT; MACHADO, 2020).

In 2019, for action to prevent and control forest fires in priority federal areas, the budget proposal provided for R\$29.7 million, that is, a drop of 37.6% compared to 2018. In 2020, the Annual Budget Law Project (PLOA) predicted a 27.4% reduction in the budget for environmental inspection and firefighting. The 2021 budget project provided for R\$82.9 million for environmental control and inspection actions, a reduction of 25.4% compared to the last year of the Temer government (2008) (BRANT; MACHADO, 2020).

On July 6, 2022, the current Minister of the Environment, Joaquim Leite, appeared before the Financial Inspection and Control Committee of the Chamber of Deputies and announced measures to curb environmental crimes and deforestation, but opposition deputies deny the measures and highlight the fragility of bodies such as IBAMA and ICMBio, highlighting that the bodies' budgets are non-listed in the Integrated Planning and Budget System (SIOP). At the time, Leite stated that "68% of the amount allocated to the Ministry of the Environment, 75% to ICMBio and 67% to IBAMA have already been provided", and that almost half of the amount depended on Congressional approval (HAJE, 2022).

Shortly before, in June 2022, 35 significant organizations released a manifesto warning of the serious situation of obstacles in access to information and irregularities in data management in the Brazilian socio-environmental area, among which they mentioned the fact that the federal government does not produce

structured data on actions to combat invasions of Indigenous Lands, an essential tool to protect traditional peoples (TRANSPARÊNCIA BRAZIL *et al.*, 2022).

In general, it can be said that lethal violence against Indigenous peoples has increased in the last decade; from 2009 to 2019, there were 2,074 homicides of Indigenous people in absolute numbers, according to data from the Mortality Information System (SIM) (BRAZIL, 2020d). The *Atlas da Violência* (CERQUEIRA *et al.*, 2019) has a chapter entitled “Violence against Indigenous people”, which brings a series of graphs correlating the homicide rate of Indigenous people by Federation Unit (UF) demonstrating that the crimes occurred with greater intensity in Amazonas (49), Roraima (41), and Mato Grosso do Sul (39).

Studies also show an increase in the number of suicides among Indigenous peoples, with a higher suicide mortality rate among single Indigenous men, with four to 11 years of schooling, in the 15-to-24-year age group, at home and at the end of week, with hanging as the main method; more than 90% cases presented symptoms of mental disorder. The main risk factors for suicide were poverty, historical and cultural factors, low well-being indicators, family disintegration, social vulnerability, and lack of meaning in life and future (SOUZA *et al.*, 2020).

The set of government actions that makes the protection of Indigenous territories more flexible and dehumanizes traditional peoples maintains links with the elements constituent of socio-environmental necropolitics EC1, EC3, EC4, EC5, EC6, EC7, EC8, and EC9 in Table 1.

Brazil failed to take care of the activities carried out under its jurisdiction, contrary to the content of agreements, pacts, and declarations to which it is a signatory, causing cross-border damage that emerges in other countries that take socio-environmental issues seriously. Hate speech and attitudes perpetrated by the government generate the decimation of Indigenous people and the persecution of traditional communities, in addition to the worsening of violence, deforestation and fires in Brazilian rural areas, and the excessive exploitation of the country's natural resources.

### Final considerations

The facts raised and analyzed throughout this study materialize in an environment of legal insecurity and extreme uncertainty regarding socio-environmental rights in Brazil. Hate speech and attitudes perpetrated by the current government generate the persecution of traditional communities, in addition to the worsening of violence, deforestation and fires in Brazilian rural areas, and the

excessive exploitation of the country's natural resources. The analysis led to the first observation that this government's socio-environmental data are difficult to access and not integrated into a platform; there is no transparency.

In the context of the socio-environmental crisis that is evident in the Legal Amazon, this article presented, in the form of tables and an analytical model, a repertoire of data and facts that link current Brazilian government (2019-2022) actions to socio-environmental necropolitics. To this end, the authors derived an analytical framework from the work of Achille Mbembe (2017), adapting the Cameroonian philosopher's necropolitical theory to the Brazilian reality through constitutive elements to guide the identification and analysis of government actions.

The recent Brazilian experience, from a socio-environmental perspective, makes the emerging concept of necropolitics a government of terror against certain groups characterized as undesirable. This is a facet of politics that, instead of expanding spaces for the public use of reason and dialogue, destroys any and all social links other than those of enmity. All forms of exercise of power were carried out at the expense of the lives, dreams, and desires of groups placed on the margins of any possibility of access to resources necessary for a dignified life.

It became evident that it is not enough to control or discipline, but it is necessary to physically eliminate populations of original groups, always seen as obstacles to developmental processes. In this sense, the set of actions analyzed here led to the emergence of population groups, for whom living has always meant answering to death. By using as a guiding thread a powerful (in many cases, veiled) instrument of destruction of the Other, racism, it was possible to suspend a list of rights with the justification of protecting them.

It was found that Bills, Decrees, and Provisional Measures aimed at disrupting the Democratic Socio-Environmental State were proposed in greater volume in the first two years of the government in force (2019-2020), many throughout the COVID-19 pandemic. The current head of the Brazilian Executive Power used normative acts to apply the environmental setback, with the dismantlement of the Socio-Environmental Rule of Law as *modus operandi*; these are propositions aimed at favoring mining and agribusiness, reducing the Amazon forest coverage and the territories of traditional populations, contrary to the precepts of the Federal Constitution and international agreements to which Brazil is a signatory.

Data analysis also highlighted a repeated discourse of dehumanization of traditional populations given by the head of the Executive Power and his allies, which reduces the role of Indigenous people and exalts the role of agribusiness,



sometimes citing false data and refuting scientific evidence. In short, a probable participation of the current federal government in the increase in fires, deforestation, invasions of Indigenous territories, illegal mining, and violence in the Amazon has been demonstrated. Consequently, the results of this research, in addition to being in line with the concept of necropolitics by Mbembe (2017), reinforce and justify the allegations of crimes against humanity that are being processed against the Brazilian president before the International Criminal Court (ICC).

It is difficult to risk any prediction about how long it will take to reduce or reverse the links highlighted here between government actions, the socio-environmental necropolitics established and their infinite consequences on the Legal Amazon, its bio- and socio-diversity.

## References

A POLÊMICA que derrubou o diretor do Inpe, órgão que monitora desmatamento na Amazônia. *UOL*, 2 ago. 2019. Available from: <https://noticias.uol.com.br/ultimas-noticias/bbc/2019/08/02/a-polemica-que-derrubou-diretor-do-inpe-orgao-que-monitora-desmatamento-na-amazonia.htm?cmpid=copiaecola>. Access on: Aug. 18, 2022.

AGUIAR, C. *O efeito China no desmatamento da Amazônia Legal: uma análise para o período 2000-2017*. 2019. 66 p. Dissertação (Mestrado) – Programa de Pós-Graduação em Políticas Públicas, Estratégias e Desenvolvimento, Instituto de Economia, Universidade Federal do Rio de Janeiro, Rio de Janeiro, 2019. Available from: <https://www.ie.ufrj.br/images/IE/PPED/Dissertacao/2019/Camilla%20Aguiar%20Fontenelle.pdf>. Access on: Dec. 6, 2023.

BARBOSA, V. O que é o Fundo Amazônia e por que ele virou alvo do governo Bolsonaro. *Exame*, São Paulo, 6 jul. de 2019. São Paulo: Exame. Available from: <https://exame.com/brasil/o-que-e-o-fundo-amazonia-e-por-que-ele-foi-alvo-do-governo-bolsonaro/>. Access on: Aug. 19, 2022.

BOLSONARO SANCIONA *com vetos lei para proteger indígenas durante pandemia*. *Senado Notícias*, 8 jul. 2020. Available from: <https://www12.senado.leg.br/noticias/materias/2020/07/08/bolsonaro-sanciona-com-vetos-lei-para-proteger-indigenas-durante-pandemia>. Access on: Aug. 19, 2022.

BRANT, D.; MACHADO, L. Apesar de incêndios, governo corta orçamento do Ibama e ICMBio em 2021. *Valor Econômico*, 13 set. 2020. Available from: <https://valor.globo.com/brasil/noticia/2020/09/13/apesar-de-incendios-governo-corta-orcamento-do-ibama-e-icmbio-em-2021.ghtml>. Access on: Dec. 6, 2023.

BRAZIL. Controladoria-Geral da União. *Portal da Transparência – Fundação Nacional do Índio – FUNAI*, 2022. Available from: <https://www.portaltransparencia.gov.br/orgaos/30202?ano=2022>. Access on: Aug. 23, 2022.

BRAZIL. Câmara dos Deputados. *Projeto de Lei n. 4.121/2021*. Autoriza o Poder Executivo a realizar licitação para conceder à iniciativa privada, na modalidade patrocinada, oito aeroportos no Amazonas, atualmente operados pelos municípios onde estão situados. Brasília, DF: Câmara dos Deputados, 2021a. Available from: <https://www.camara.leg.br/propostas-legislativas/230800>. Access on: Aug. 12., 2022.

BRAZIL. *Decreto n. 10.730, de 28 de junho de 2021*. Autoriza o emprego das Forças Armadas na Garantia da Lei e da Ordem nas terras indígenas, em unidades federais de conservação ambiental,

em áreas de propriedade ou sob posse da União e, por requerimento do respectivo Governador, em outras áreas dos Estados abrangidos. Brasília, DF: Presidência da República, 2021b. Available from: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2021/decreto/D10730.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/decreto/D10730.htm). Access on: Aug. 20, 2022.

BRAZIL. Ministério do Meio Ambiente. Decretos de 23 de junho de 2021. *Diário Oficial da União*: seção 2, Brasília, DF, n. 116-A, p. 1, 23 jun. 2021c. Available from: <https://www.in.gov.br/en/web/dou/-/decretos-de-23-de-junho-de-2021-327568042>. Access on: Aug. 29, 2021.

BRAZIL. Ministério da Justiça e Segurança Pública Polícia Federal. PF deflagra Operação Akuanduba para apurar crimes em órgãos ambientais. *Notícias*, 19 maio 2021d. Available from: <https://www.gov.br/pf/pt-br/assuntos/noticias/2021/05/pf-deflagra-operacao-akuanduba-para-apurar-crimes-em-orgaos-ambientais>. Access on: Aug. 29, 2021.

BRAZIL. Senado Federal. *Indicação n. 53, de 2021*. Brasília, DF: Senado Federal, 2021e. Available from: <https://www25.senado.leg.br/web/atividade/materias/-/materia/149619>. Access on: Aug. 23, 2022.

BRAZIL. Câmara dos Deputados. *Medida Provisória n. 1005/2020*. Dispõe sobre o estabelecimento de barreiras sanitárias protetivas de áreas indígenas. Brasília, DF: Câmara dos Deputados, 2020a. Available from: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2263649>. Access on: Aug. 17, 2022.

BRAZIL. Câmara dos Deputados. *Projeto de Lei n. 191/2020*. Regulamenta o § 1º do art. 176 e o § 3º do art. 231 da Constituição para estabelecer as condições específicas para a realização da pesquisa e da lavra de recursos minerais e hidrocarbonetos e para o aproveitamento de recursos hídricos para geração de energia elétrica em terras indígenas e institui a indenização pela restrição do usufruto de terras indígenas. Brasília, DF: Câmara dos Deputados, 2020b. Available from: [https://www.camara.leg.br/proposicoesWeb/prop\\_mostrarintegra;jsessionid=node0161t23u2028wflax56idgrpieh21240900.node0?codteor=1855498&filename=PL+191/2020](https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra;jsessionid=node0161t23u2028wflax56idgrpieh21240900.node0?codteor=1855498&filename=PL+191/2020). Access on: Aug. 20, 2022.

BRAZIL. Congresso Nacional. *Veto n. 27/2020*. Plano Emergencial para Enfrentamento à Covid-19 nos territórios indígenas e medidas de apoio a diversas comunidades. Brasília, DF: Congresso Nacional, 2020c. Available from: <https://www.congressonacional.leg.br/materias/vetos/-/veto/detalhe/13425>. Access on: Sept. 1, 2022.

BRAZIL. Ministério da Saúde. *Sistema de Informação sobre Mortalidade – SIM (1979 a 2019)*. Brasília, DF: Ministério da Saúde, 2020d. Available from: <https://dados.gov.br/dataset/sistema-de-informacao-sobre-mortalidade-sim-1979-a-2018>. Access on: Aug. 20, 2022.

BRAZIL. Câmara dos Deputados. *Medida Provisória n. 886/2019*. Altera a Lei n. 13.844, de 18 junho de 2019, a Lei n. 8.171, de 17 de janeiro de 1991, a Lei n. 12.897, de 18 de dezembro de 2013, a Lei n. 9.613, de 3 de março de 1998, e a Lei n. 13.334, de 13 de setembro de 2016, para dispor sobre a organização básica dos órgãos da Presidência da República e dos Ministérios. Brasília, DF: Câmara dos Deputados, 2019a. Available from: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2208720>. Access on: Aug. 17, 2022.

BRAZIL. Câmara dos Deputados. *Projeto de Lei n. 6.162/2019*. Institui o Plano Regional de Desenvolvimento da Amazônia para o período de 2020-2023. Brasília, DF: Câmara dos Deputados, 2019b. Available from: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2230646>. Access on: Aug. 18, 2022.

BRAZIL. *Decreto n. 9.741, de 29 de março de 2019*. Altera o Decreto n. 9.711, de 15 de fevereiro de 2019, que dispõe sobre a programação orçamentária e financeira, estabelece o cronograma mensal de desembolso do Poder Executivo federal para o exercício de 2019 e dá outras providências. Brasília, DF: Presidência da República, 2019c. Available from: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/D9741.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9741.htm). Access on: Aug. 20, 2022.

BRAZIL. *Decreto n. 9.759, de 11 de abril de 2019*. Extingue e estabelece diretrizes, regras e limitações para colegiados da administração pública federal. Brasília, DF: Presidência da República, 2019d. Available from: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/d9759.htm](https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/d9759.htm). Access on: Aug. 20, 2022.

BRAZIL. *Decreto n. 9.760, de 11 de abril de 2019*. Altera o Decreto n. 6.514, de 22 de julho de 2008, que dispõe sobre as infrações e sanções administrativas ao meio ambiente e estabelece o processo administrativo federal para apuração destas infrações. Brasília, DF: Presidência da República, 2019e. Available from: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/D9760.htm](https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9760.htm). Access on: Aug. 20, 2022.

BRAZIL. *Decreto n. 9.806, de 28 de maio de 2019*. Altera o Decreto n. 99.274, de 6 de junho de 1990, para dispor sobre a composição e o funcionamento do Conselho Nacional do Meio Ambiente — Conama. Brasília, DF: Presidência da República, 2019f. Available from: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/d9806.htm](https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/d9806.htm). Access on: Aug. 20, 2022.

BRAZIL. *EMI n. 00034/2019/CC-PR/ME, de 18 de junho de 2019*. Brasília, DF: Presidência da República, 2019g. Available from: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/Exm/Exm-MP-886-19.pdf](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/Exm/Exm-MP-886-19.pdf). Access on: Aug. 19, 2022.

BRAZIL. *Lei n. 13.844, de 18 de junho de 2019*. Conversão da Medida Provisória n. 870, de 2019. Estabelece a organização básica dos órgãos da Presidência da República e dos Ministérios; altera as Leis nos 13.334, de 13 de setembro de 2016, 9.069, de 29 de junho de 1995, 11.457, de 16 de março de 2007, 9.984, de 17 de julho de 2000, 9.433, de 8 de janeiro de 1997, 8.001, de 13 de março de 1990, 11.952, de 25 de junho de 2009, 10.559, de 13 de novembro de 2002, 11.440, de 29 de dezembro de 2006, 9.613, de 3 de março de 1998, 11.473, de 10 de maio de 2007, e 13.346, de 10 de outubro de 2016; e revoga dispositivos das Leis nos 10.233, de 5 de junho de 2001, e 11.284, de 2 de março de 2006, e a Lei n. 13.502, de 1º de novembro de 2017. Brasília, DF: Presidência da República, 2019h. Available from: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/Lei/L13844.htm](https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/Lei/L13844.htm). Access on: Aug. 20, 2022.

BRAZIL. *Lei n. 13.901, de 11 de novembro de 2019*. Altera a Lei n. 13.844, de 18 junho de 2019, a Lei n. 8.171, de 17 de janeiro de 1991, a Lei n. 12.897, de 18 de dezembro de 2013, e a Lei n. 13.334, de 13 de setembro de 2016, para dispor sobre a organização básica dos órgãos da Presidência da República e dos Ministérios. Brasília, DF: Presidência da República, 2019i. Available from: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/Lei/L13901.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/Lei/L13901.htm). Access on: Aug. 19, 2022.

BRAZIL. *Medida Provisória n. 870, de 1º de janeiro de 2019*. Estabelece a organização básica dos órgãos da Presidência da República e dos Ministérios. Brasília, DF: Presidência da República, 2019j. Available from: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/Mpv/mpv870.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/Mpv/mpv870.htm). Access on: Sept. 1, 2022.

BRAZIL. Ministério do Meio Ambiente. Gabinete do Ministro. Portarias n.º 107 a 127. *Diário Oficial da União*: seção 2, Brasília, DF, n. 42, p. 65, 28 fev. 2019k. Available from: <https://www.in.gov.br/leiturajornal?data=28-02-2019&secao=DO2&org=Minist%C3%A9rio%20do%20Meio%20Ambiente>. Access on: Aug. 20, 2022.

BRAZIL. Ministério do Meio Ambiente. Instituto Chico Mendes de Conservação da Biodiversidade. Portaria Conjunta, n. 1. *Diário Oficial da União*: seção 1, Brasília, DF, n. 154, p. 42, 12 ago. 2019l.

BRAZIL. Portaria n. 1.597. Dispensar Bruno da Cunha Araújo Pereira da função de coordenador-geral de Índios Isolados e de Recente Contato da Diretoria de Proteção Territorial da Fundação Nacional do Índio, código FCPE 101.4. *Diário Oficial da União*: seção 2, Brasília, DF, 4, p. 42, out. 2019m.

BRAZIL. Presidência da República. Portarias de 6 de agosto de 2019. O ministro de Estado chefe da Casa Civil da Presidência da República, substituto, no uso de suas atribuições e tendo em vista o

disposto no art. 4º do Decreto n. 9.794, de 14 de maio de 2019, resolve: N. 2.170 – EXONERAR RICARDO MAGNUS OSORIO GALVAO do cargo de Diretor do Instituto Nacional de Pesquisas Espaciais – INPE – do Ministério da Ciência, Tecnologia, Inovações e Comunicações, código DAS 101.5, a partir de 2 de agosto de 2019. *Diário Oficial da União*: seção 2, Brasília, DF, n. 151, p. 1, 7 ago. 2019n. Available from: <https://www.in.gov.br/web/dou/-/portarias-de-6-de-agosto-de-2019-209288438>. Access on: Aug. 18, 2022.

BRAZIL. Câmara dos Deputados. *Projeto de Lei n. 490/2007*. Altera a Lei n. 6.001, de 19 de dezembro de 1973, que dispõe sobre o Estatuto do Índio. Estabelece que as terras indígenas serão demarcadas através de leis. Brasília, DF: Câmara dos Deputados, 2007. Available from: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=345311>. Access on: Aug. 20, 2022.

BRAZIL. Conselho Nacional do Meio Ambiente Resolução n. 303, de 20 de março de 2002. Dispõe sobre parâmetros, definições e limites de Áreas de Preservação Permanente. *Diário Oficial da União*: seção 1, Brasília, DF, p. 68, 13 maio 2002. Available from: <https://bit.ly/3JrMAH>. Access on: Aug. 29, 2021.

BRAZIL. [Constituição (1988)]. *Constituição da República Federativa do Brasil de 1988*. Brasília, DF: Presidência da República, 1988. Available from: [https://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao.htm](https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm). Access on: Aug. 20, 2022.

BRAZIL. *Lei n. 6.938, de 31 de agosto de 1981*. Dispõe sobre a Política Nacional do Meio Ambiente, seus fins e mecanismos de formulação e aplicação, e dá outras providências. Brasília, DF: Presidência da República, 1981. Available from: [https://www.planalto.gov.br/ccivil\\_03/leis/l6938.htm](https://www.planalto.gov.br/ccivil_03/leis/l6938.htm). Access on: Aug. 20, 2022.

CARDOSO, T. Um ano e oito meses depois de empossada, Dilma Rousseff deixa o poder. *Senado Notícias*, 31 ago. 2016. Available from: <https://www12.senado.leg.br/noticias/materias/2016/08/31/um-ano-e-oito-meses-depois-de-empossada-dilma-rousseff-deixa-o-poder>. Access on: Aug. 3, 2022.

CERQUEIRA, D. et al. *Atlas da violência*. Brasília, DF: IPEA, 2019. Available from: <https://www.ipea.gov.br/atlasviolencia/download/19/atlas-da-violencia-2019>. Access on: Aug. 20, 2022.

CIMI – CONSELHO INDIGENISTA MISSIONÁRIO. Em meio à pandemia, invasões de terras e assassinatos de indígenas aumentaram em 2020. *Cimi*, 28 out. 2021. Available from: <https://cimi.org.br/2021/10/relatorioviolencia2020/>. Access on: Aug. 19, 2022.

CIMI – CONSELHO INDIGENISTA MISSIONÁRIO. *Relatório Violência contra os povos indígenas no Brasil*: dados de 2016. Available from: [https://cimi.org.br/pub/relatorio/Relatorio-violencia-contra-povos-indigenas\\_2016-Cimi.pdf](https://cimi.org.br/pub/relatorio/Relatorio-violencia-contra-povos-indigenas_2016-Cimi.pdf). Access on: Aug. 19, 2022.

É MUITA TERRA para pouco índio. Presidente afirmou que quer rever demarcação de terras indígenas por suspeita de irregularidades, mas não apresentou evidências sobre isso. *Exame*, 30 ago. 2019. Available from: <https://exame.com/brasil/e-muita-terra-para-pouco-indio-diz-bolsonaro/>. Access on: Aug. 20, 2022.

FERREIRA, I.; DIAS, V.; ESCOBAR, H. Sempre que a ciência for atacada, temos que nos levantar. *Jornal USP*, 16 ago. 2019. Available from: <https://jornal.usp.br/universidade/politicas-cientificas/sempre-que-a-ciencia-for-atacada-temos-que-nos-levantar/>. Access on: Aug. 20, 2022.

FONSECA, A. et al. *Boletim do desmatamento da Amazônia Legal (julho de 2019)*. Belém: Imazon, 2019. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-legal-julho-2019-sad/>. Access on: Aug. 1, 2022.

FONSECA, A. et al. *Boletim do desmatamento da Amazônia Legal (julho de 2018)*. Belém: Imazon, 2018. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-legal-julho-2018-sad/>. Access on: Aug. 3, 2022.

- FONSECA, A. *et al.* *Boletim do desmatamento da Amazônia Legal (julho de 2017)*. Belém: Imazon, 2017. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-legal-julho-2017-sad/>. Access on: Aug. 3, 2022.
- FONSECA, A. *et al.* Instituto do Homem e Meio Ambiente da Amazônia – Imazon. *Boletim do desmatamento da Amazônia Legal (julho de 2016)*. Belém: Imazon, 2016. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-legal-julho-de-2016-sad/>. Access on: Aug. 3, 2022.
- FONSECA, A. *et al.* Instituto do Homem e Meio Ambiente da Amazônia – Imazon. *Boletim do desmatamento da Amazônia Legal (julho de 2015)*. Belém: Imazon, 2015. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-da-amazonia-legal-julho-de-2015-sad/>. Access on: Aug. 3, 2022.
- FONSECA, A.; SOUZA JR., C.; VERÍSSIMO, A. *Boletim Transparência Florestal da Amazônia Legal (Julho de 2014)*. Belém: Imazon, 2014. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-sad-julho-2014/>. Access on: Aug. 3, 2022.
- FUNDO AMAZÔNIA. *Governança*. Available from: <http://www.fundoamazonia.gov.br/pt/fundo-amazonia/governanca/>. Access on: Aug. 19, 2022.
- GURSKI, B. C.; CALDEIRA, V. S.; SOUZA-LIMA, J. E. A judicialização da política na tutela do direito ao meio ambiente. *Revista Jurídica – Unicuritiba*, Curitiba, v. 1, n. 42, p. 419-437, 2016. Available from: <http://revista.unicuritiba.edu.br/index.php/RevJur/article/view/1515>. Access on: Aug. 30, 2022.
- GUZMÁN, L. O caminho que levou o Chile a promover o Acordo de Escazú e depois rejeitá-lo. *Diálogo Chino*, 26 nov. 2020. Available from: <https://dialogochino.net/pt-br/mudanca-climatica-e-energia-pt-br/38525-o-caminho-que-levou-o-chile-a-promover-o-acordo-de-escazu-e-depois-rejeita-lo/>. Access on: July 20, 2022.
- HAJE, L. Ministro do Meio Ambiente diz que atua para coibir desmatamento e crimes ambientais. *Agência Câmara de Notícias*, 6 jul. 2022. Available from: <https://www.camara.leg.br/noticias/894762-ministro-do-meio-ambiente-diz-que-atua-para-coibir>. Access on: Aug. 20, 2022.
- HAYASHI, S. *et al.* *Boletim Transparência Florestal Amazônia Legal (Setembro de 2011)*. Belém: Imazon, 2011. Available from: <https://imazon.org.br/publicacoes/boletim-de-desmatamento-sad-setembro-de-2011/>. Access on: Aug. 3, 2022.
- IBAMA – INSTITUTO BRASILEIRO DO MEIO AMBIENTE. Áreas com localidades oleadas no Nordeste brasileiro. Brasília, DF: IBAMA, 2019. Available from: [http://www.ibama.gov.br/phocadownload/notas/2019/2019-10-08\\_LOCALIDADES\\_AFETADAS\\_geral.pdf](http://www.ibama.gov.br/phocadownload/notas/2019/2019-10-08_LOCALIDADES_AFETADAS_geral.pdf). Access on: Aug. 17, 2022.
- IMAZON – INSTITUTO DO HOMEM E MEIO AMBIENTE DA AMAZÔNIA. Amazônia já perdeu mais de 2 mil campos de futebol por dia de floresta em 2022, maior devastação em 15 anos. *Imazon*, 17 jun. 2022. Available from: <https://imazon.org.br/imprensa/amazonia-ja-perdeu-mais-de-2-mil-campos-de-futebol-por-dia-de-floresta-em-2022-maior-devastacao-em-15-anos/>. Access on: July 20, 2022.
- INPE – INSTITUTO NACIONAL DE PESQUISAS ESPACIAIS. *Programa Queimadas do INPE*. São José dos Campos: INPE, 2023. Available from: <http://terrabrasilis.dpi.inpe.br/queimadas/portal/>. Access on: Aug. 5, 2022.
- INVASÃO A TERRA indígena Waiápi, no Amapá: veja perguntas e respostas sobre a situação. *G1 AP – Macapá*, 29 jul. 2019. Available from: <https://g1.globo.com/ap/amapa/noticia/2019/07/29/invasao-a-terra-indigena-waiapi-no-amapa-veja-perguntas-e-respostas-sobre-a-situacao.ghtml>. Access on: Aug. 18, 2022.

IPEA – INSTITUTO DE PESQUISA ECONÔMICA APLICADA. Violências contra indígenas. In: IPEA – INSTITUTO DE PESQUISA ECONÔMICA APLICADA. *Atlas da Violência 2021*. São Paulo: FBSP, 2021. p. 81-88. Available from: <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/5141-atlasaviolencia2021completo.pdf>. Access on: Aug. 19, 2022.

LIÉVANO, A. B. Coronavírus dificulta ratificação do Acordo de Escazú. *Diálogo Chino*, 8 abr. 2020. Available from: <https://dialogochino.net/pt-br/mudanca-climatica-e-energia-pt-br/34581-escazu-acordo-dificulta-ratificacao-coronavirus/>. Access on: July 18, 2022.

LORRAN, T. Carta em que Bruno pediu para sair da Funai fala em “clima de tensão”. *Metrópoles*, 27 jul. 2022. Available from: <https://www.metropoles.com/brasil/direitos-humanos-br/carta-em-que-bruno-pediu-para-sair-da-funai-fala-em-clima-de-tensao>. Access on: Aug. 23, 2022.

LOVEJOY, T. E.; NOBRE, C. Amazon Tipping Point. *Science Advances*, v. 4, n. 2, 21 fev. 2018. <https://www.science.org/doi/full/10.1126/sciadv.aat2340>. Access on: Aug. 20, 2022.

MACHADO, L. O que se sabe sobre o “Dia do Fogo”, momento-chave das queimadas na Amazônia. *BBC News Brasil*, 27 ago. 2019. Available from: <https://www.bbc.com/portuguese/brasil-49453037>. Access on: Sept. 30, 2021.

MAISONNAVE, F. Bolsonaro desautoriza operação em andamento do Ibama contra madeira ilegal em RO. *Folha de São Paulo*, 14 abr. 2019. Available from: <https://www1.folha.uol.com.br/ambiente/2019/04/bolsonaro-desautoriza-operacao-em-andamento-do-ibama-contra-madeira-ilegal-em-ro.shtml>. Access on: Aug. 15, 2022.

MAPBIOMAS. *Dados de alertas de desmatamento validados e publicados pelo Mapbiomas*. 2022. Available from: <https://plataforma.alerta.mapbiomas.org/monitor-da-fiscalizacao>. Access on: Aug. 20, 2022.

MARTINS, H. *et al. Boletim Transparência Florestal da Amazônia Legal (novembro de 2013)*. Belém: Imazon, 2013. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-sad-novembro-de-2013/>. Access on: Aug. 3, 2022.

MARTINS, H. *et al. Boletim Transparência Florestal da Amazônia Legal (Julho de 2012)*. Belém: Imazon, 2012. Available from: <https://imazon.org.br/publicacoes/boletim-do-desmatamento-sad-julho-de-2012/>. Access on: Aug. 3, 2022.

MATTOS NETO, A. J. Atentados ao Estado democrático de Direito Agroambiental Brasileiro por Escolhas Trágicas: do esboçado país das maravilhas de Alice à realidade de inferno de Dante. *Veredas do Direito, Belo Horizonte*, v. 18, n. 40, p. 249-286, jan./abr. 2021. Available from: <http://revista.domhelder.edu.br/index.php/veredas/article/view/2168>. Access on: Aug. 20, 2022.

MBEMBE, A. *Políticas da inimizade*. Tradução Marta Lança. Lisboa: Antígona, 2017.

MELO, M. P.; BURCKHART, T. R. Direito indígena e inovações constitucionais na América Latina: uma leitura a partir da teoria crítica do Direito. *Revista Jurídica*, Blumenau, v. 17, n. 34, p. 97-120, jul./dez. 2013.

MONCAU, G. “Agro é fogo”: dossiê aponta que incêndios florestais são um projeto político no Brasil. *Brasil de Fato*, 13 out. 2020. Available from: <https://www.brasildefato.com.br/2022/10/13/agro-e-fogo-dossie-aponta-que-incendios-florestais-sao-um-projeto-politico-no-brasil>. Access on: Aug. 20, 2022.

MONTEIRO, R. R. *et al.* Direito e Política Nacional do Meio Ambiente: os desafios enfrentados na atualidade no Brasil (2019-2021). *Research, Society and Development*, Vargem Grande Paulista, v. 11, n. 7, e20611729766, 2022.

OLIVEIRA, A. C. A.; ARAÚJO, D. D. Luta por assistência à saúde dos povos indígenas durante a pandemia da Covid-19 (Maranhão – Brasil). In: 9ª CONFERENCIA LATINO-AMERICANA

- Y CARIBEÑA DE CIENCIAS SOCIALES, 9., 2022, Ciudad de México. *Resumen de ponencia* [...]. Buenos Aires: Clasco, 2022. Available from: [https://conferenciaclasco.org/programa/resumen\\_ponencia.php?&ponencia=Conf-1-2968-7628&eje=28](https://conferenciaclasco.org/programa/resumen_ponencia.php?&ponencia=Conf-1-2968-7628&eje=28). Access on: Aug. 20, 2022.
- PENA, P. G. L. *et al.* Derramamento de óleo bruto na costa brasileira em 2019: emergência em saúde pública em questão. *Cadernos de Saúde Pública*, Rio de Janeiro, v. 36, n. 2, 2020. Available from: <https://www.scielo.br/j/csp/a/RdpV54PDWjxktvSjhJRCvTP/?lang=pt>. Access on: Aug. 20, 2022.
- PINA, R. Bolsonaro corta 95% do orçamento das ações destinadas a combater mudanças climáticas. *Brasil de Fato*, 3 maio 2019. Available from: <https://www.brasildefato.com.br/2019/05/03/bolsonaro-corta-95-do-orcamento-das-aco-es-destinadas-a-combater-mudancas-climaticas/>. Access on: Aug. 20, 2022.
- RAMOS, A. P. Veto de Bolsonaro à lei de proteção a indígenas foi pedido de Damares. *Yahoo Notícias*, 2020. Available from: <https://esportes.yahoo.com/noticias/veto-de-bolsonaro-a-lei-de-protecao-a-indigenas-foi-pedido-de-damares-141323609.html>. Access on: Aug. 12, 2022.
- ROCHA NETO, J. M. Sobre expectativas e frustrações: uma interpretação da governança do plano regional de desenvolvimento da Amazônia. *Revista Tempo do Mundo*, Brasília, DF, n. 27, p. 273-304, dez. 2021. Available from: <https://www.ipea.gov.br/revistas/index.php/rtm/article/view/328>. Access on: Aug. 20, 2022.
- SALLES APROVA extinção de regras que protegem manguezais e restingas. *R7*, 28 set. 2020. Available from: <https://noticias.r7.com/brasil/salles-aprova-extincao-de-regras-que-protegem-manguezais-e-restingas-23082021>. Access on: Aug. 29, 2021.
- SANTANA, C. O. A dissonância entre doméstico e o externo: a Política Ambiental brasileira nos governos Dilma Rousseff (2011-2016). In: XI SEMINÁRIO DISCENTE DA PÓS-GRADUAÇÃO EM CIÊNCIA POLÍTICA DA USP, 11., 2021, São Paulo. *Anais [...]*. São Paulo: USP, 2021, p. 20.
- SHALDERS, A. Por que a decisão de Ricardo Salles sobre manguezais representa “volta no tempo” de quase 500 anos. *BBC News*, 8 out. 2020. Available from: <https://www.bbc.com/portuguese/brasil-54461270>. Access on: 21/Aug. 9, 2021.
- SHALDERS, A. *Queimadas disparam, mas muitas do Ibama despencam sob Bolsonaro*. *Folha de S.Paulo*, 24. ago. 2019. Available from: <https://www1.folha.uol.com.br/ambiente/2019/08/queimadas-disparam-mas-muitas-do-ibama-despencam-sob-bolsonaro.shtml>. Access on: Aug. 20, 2022.
- SILVÉRIO, D. *et al.* Nota técnica – Amazônia em chamas. *IPAM Amazônia*, 20 ago. 2019. Available from: <https://ipam.org.br/bibliotecas/nota-tecnica-amazonia-em-chamas/>. Access on: Aug. 20, 2022.
- SOUZA, R. S. B. de *et al.* Suicídio e povos indígenas brasileiros: revisão sistemática. *Revista Panamericana de Salud Pública (RPSP)*, Bebedouro, v. 58, n. 44, p. 1-8, 2020. Available from: <https://iris.paho.org/handle/10665.2/52373>. Access on: Aug. 18, 2022.
- STF – SUPREMO TRIBUNAL FEDERAL. (1. Turma). Voto da Ministra Relatora exigindo plano da União para fiscalização ambiental. *Arguição de Descumprimento de Preceito Fundamental (ADPF) 760 / DF*. Requerente: Partido Socialista Brasileiro-PSB e outros. Relatora: Min. Cármen Lúcia, 06 de abril de 2022a. Available from: <https://www.stf.jus.br/arquivo/cms/noticiaNoticiaStf/anexo/VO-TOADPF760.pdf>. Access on: Aug. 20, 2022.
- STF – SUPREMO TRIBUNAL FEDERAL. (Tribunal Pleno). *Ação Direta de Inconstitucionalidade por Omissão (ADO) 59 / DF*. Omissão inconstitucional da União quanto à implementação das prestações normativas e materiais de proteção da área compreendida como Amazônia Legal. O inadimplemento dos deveres constitucionais de tutela do meio ambiente pela União Federal, materializado na ausência de políticas públicas adequadas para a proteção da Amazônia Legal e na desestruturação institucional das formuladas em períodos antecedentes, configura estado normativo desestruturante e desestruturado em matéria ambiental na região. Omissão normativa quanto às obrigações referentes à

ativação do Fundo Amazônia, cuja causa principal consiste na extinção dos mecanismos normativos essenciais para a gestão do Fundo. Relatora: Min. Rosa Weber, 03 de novembro de 2022b. Available from: <https://redir.stf.jus.br/paginadorpub/paginador.jsp?docTP=TP&docID=769826527>. Access on: Aug. 19, 2022.

STF – SUPREMO TRIBUNAL FEDERAL (Tribunal Pleno). Acórdão. *Repercussão Geral – Admissibilidade (Tema 1031) no Recurso Extraordinário (RE) 1017365 / SC*. Relator: Min. Edson Fachin, 21 de fevereiro de 2019. Available from: <https://jurisprudencia.stf.jus.br/pages/search/repercussao-geral10442/false>. Access on: Aug. 20, 2022.

STF LIBERA vídeo de reunião com Moro e Bolsonaro. *DW Brasil*, 23 maio 2020. Available from: <https://www.dw.com/pt-br/stf-libera-v%C3%ADdeo-de-reuni%C3%A3o-com-moro-e-bolsonaro/a-53541463>. Access on: Sept. 2, 2022.

TERRABRASILIS. Análise – Focos de queimada x desmatamento. *TerraBrasilis*, 2019a. Available from: <http://terrabrasilis.dpi.inpe.br/app/dashboard/fires/biomes/aggregated/>. Access on: Aug. 20, 2022.

TERRABRASILIS. Incrementos de desmatamento – Amazônia. *TerraBrasilis*, 2019b. Available from: <http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/amazon/increments>. Access on: Aug. 17, 2022.

TERRABRASILIS. Prodes (desmatamento). *TerraBrasilis*, 2019c. Available from: <http://terrabrasilis.dpi.inpe.br/app/dashboard/deforestation/biomes/amazon/increments>. Access on: Aug. 20, 2022.

TRANSPARÊNCIA BRASIL *et al.* Sem transparência, não há sustentabilidade. *Achados e Pedidos*, 2022. Available from: <https://www.achadosepedidos.org.br/uploads/publicacoes/Manifesto-TransparenciaSocioambiental.pdf>. Access on: Sept. 2, 2022.

VALENTE, R. Projeto de mineração também libera plantio de transgênico em terra indígena. *Folha de S. Paulo*, 6 fev. 2020. Available from: <https://www1.folha.uol.com.br/mercado/2020/02/projeto-de-mineracao-tambem-libera-plantio-de-transgenico-em-terra-indigena.shtml>. Access on: Aug. 29, 2021.

## About the authors

### José Edmilson de Souza-Lima

Doctoral degree in Environment and Development from Universidade Federal do Paraná (UFPR), Curitiba/PR, Brazil. Master's degree in Political Sociology from the Universidade Federal de Santa Catarina (UFSC), Florianópolis/SC, Brazil. Degree in Social Sciences from UFPR. Professor of the Graduate Program in Law at Centro Universitário Curitiba (Unicuriúba), Curitiba/PR, Brazil.

### Luciana Ricci Salomoni

Master's student in Environment and Development at Universidade Federal do Paraná (UFPR), Curitiba/PR, Brazil. Specialist Certification in Environmental Law from UFPR. Degree in Law from Centro Universitário Autônomo do Brasil (Unibrasil), Curitiba/PR, Brazil. Member of the Environmental Law Commission of the Brazilian Bar Association – Paraná Section (OAB/PR), Curitiba/PR, Brazil. Member of the Inter research group (UFPR/CNPq) and the Epistemes Vivas research group (Unicuriúba/CNPq). Lawyer.

### Fernanda Gewehr de Oliveira

Doctoral student in Environment and Development at Universidade Federal do Paraná (UFPR), Curitiba/PR, Brazil. Master's degree in Environmental Systems and Sustainability from Universidade Regional do Noroeste do Estado do Rio Grande do Sul (Unijuí), Ijuí/RS, Brazil. Specialist Certification in Labor Law and Process from Universidade para o Desenvolvimento do Estado e da Região do Pantanal (Uniderp), Campo Grande/MS, Brazil. Degree in Law from Unijuí. Volunteer researcher at the Human Rights Research Group – PPGDH. Lawyer.



**Authors' participation**

José Edmilson de Souza-Lima: conceptualization, data analysis, methodology, writing and review. Luciana Ricci Salomoni: conceptualization, data curation, data analysis, research, methodology, project administration, original manuscript writing, writing, review and editing. Fernanda Gewehr de Oliveira: conceptualization, data curation, data analysis, research, methodology, data presentation design, original manuscript writing.

**How to cite this article:**

SALOMONI, L. R.; OLIVEIRA, F. G.; SOUZA-LIMA, J. E. Markers of Brazilian Socio-Environmental Necropolicy *Veredas do Direito*, Belo Horizonte, v. 21, e212437, 2024. Available from: <http://www.domholder.edu.br/revista/index.php/veredas/article/view/2437>. Access: Month. day, year.