



Case Study on Land Conflicts in the Soy Supply Chain: Coamo and the Guarani and Kaiowá Indigenous Lands in Mato Grosso do Sul

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Executive Summary

- In 2020, Brazil was the world's largest soybean producer, with 121 million tonnes – 1/3 of the world's production.
- Soybeans are the country's top vegetable product, worth approximately R\$ 100 billion a year. Most of it is sold abroad as grains, without any value added by processing.
- The largest importers are China and the European Union. European buyers place greater emphasis on certification.
- Soybean exports to the EU – Brazil's second largest buyer – had been in the range of 5 million tonnes. In 2020, that figure jumped by 60% to 8 million tons. They are estimated to continue in that range in 2021. As for soybean meal, the EU is the main importer, and trade has remained in the range of 7.5 to 9 million tonnes.
- Brazilian tax legislation favours exports of primary products. The country ships comparatively little soybean oil, and European purchases do not reach 1% of the volume.
- The crop employs relatively few workers. Farms often have more machines than people working. Jobs are concentrated in stages before and after planting.
- The Netherlands – the headquarters of the Dreyfus Group –, Spain, France and Germany concentrate the demand for soybeans in Europe, but this division can be very different from the final destination.
- The Brazilian harvest season takes place at the same time as the off-season in the US – historically, Brazil's main competitor in soy.
- Soy cultivars are adapted to Brazil's climate as a result of years of improvement achieved both through traditional techniques and, in recent years, through genetic modification.
- Having grown exponentially since the 1970s, soybean farming has transformed Brazilian economy and territory, redefining the country's agricultural profile and driving occupation of remoter areas as well as rural-urban convergence.
- Historically, the main producing regions were the South and the Southeast. In the late 1990s, the Centre-West (especially Mato Grosso state) became the largest producer region. In recent years, the new "agricultural frontier" has advanced, with important regions in southern Amazon (northern of Mato Grosso, southern Amazonas state, and Pará) and the Northeast. It includes the area known as "Matopiba" – Maranhão, Tocantins, Piauí and Bahia (the western portion of the state), between North and Northeast.
- In the last decade, productivity appears to have reached a ceiling and fluctuated at just over 3 tonnes per hectare. Planted area and harvest output have grown in line. The advance in recent years has basically occurred at the expense of the Amazon biome in the south of the North region, and the Cerrado biome, in the Centre-West and Northeast, although several studies show that there are degraded agricultural pastures available.
- The more than 3,000 cultivars registered in Brazil are divided into three categories: two genetically modified ones (RR and BT), which account for more than 90% of the total, and a conventional one, called "free soy."
- The "ABCD quartet" (ADM, Bunge, Cargill and Louis Dreyfus) are among the top 10 soy companies in the country, and Brazilian company Amaggi joins these giants that operate throughout the supply chain.
- German companies, especially Bayer and Basf, are among the main producers of both cultivars (including GMOs) and pesticides and other inputs for soybean.
- From the retail point of view, several chains in Germany with their food private labels – including Aldi and Lidl – have signed commitments or hold certifications to reduce the environmental impact of soy. The Rewe Group and Mega Tierernährung are working to reduce their dependence on Brazilian soy.

- Soy's high yields tend to impact food crops such as beans.
- The international repercussions of illegal deforestation generated a moratorium to prevent conversion of new areas in the Amazon. The extension of this commitment to the Cerrado is under discussion. There is where the crop causes its strongest impacts and most of the production to be exported to Europe comes from. Soy farming also creates conflicts in and exodus from rural areas.
- Large agricultural enterprises displace diversified and familiar crops; degrade soils, rivers and groundwater; cause biodiversity loss; and change local climate.
- The Soy Moratorium was the result of an international campaign denouncing the strong increase in land acquisition and Amazon deforestation after Cargill's terminal was built in the port of Santarém (PA). The commitment has been in effect since 2006 and has resulted in environmental and commercial benefits. The government joined it in 2008, but President Bolsonaro's administration has been making statements against it. Industry champions have avoided extending restrictions to the Cerrado.
- Some traders have refused raw material from recently deforested regions in the Cerrado. Bunge and Cargill, for example, have launched programs and adopted measures to that effect, but postponed deadlines to meet their targets. They have received multimillion fines in recent years.
- A detailed study shows that up to a fifth of the soy exported to the EU can be "contaminated" with environmental degradation.
- The advance of monoculture in the Cerrado biome is concentrated in the Matopiba area, including disputes over land and water with traditional communities and family farmers.
- In the region, American pension fund TIAA owns 100,000 hectares of land through funds that together are worth US\$ 5 billion. Its main investors include European pension funds that present themselves as "responsible investors," including Germany's Ärzteversorgung Westfalen-Lippe (ÄVWL).
- In Mato Grosso do Sul, pressure from large farm owners prevents demarcation and homologation of Indigenous Lands (ILs). The situation of these peoples in the state, especially the Guarani and Kaiowá, involves food insecurity and systemic violence, with intimidation, attacks and murders. Preliminary data show that 40 of the 113 homicides of indigenous people in Brazil in 2020 took place in the state.
- A large part of the soy produced in Mato Grosso do Sul comes from areas claimed or occupied by indigenous people, in this case, under the lease model, which is in full expansion.
- Coamo buys most of the production of Mato Grosso do Sul – the focus of this report – which keeps 14 structures of the organization operating, with a daily processing capacity of 8,000 tonnes.
- Exporting soy is the reason for two mega-projects that the Guarani and Kaiowá see as threats to their territories.
- One of the largest cooperatives in Latin America – Coamo – is among Brazil's ten main soy exporters, with R\$ 20 billion in sales in 2020. They claim to follow their own sustainability certification but will not reveal the criteria that govern it.
- The state is the fifth largest soy producer in Brazil and has one of the highest land concentration rates. It also has a large indigenous population – second only to Amazonas – and the first concentration of that population group. In 2018, Repórter Brasil revealed that at least three Brazilian industries exporting soy to Norway had done business with producers caught committing crimes.
- Soy is a pesticide-intensive crop.

- Several laws and decrees regularized land grabbing, based on the logic that being on the land and transforming it entitles one to its ownership, and the Bolsonaro government and the ruralist caucus in Congress have been trying to pass a new amnesty to land grabbers.
- The president reduced funds for labour inspections, in a scenario where the structure is already lacking and workers have been losing rights since 2016.
- Almost 800 labour complaints have been investigated by the Public Prosecution Service in the soy supply chain in the last four years.
- Repórter Brasil's monitoring indicates that certifications make a difference but cannot replace legislation, public policies, and state action.

Presentation

Desktop research and case studies used in this report are part of a collection of five volumes on Brazilian agricultural products exported to the European Union: soy, sugar cane, orange, coffee and cocoa. Two specific aspects of the supply chains in question are investigated: economic and trade relations – with a focus on that economic bloc and, in particular, on Germany – and their socio-environmental and labour impacts.

Starting at the first stage – desktop research – new qualitative studies were conducted to further expand our knowledge about some of these products.

As for soy, the case study chosen was that of conflicts involving Coamo – a company structured as an agro-industrial cooperative – and indigenous communities, especially the Guarani and Kaiowá ethnic groups in the state of Mato Grosso do Sul.

One of the largest cooperatives in Latin America – Coamo – is among Brazil's ten main soy exporters, with R\$ 20 billion in sales in 2020. It arrived in Mato Grosso do Sul in 2004 and it now has 14 units in the state – including a R\$ 780-million factory – with processing capacity for 8,000 tons a day. They claim to follow their own sustainability certification but will not reveal the criteria that govern it.

The state is the fifth largest soy producer in Brazil and has one of the highest land concentration rates. It also has the second largest indigenous population – second only to Amazonas – and the first concentration of that population group. The confinement of Guarani and Kaiowá populations, particularly in reservations,¹ is unparalleled in Brazil, while the notion of territory is central to their way of life. Violence rates there are also the highest. Food insecurity is another aspect of their social situation.

A large part of the soy produced in Mato Grosso do Sul comes from “declared” indigenous lands, sometimes in farms overlapping their boundaries, sometimes as areas leased for plantations, usually with very unequal division of earnings.

Exporting soy is the reason for two major infrastructure works supported by Coamo that will cross – or at least border – several indigenous lands.

The results of these case studies will contribute to the work of Christliche Initiative Romero (CIR) in Germany, supporting municipalities in their public procurement of food items for different purposes, such as school lunches and canteens. This initiative aims to incorporate social criteria for food production into government tenders and contracts, in order to improve working conditions in global supply chains.

In addition, the case studies will inform the campaign for ethical food focused on the next generation – *Our Food. Our Future* – which was launched in 2021. Coordinated by CIR, the campaign is led by an international coalition of civil society organizations that includes Repórter Brasil. It seeks to mobilize young people across Europe for a socially just and sustainable food system based on human rights, agroecology and food sovereignty.

Methodology

The first part of this report is the result of desktop research based on bibliographic review and consultation of several databases, including official, independent, academic and journalistic sources. The research is guided by the list of questions presented by CIR and starts from information already gathered by Repórter Brasil in previous studies about these supply chains.

Desktop research was complemented with interviews and consultations – by telephone, e-mail or other remote means – with experts and relevant actors in this products' supply chain,

¹ Areas that were not traditional territories, resulting from donations or purchases by the government.

including: members of research centres, workers' organizations, producers' and exporters' associations, civil society organizations, universities, and the Labour Prosecution Service.

A month of fieldwork had been planned for the case studies, but it was replaced with remote interviews due to the Covid-19 pandemic. Repórter Brasil was conducting on-site investigations to protect its staff and contributors – and especially remote communities. Indigenous peoples and traditional peoples and communities have been historically helpless, and that condition has worsened in the current government, which took too long to provide them with protection against the health calamity. To follow the organization's protocol, fieldwork was replaced with an investigation conducted basically by telephone and online, as has been the case with most journalistic work and reports by civil society organizations, and not only in exceptional periods such as the current one.

In addition to losing the descriptive richness of on-site research, that limitation impacts access to certain sources who provide impressions and backstage information that go beyond the basic elements of the story – despite their secondary positions in the puzzle. In the case of this report, they might include suppliers and service providers, lessors and lessees of land for soy farming, employees of the company in question and even former cooperative members.

Research like this often benefits from locals' guidance, informal approaches, conversations at popular restaurants, and word of mouth in villages.

This restriction was mitigated by the fact that one of the researchers had travelled around the region a few years ago – in 2018 – for a survey on soy and sugar cane, in an investigation mostly focused on the supply chain of animal feed for salmon farming in Norway. The research benefited from a similar report produced a year earlier by Repórter Brasil. Another favourable element is those populations' non-universal but widespread access to mobile phones and 4G internet connections.

Still, interviews were lost because some indigenous people (usually older individuals) were not very familiar with new technologies or as a result of unstable internet connections. Other interviews became more difficult to conduct. Finally, a complicating factor was that several of our potential sources were in the federal capital to follow a crucial court decision and fight a threatening Congress agenda or had their attention 100% on the conflict that was taking place there at the time.

In any case, with greater effort, we were able to listen to indigenous peoples from different age groups and areas, with different levels of recognition, to ensure representativeness of the main Guarani and Kaiowá organizations but without limiting ourselves to the leaders. We also resorted to NGO members, researchers and government officials, in addition to reaching out to people who, for their personal experience, helped to understand Coamo's institutional and operational logic.

This part of the work with a local focus was also based on a CIR questionnaire. The content was adapted in communication with Repórter Brasil, in order to give priority to the most relevant aspects for the case studied: land conflicts, "light" pressure for land leasing, consequences for food crops, impacts on the traditional way of life. In addition, some readings and interviews – especially those with people directly linked to the company – addressed labour issues.

The interviews were recorded and each of them was preceded by an oral consent form, which would be signed after interviewers explained the nature of the project and offer interviewees' the choice of anonymity in their whole statements or in parts they might consider more sensitive.

Coamo was contacted by e-mail and telephone on several occasions but – unfortunately – they were not willing to be interviewed to provide their views on the issues discussed here.

1. Economic and trade relations

1.1 Background

Soybean is a protein-rich grain from the oilseed family. It is originally from Asia and has been used as food in China for more than 5,000 years, but large-scale soybean farming was only introduced in Brazil in the 1970s. Its worldwide consumption is on the rise, since it has many uses as human food (such as tofu and protein or as vegetable oil), animal feed (as feed or protein) and even in biodiesel production. It is everywhere in people's daily lives, often in invisible ways: it can either be part of food preparation as oil or margarine or it may have fed bovine cattle, pigs, chickens or even fish – or used as fuel in vehicles carrying food or people.

In 2019, world production of soy totalled 334 million tonnes (t), with Brazil as the top producer with 114 million tonnes.² In 2020, world production was estimated at 362 million t², with Brazilian production reaching 121 million t and expected to reach 134 million t in 2021.³

Historically, the United States used to lead the market, but a few years ago Brazil was said to be on its way to surpass US production. Brazil has been the largest exporter at least since 2018. Worth R\$ 169 billion in 2020⁴ (out of R\$ 470 billion of the country's total vegetable production), soybean is the crop with the greatest impact on Brazil's economy – a position that used to be held by sugar cane until 2006. In 2020, its share was equal to the sum of corn, sugar cane and coffee production – the products with the highest volume after soy.⁵

The main destination for all the soybeans produced in the world is China, which imported 98 million tonnes in 2020.⁶

The EU is the second largest importer of soybeans, with some 15 million tonnes in the same year. That is repeated for Brazilian exports, as shown below. The product consolidated its position as the main Brazilian export commodity a few years ago. In 2020, it was worth US\$ 35 billion, accounting for 16.7% of total Brazilian exports.

Soybeans can be marketed as grains, meal or oil. Meal and oil are produced by crushing grains. Most of Brazilian soybeans, however, are exported as grains to be crushed – and refined – in other countries. Soybean meal is used mainly as a supplement in animal feed due to its high protein content. Soybean oil, which Brazil does not export in such a significant volume, is used as an input for the food industry or to produce agrofuels. While refined products (meal and oil) are potentially more profitable, Brazil has chosen not to strengthen that industry – unlike, for example, Paraguay, which exports more oil than grains.

Complementary Law 87 of 1996 (known as the Kandir Law) exempts primary agricultural exports from state sales taxes (ICMS) – an advantage not granted to processed products. When the latter are sold abroad, credits can be purchased, but the high amount of red tape involved in the process, together with many countries' choice to import raw products to process and create jobs in their own territories, often leads to this option for selective taxation.

² <http://www.fao.org/faostat/en/#data/QC>

³ <https://www.ibge.gov.br/estatisticas/economicas/agricultura-e-pecuaria/9201-levantamento-sistematico-da-producao-agricola.html> . FAO still lacks that data on world production.

⁴ <https://agenciadenoticias.ibge.gov.br/agencia-sala-de-imprensa/2013-agencia-de-noticias/releases/31672-pam-2020-valor-da-producao-agricola-nacional-cresce-30-4-e-chega-a-r-470-5-bilhoes-recorde-da-serie>

⁵ <https://www1.folha.uol.com.br/mercado/2021/09/producao-agricola-brasileira-bate-recorde-em-2020-com-demanda-aquecida.shtml>

⁶ https://www.conab.gov.br/info-agro/analises-do-mercado-agropecuario-e-extrativista/analises-do-mercado/historico-mensal-de-soja/item/download/24596_03d67226d57f76bd78649da40c61928e#:~:text=Segundo%20o%20Usda%2C%20o%20Brasil,de%20todas%20as%20exporta%C3%A7%C3%B5es%20mundiais

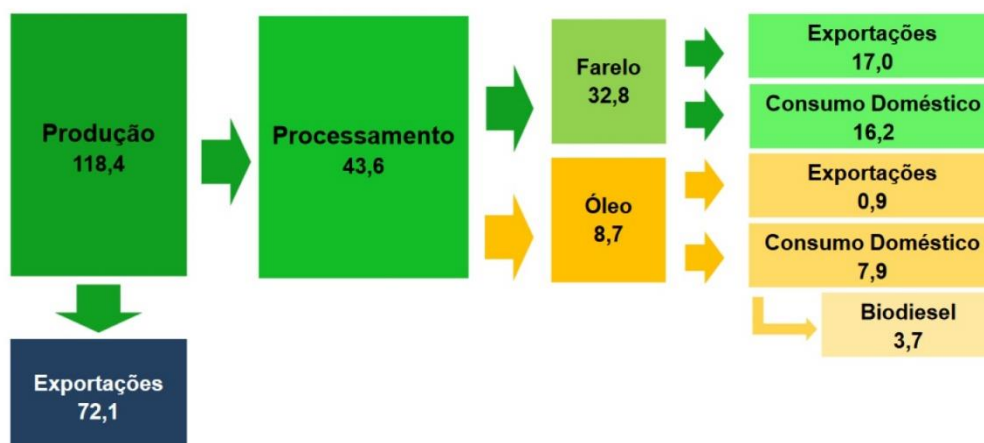


Figura 5: Oferta e demanda do complexo soja, Brasil 2018 (milhões de toneladas)
Fonte: AVIOVE (2018).

Brazilian soybean grain exports (in tonnes)

Destination	2017	2018	2019	2020	2021
China	53,796,980	68,556,624	57,963,479	60,601,379	53,541,883
European Union	5,191,076	5,096,943	5,205,260	8,376,783	8,408,229
Asia (except China)	5,275,129	3,666,072	4,898,102	7,308,194	8,152,314
Other destinations	3,891,384	5,938,139	6,006,211	6,692,596	7,416,160
Others in Europe	557,644	1,595,823	1,690,237	2,452,905	2,300,252
Middle East	1,645,740	1,745,600	2,038,350	1,233,163	1,784,900
Nafta	254,858	338,619	684,423	846,697	1,417,778
Africa	174,005	312,897	211,184	658,853	992,436
IEC	1,029,281	1,095,241	961,426	1,081,488	681,574
Americas	229,856	849,959	420,591	419,490	239,220
Oceania	0	0	0	0	0
Others	0	0	0	0	0
Grand Total	68,154,569	83,257,778	74,073,052	82,978,952	77,518,587

Brazilian soybean meal exports (in tonnes)

Destination	2017	2018	2019	2020	2021
Asia (except China)	5,748,957	7,335,733	6,136,993	7,497,382	6,137,115
European Union	7,501,666	8,289,445	9,083,971	8,345,610	5,875,140
Middle East	576,617	681,121	1,033,820	348,225	664,801
Other destinations	349,818	363,676	426,868	764,820	265,725
Others in Europe	3,425	1,232	91,491	493,780	73,072
Americas	272,141	258,250	259,224	216,153	67,975
Nafta	1,102	1,191	32,071	2,829	64,773
Africa	53,344	774	505	14,335	27,438
China	13,285	89,053	21,485	20,504	20,075
Oceania	6,474	3,655	6,398	17,014	12,392
IEC	47	9,522	15,695	205	0
Others	0	0	0	0	0

Grand Total	14,177,057	16,669,976	16,681,652	16,956,036	12,942,781
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Brazilian soybean oil exports (in tonnes)

Destination	2017	2018	2019	2020	2021*
Asia (except China)	674,898	994,309	541,778	601,542	453,482
China	335,240	231,026	229,555	217,251	415,102
Americas	117,474	66,922	96,368	183,563	164,946
Middle East	52,626	41,579	30	32,071	93,011
Africa	152,704	72,595	166,923	73,914	43,751
Other destinations	9,569	8,125	6,636	1,369	21,428
European Union	545	761	1,043	618	16,858
Others in Europe	0	320	2	2	4,002
Oceania	9,023	7,043	5,587	81	335
Nafta	1	1	4	668	234
Others	0	0	0	0	0
IEC	0	0	0	0	0
Grand Total	1,342,511	1,414,556	1,041,290	1,109,709	1,191,721

Source: Ministry of Economy/ComexStat. Prepared by: ABIOVE – Coordination of Economics and Statistics⁷

*Estimation

Soy in the Microregion of Dourados

Including 15 municipalities and located in the so-called “South Cone” of Mato Grosso do Sul, the Microregion of Dourados accounts for about half of the soy (5.3 million tonnes or R\$ 7 billion) produced in the entire state⁸ (10.9 million tons in 2020 or R\$ 14 billion). There are plantations in all municipalities in the region, with the largest areas and harvest outputs being in Maracaju (295,000 hectares and 1.1 million tons), Ponta Porã (260,000 hectares and 936,000 tonnes) and Dourados (190,000 hectares and 627,000 tonnes).

Coamo has warehouses in seven municipalities in the region, including the three ones mentioned above. It also operates in Sidrolândia, which is in the Campo Grande microregion but only 88 km away from Maracaju. Soy production in that municipality is also important (230,000 hectares planted and production of 851,000 tonnes). The cooperative’s presence in the region is detailed in the case study, in section “Operation in Mato Grosso do Sul.”

The microregion also has 29 reserves or indigenous lands at different stages of formalization.⁹ According to a survey by the *De Olho nos Ruralistas* website, only the Caarapó Indigenous Land, formally regularized in 1991, overlaps at least 13 private farms on the CAR (Rural Environmental Register),¹⁰ which may indicate irregular occupation or encroachment.¹¹ The CAR is a national register that certifies compliance with environmental protection legislation, which is mandatory for rural properties. In the case of the aforementioned survey, the use of CAR by private properties in situations of land conflict with indigenous peoples or other traditional populations can be seen as an attempt to formalize possession of – or even grab – land.

⁷ <https://abiove.org.br/estatisticas/>

⁸ Municipal Sgricultural Survey 2020: <https://sidra.ibge.gov.br/tabela/1612>

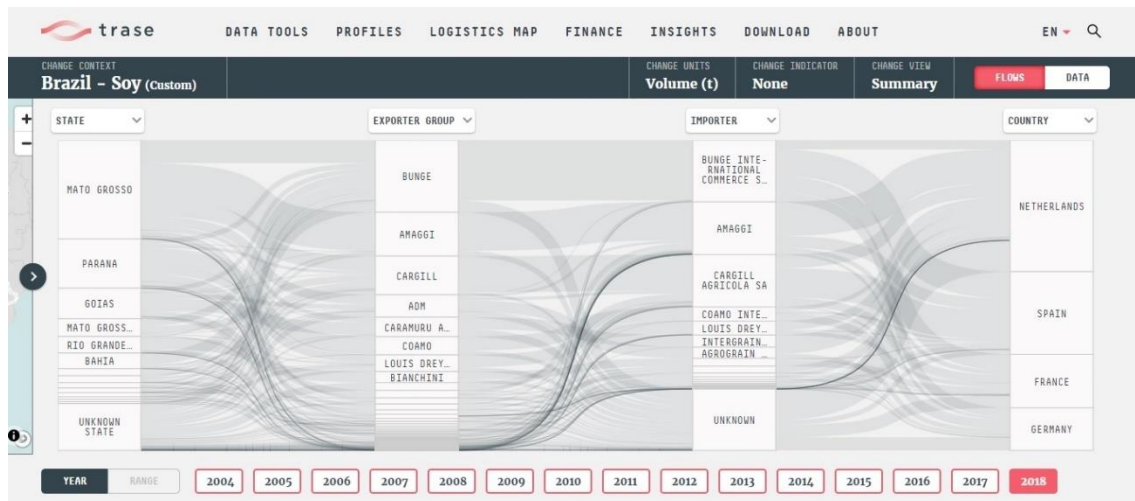
⁹ <https://terrasindigenas.org.br/#pesquisa>

¹⁰ <https://www.car.gov.br/#/sobre>

¹¹ <https://deolhonosruralistas.com.br/car-indigenas/>

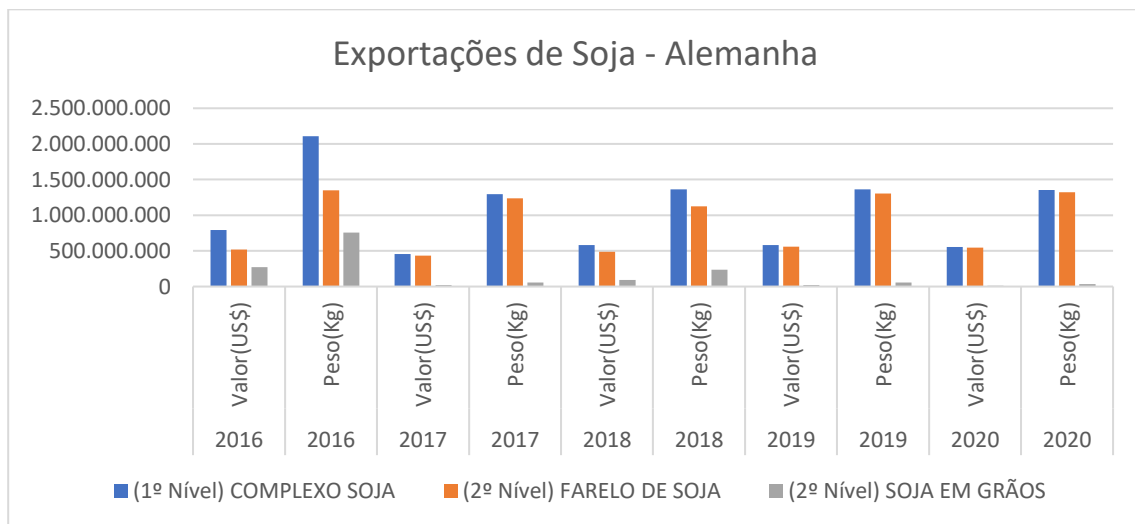
1.2 Brazil-EU/Germany trade relations

As described above, the European Union (EU) is the second largest destination for Brazilian soybeans. According to 2018 data, Germany is the fourth direct importer in Europe (1.25 million tonnes), behind the Netherlands (3.86 million tonnes), Spain (2.43 million) and France (1.57 million). These four countries accounted for 70.6% of EU soybean imports, while Germany imported 9.7%. Given the economic integration of the EU, this subdivision may not be relevant. Note that the Louis Dreyfus group – one of the main agribusinesses in the world – is based in the Netherlands.



Source: Trase

In Germany, soybean imports as grains are a minority, which implies massive use of soybean meal to feed local livestock. Germany is Europe's largest producer of milk and pork. Egg consumption is stable, but poultry consumption is on the rise.¹² Data provided by the German government¹³ for 2016 suggest that Brazil supplied 36.8% of the soybeans used in that country.



Source: Map/Agrostat¹⁴

¹² <https://www.canalrural.com.br/sites-e-especiais/com-economia-invejavel-alemanha-possui-maior-producao-leite-carne-suina-europa-75128/>

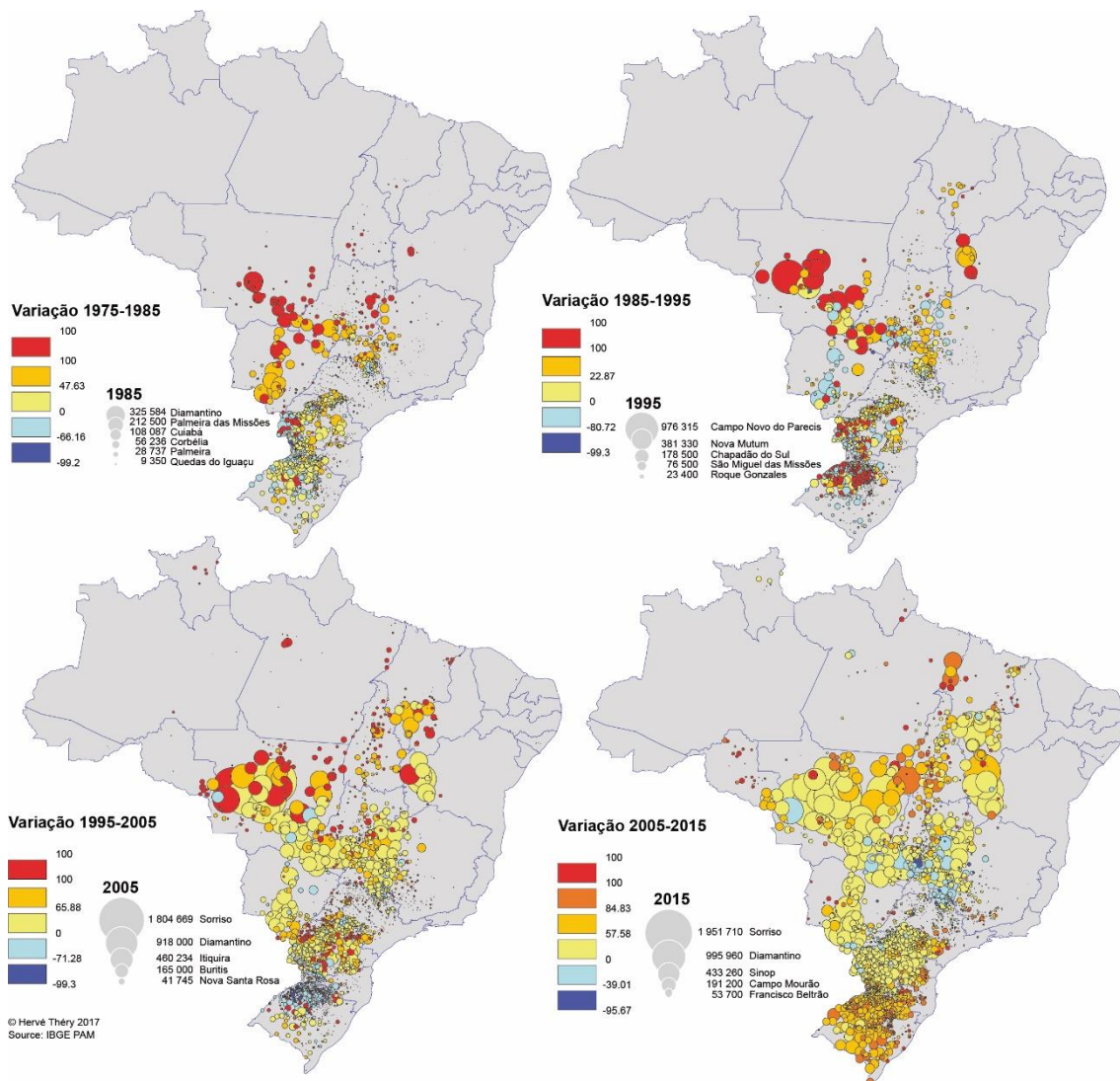
¹³ <https://www.bmel.de/SharedDocs/Downloads/EN/Publications/UnderstandingFarming.html>

¹⁴ <http://indicadores.agricultura.gov.br/agrostat/index.htm>

1.3 Harvest, cultivars and productivity

Soybean is a so-called “temporary crop” for its 3-4-month growing cycle, and it can be rotated with other crops throughout the year – usually corn, cotton or black beans. In Brazil, given its high value, it is a “1st harvest crop” (or main plantation), being harvested between February and May and planted between October and December in the Midwest, Southeast and South regions, depending on the cultivar used. Other crops (or “late harvest crops”) are grown during the rest of the year. Note that the Brazilian harvest season occurs during off-season periods in the US, which helps in the trade of Brazilian exports.

Soybean cultivars have adapted to Brazil’s climate as a result of years of improvement both through traditional techniques and, recently, by genetic modification. Historically, the main producing regions were in the South (initially the state of Rio Grande do Sul, then Santa Catarina and mainly Paraná, now the second largest producer in the country) and the Southeast (Minas Gerais and São Paulo). In the late 1990s, Brazil’s Centre-West became the largest producing region (the top producer Mato Grosso, Mato Grosso do Sul, and Goiás). In recent years, the new “agricultural frontier” has advanced, with important producing regions in the south of the Brazilian Amazon (northern Mato Grosso, southern Amazonas, and Pará) and in Brazil’s Northeast region. It includes the area known as “Matopiba” – an acronym based on the states of Maranhão, Tocantins, Piauí and Bahia (the western portion of the state), in Brazil’s North and Northeast regions.

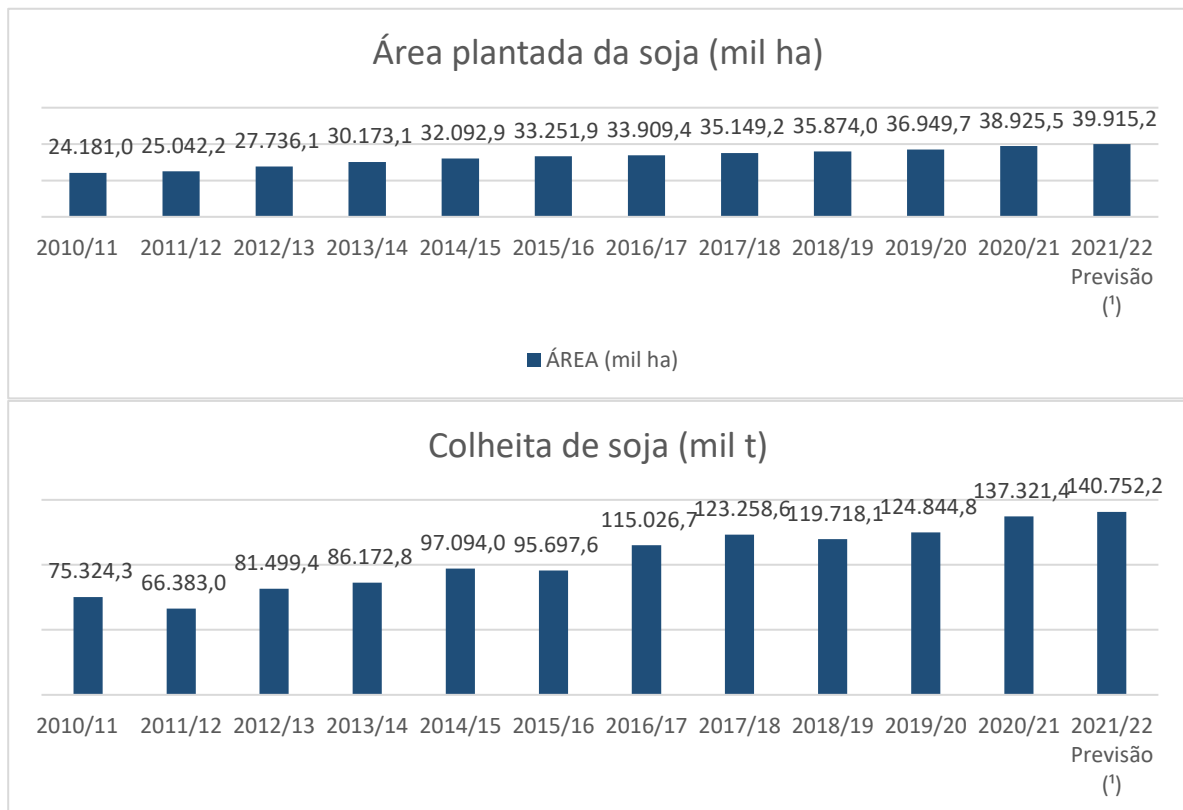


Source: Four decades of soybean development, 1975-2015.¹⁵

Planted area and productivity

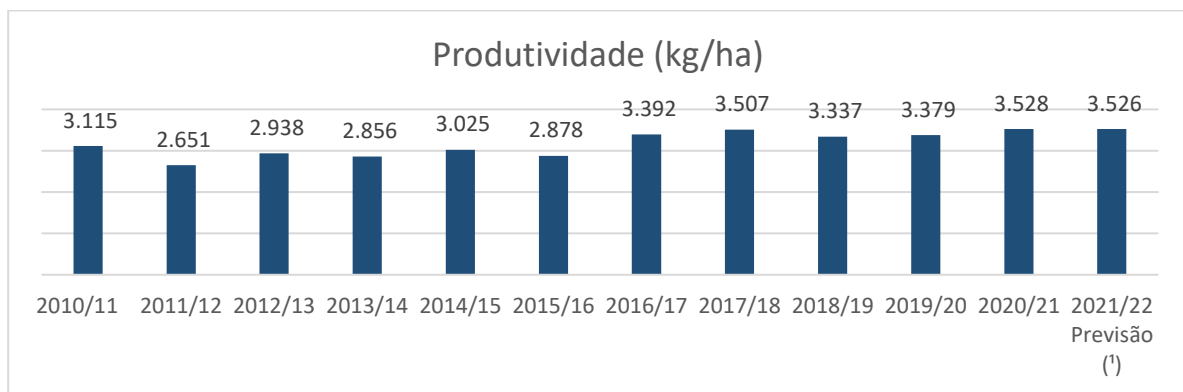
Brazil's planted area and agricultural output have grown together. Some fluctuation in that growth for certain crops is usually related to climate phenomena. Brazilian land "reserve" has been often pointed out as a competitive advantage in agriculture, but the advance of the agricultural frontier in recent years has basically occurred at the expense of the Amazon biome in the southern part of the North region, and of the Cerrado, in the Centre-West and Northeast regions.

¹⁵ KNORR, M. T. 40 anos de expansão da soja, 1975-2015. *Confins – Revista Franco-Brasileira de Geografia*, no. 33, 2017. <https://doi.org/10.4000/confins.12592>



Source: Conab Historical Series¹⁶

Brazilian productivity per hectare (ha) has increased a lot in the past, especially due to improved agricultural practices and new technologies. In the last ten years, however, it seems to have reached a ceiling and fluctuated at just over 3 tonnes per hectare. This is an average figure that varies greatly according to region, cultivars used, plantation techniques, inputs and even – again – adverse climate phenomena.



Source: Conab Historical Series¹⁷

In some circles, it is argued that expanding plantation areas is no longer essential to increase production. Growth may come from improved productivity, higher investment in technology, and better agricultural practices. Another specific advantage of this approach would be reducing

¹⁶ <https://www.conab.gov.br/info-agro/safras/serie-historica-das-safras?start=30>

¹⁷ <https://www.conab.gov.br/info-agro/safras/serie-historica-das-safras?start=30>

deforestation. Since 2011, extensive studies have shown that there are degraded agricultural pastures available.¹⁸

Cultivars and Genetically Modified Organisms (GMOs)

At least 3,000 soybean cultivars are registered for both research and commercial use in Brazil.¹⁹ In short, there are three cultivar categories, two of which are genetically modified. One is resistant to the agrochemical glyphosate (known as RR – “Roundup Ready” for glyphosate’s commercial name); the other cultivar, besides being RR, includes some sort of natural pesticide to control some types of caterpillars (a gene of the bacterium *Bacillus thuringiensis*, hence being known as BT or by its commercial name Intacta). These are the two most widely used GMO categories in Brazil, with hundreds of cultivars. A 2018 estimate²⁰ pointed out that 92.3% of Brazilian soybeans are transgenic.

The third category includes conventional, non-GMO soybeans, also called “free soybeans.” Conventional cultivars’ productivity is comparable to or higher than that of GMO soybeans, whose main advantage would be in transferring pest control costs to the soil correction stage or in the possibility of expanding plantation areas. The search for non-GMO varieties such as those included in several certifications provides yet another relative commercial advantage. But some specialized media refer to the transgenic soybeans as “common”, and the “conventional” one has to be distinguished.

The cultivar creation market is competitive, with several multinationals focusing on its development, such as Bayer/Monsanto, Syngenta and Basf. The Brazilian Agricultural Research Corporation (Embrapa), a state-owned Brazilian biotechnology company linked to the Ministry of Agriculture, develops cultivars in all categories, both GMO and conventional (its current portfolio includes 17 cultivars under its Intacta system, plus 24 RR and 18 conventional ones). It is also a member of the Soja Livre Institute.²¹

1.4 Supply chain

The world’s main agribusinesses operate in Brazil, including the so-called “ABCD quartet” (US-based ADM, Bunge and Cargill, plus Louis Dreyfus, from the Netherlands). Brazilian company Amaggi is also among the world’s largest players in the industry. They operate throughout the whole supply chain: farms, refining (crushing, oil), consumer items production (cooking oils, margarines, among others) and direct exports.

Although there is little specific data on soybean production by each of these companies in Brazil, they consistently appear in national lists among the largest agribusiness companies in the country. For example, in this annual list based on net revenue:

¹⁸ <http://www.agroicone.com.br/wp-content/uploads/2018/06/CERRADO-CAMINHOS-PARA-OCUPACAO-TERRITORIAL-SUSTENTAVEL-EXPANSAO-DA-SOJA-FINAL.pdf>

¹⁹ CultivarWeb/Mapa – http://sistemas.agricultura.gov.br/snpc/cultivarweb/cultivares_registradas.php

²⁰ CIB – Conselho de Informações sobre Biotecnologia. *20 anos de transgênicos: impactos ambientais, econômicos e sociais no Brasil*. 2018 <https://apps.agr.br/wp-content/uploads/2018/11/2018-09-03-Vinte-anos-resumo-executivo-web.pdf>

²¹ <https://sojalivre.com.br>

400 MAIORES AGRONEGÓCIO | 1 - 50

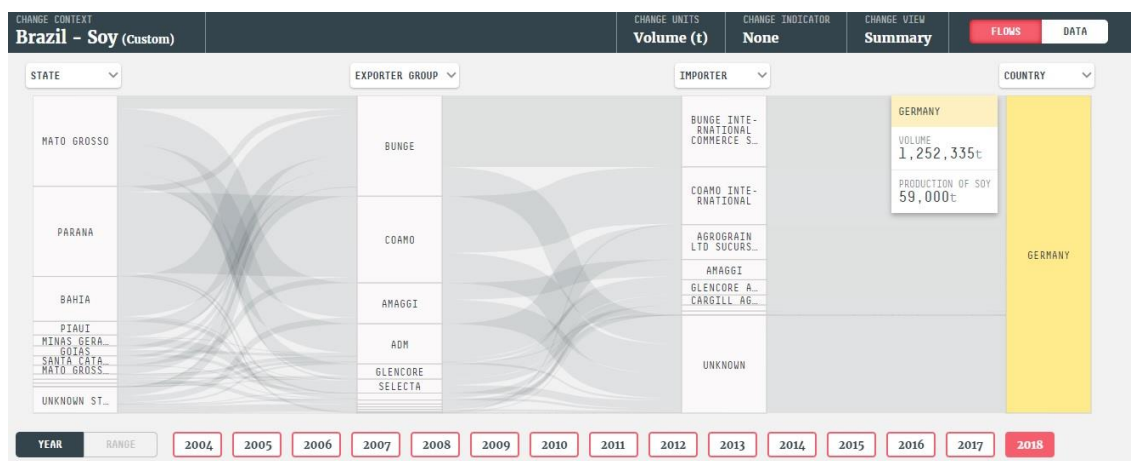
ORDEM POR RECEITA LÍQUIDA	EMPRESA / SEDE	SETOR	VENDAS LÍQUIDAS			LUCRO LÍQUIDO AJUSTADO (em US\$ milhões)	LÍQUIDO LEGAL (em US\$ milhões)	NÚMERO DE EMPREGADOS	CONTROLE ACIONÁRIO	
			VALOR (em milhões de reais)	VALOR (em US\$ milhões)	CRESCI- MENTO (em %)					
2019	2018									
1	1	Cargill Alimentos ^{2,6} , São Paulo, SP	Óleos, farinhas e conserv.	49.264,8	12.222,4	2,7	76,0	83,2	7.812	Americano
2	2	ADM ² , São Paulo, SP	Algodão e grãos	44.580,1	11.060,1	NA	NI	NI	6.000	Americano
3	3	Bunge ^{2,6} , Gaspar, SC	Óleos, farinhas e conserv.	35.223,5	8.738,8	-9,0	61,3	84,2	6.622	Holandês
4	4	JBS ^{2,6} , São Paulo, SP	Carne bovina	32.428,1	8.045,3	11,7	1.467,0	1.505,5	NI	Brasileiro
5	5	BRF ^{2,6} , Itajaí, SC	Aves e suínos	29.386,2	7.290,6	13,3	118,1	73,8	88.028	Brasileiro
6	7	JBS Foods ² , São Paulo, SP	Aves e suínos	20.814,3	5.163,9	NA	NI	NI	NI	Brasileiro
7	6	Louis Dreyfus Company ^{2,6} , São Paulo, SP	Óleos, farinhas e conserv.	20.019,5	4.966,8	-9,5	-62,8	-68,2	3.434	Francês
8	10	Suzano Papel e Celulose ^{2,6} , Salvador, BA	Madeira e celulose	19.309,6	4.790,6	41,6	-661,2	-699,0	14.030	Brasileiro
9	8	Amaggi Commodities ^{2,6} , Cuiabá, MT	Algodão e grãos	16.767,8	4.160,0	1,9	102,2	114,3	1.958	Brasileiro
10	13	Yara Brasil ² , Porto Alegre, RS	Adubos e defensivos	14.783,3	3.667,7	NA	NI	NI	4.612	Norueguês
11	9	Coamo ^{2,6} , Campo Mourão, PR	Atacado e com. exterior	13.489,5	3.346,7	-9,5	181,2	196,6	7.938	Brasileiro
12	16	Basf ^{2,6} , São Paulo, SP	Adubos e defensivos	12.663,7	3.141,8	23,2	158,5	168,4	4.870	Alemão
13	18	Syngenta ² , São Paulo, SP	Sementes	12.310,7	3.054,2	NA	NI	NI	2.276	Chinês
14	11	Copersucar-Cooperativa ^{2,6,7} , São Paulo, SP	Açúcar e álcool	11.749,6	2.915,0	-9,5	-0,6	NI	NI	Brasileiro
15	14	Gavilon do Brasil ^{2,6,7} , São Paulo, SP	Atacado e com. exterior	10.724,0	2.660,6	-3,6	11,2	13,2	195	Japonês
16	19	Mosaic ^{2,6} , São Paulo, SP	Adubos e defensivos	10.498,2	2.604,6	13,4	106,8	113,2	1.270	Americano
17	15	Klabin ^{2,6} , São Paulo, SP	Madeira e celulose	10.465,5	2.596,5	-1,4	234,3	167,7	14.112	Brasileiro
18	23	Aurora Alimentos ^{2,6} , Chapecó, SC	Aves e suínos	10.141,7	2.516,1	16,4	136,9	134,8	30.331	Brasileiro
19	17	Marfrig ^{2,6} , São Paulo, SP	Carne bovina	9.913,8	2.459,6	-1,2	69,9	54,1	17.135	Brasileiro
20	20	Cofo Brasil ² , São Paulo, SP	Algodão e grãos	9.705,3	2.407,8	NA	NI	NI	NI	Chinês
21	21	C. Vale ^{2,6} , Palotina, PR	Aves e suínos	9.027,1	2.239,6	1,1	58,0	60,9	10.634	Brasileiro
22	24	Minerva Foods ^{2,6} , Barretos, SP	Carne bovina	8.855,0	2.196,9	6,0	20,2	4,0	18.469	Brasileiro
23	26	Copersucar ^{2,6,7} , São Paulo, SP	Açúcar e álcool	8.739,3	2.168,2	7,1	39,5	45,3	NI	Brasileiro
24	25	Bayer ^{2,6} , São Paulo, SP	Adubos e defensivos	8.692,8	2.156,7	7,9	132,8	147,8	3.359	Alemão
25	22	Unilever Brasil ² , São Paulo, SP	Óleos, farinhas e conserv.	8.330,8	2.066,8	NA	NI	NI	NI	Ang.-holand.
26	28	Raízen Energia ^{2,6,7} , São Paulo, SP	Açúcar e álcool	7.294,5	1.809,7	-4,4	106,3	119,3	NI	Bras.-ang.-hol.
27	29	Lar ^{2,6} , Medianeira, PR	Aves e suínos	6.844,9	1.698,2	3,2	61,0	57,3	13.494	Brasileiro
28	27	Glencore ^{2,6} , Rio de Janeiro, RJ	Atacado e com. exterior	6.439,3	1.597,6	-19,5	-10,3	-5,2	288	Anglo-suíço
29	30	M. Dias Branco ^{2,6} , Eusébio, CE	Óleos, farinhas e conserv.	5.887,7	1.460,7	-5,4	123,9	138,2	14.352	Brasileiro
30	31	Mosaic P&K ^{2,6} , Uberaba, MG	Adubos e defensivos	5.441,3	1.350,0	-10,6	-46,4	-23,6	5.054	Americano
31	32	Souza Cruz ² , Rio de Janeiro, RJ	Fumo	5.437,7	1.349,1	NA	NI	NI	NI	Inglês
32	74	UPL do Brasil ^{2,6,7} , Ituverava, SP	Adubos e defensivos	5.077,4	1.259,7	93,0	-117,3	-117,0	NI	Indiano
33	40	Mondelēz Brasil ² , Curitiba, PR	Óleos, farinhas e conserv.	4.988,7	1.237,7	NA	NI	NI	6.181	Americano
34	*	Engelhart CTP ^{2,6} , São Paulo, SP	Algodão e grãos	4.755,9	1.179,9	-11,9	-18,0	-16,3	NI	Brasileiro
35	35	DuPont ^{2,6} , Barueri, SP	Sementes	4.580,1	1.136,3	-3,0	62,1	74,1	NI	Americano
36	37	Comigo ^{2,6} , Rio Verde, GO	Algodão e grãos	4.552,5	1.129,5	2,5	23,5	28,0	2.626	Brasileiro
37	33	Nestlé ² , São Paulo, SP	Leite e derivados	4.550,4	1.128,9	NA	NI	NI	NI	Suíço
38	34	Bianchini ² , Porto Alegre, RS	Óleos, farinhas e conserv.	4.448,1	1.103,6	NA	NI	NI	NI	Brasileiro
39	44	Cooperlitos ^{2,6} , Bebedouro, SP	Rev. de máq. e insumos	4.384,3	1.087,7	11,8	30,7	34,2	2.765	Brasileiro
40	39	Caramuru Alimentos ^{2,6} , Itumbiara, GO	Óleos, farinhas e conserv.	4.259,2	1.056,7	1,4	60,1	59,1	2.327	Brasileiro
41	43	Cooxupé ^{2,6} , Guaxupé, MG	Café	4.225,7	1.048,4	6,9	89,1	93,8	2.389	Brasileiro
42	46	Copacol ^{2,6} , Cafelândia, PR	Aves e suínos	4.203,5	1.042,9	10,2	35,4	33,9	9.979	Brasileiro
43	*	CMPC ^{2,6} , Guaíba, RS	Madeira e celulose	4.108,0	1.019,2	-17,8	182,0	162,4	924	Chileno
44	70	Fertilizantes Tocantins ^{2,6} , Porto Nacional, TO	Adubos e defensivos	4.053,3	1.005,6	49,6	33,3	31,6	711	Suíço
45	58	Belagrilos ^{2,6} , Londrina, PR	Algodão e grãos	4.009,5	994,7	11,5	31,2	32,3	1.200	Brasileiro
46	38	Cocamar ^{2,6} , Maringá, PR	Óleos, farinhas e conserv.	3.998,2	991,9	-5,7	35,4	36,5	2.577	Brasileiro
47	55	Camit ^{2,6,7} , São Paulo, SP	Algodão e grãos	3.983,5	988,3	16,8	49,9	59,2	3.555	Brasileiro
48	47	Embrapa ^{2,6} , Brasília, DF	Genética, tecnol. e pesq.	3.860,7	957,8	2,1	-60,5	-61,1	NI	Estatal
49	57	Cooperalfa ^{2,6} , Chapecó, SC	Óleos, farinhas e conserv.	3.601,3	893,5	6,8	35,8	36,9	3.354	Brasileiro
50	42	Monsanto ² , São Paulo, SP	Sementes	3.507,6	870,2	NA	NI	NI	NI	Alemão

Source: "As 400 maiores empresas do agronegócio," *Exame Magazine*, November 19, 2020.²²

The members of the ABCD quartet are in the top 10. Several other companies produce, process or export soybeans (among other products), such as Amaggi, BRF, Glencore, Caramuru, Copacol, and Coamo, which is the object of this study. It is also interesting to identify important suppliers of inputs and seeds for soybean production such as Basf, Bayer and Monsanto (the latter was acquired by the former in 2016), Dupont, Syngenta and Brazilian state company Embrapa.

Brazil focuses on exporting raw soybean grains. The main producers of the country's exports to Germany are also among the main importers and operate in the local processing of grains abroad – that is, they work on both sides. That is the case with Coamo.

²² <https://exame.com/revista-exame/400-maiores-do-agronegocio-4/>



Source: Trase²³

Below, we list the companies that appear in the two lists, at least in nominally. There might be other corporate or capital links among them. An example in the table below is that there are indications that ADM (exporter) owns Agrograin (importer).²⁴

EXPORTER	VOLUME (t)
Bunge Alimentos S/A	397.104,209.183.995
Coamo	341.983,229.934.002
Amaggi Exportação e Importação	161.080,586.466.998
ADM do Brasil	144.866,549.400.001
Glencore Importadora e Exportadora As	0,059.999.998
Sementes Selecta S/A	54,804,342.221
Cargill Agrícola As	223.38,017.509.979
Bsbios Indústria e Comércio de Biodiesel Sul Brasil S/A	0,000.015.465
Abc Indústria	0,013.498.508
Companhia Brasileira de Alumínio	0,000.011.341
Votorantim Metais Zinco S.A.	9,209.835.365
Fiagril Comércio Exportação e Armazéns Gerais Ltda	8,772.378.972
Cargill Alimentos Ltda	5,567.398.969
Copacol-Cooperativa Agroindustrial Consolata	0,000.004.124
Cataratas do Iguaçu Produtos Orgânicos	2,179.014.376
Agropecuária 3 Poderes – Comércio, Exportação E Importação Ltda	0,000.069.077
TOTAL	1.268.503,199.063.390

Fonte: TRASE

IMPORTER	VOLUME (t)
Cargill	396.934,958.759.979
Others	385.856,222.478.003
Bunge	282.013,924.561.993
Agrograin	137.649,137.000.001
Amaggi	79.405,672.999.999
Coamo International	227,591.855.057
Mph Marine Protein Holdings Gmbh & Co Kg	23,686.869.305

²³ <http://trase.earth>

²⁴ <https://lei.report/LEI/549300424JK6WD20BR72>

Demeter Felderzeugnisse Gmbh	0,972.746.438
Glencore	0,059.999.998
Cefetra Bv	0,000.015.465
TOTAL	1.282.112,227.286.240

Source: Trase

German companies

German companies, especially Bayer and Basf, are among the main producers of cultivars (including GMOs) as well as pesticides and other agricultural inputs.

From the list above, Mph Marine Protein Holdings Gmbh & Co Kg is based in Bremen. Demeter Felderzeugnisse Gmbh is an organic products company which adopts production criteria similar to the RTRS certification, linked to Germany's historic organic food movement.

From the retail point of view, several German chains have their private labels for food products such as eggs, chicken and meats, and have signed commitments or are certified to reduce the environmental impact of soybeans. They include Aldi and Lidl, which are RTRS members.

Lidl established a bonus for farmers who choose the non-GM product from the 2017/18 harvest season on. Granted through the Soja Livre Institute, which belongs to ProTerra Foundation and Food Chain ID, it can reach as much as US\$ 9 per tonne. Funds announced for the program are US\$ 700,000. In order to qualify, farmers have to meet all sustainable soybean requirements set by Brazilian legislation.

The Rewe Group, which owns several retail chains, has also committed to reducing soybean use or using responsible soybeans. Animal feed companies such as Mega Tierernährung (specializing in poultry feed and a member of the PHW group) are members of the RTRS and hold GMO-free food certifications. Associations of poultry, eggs, pork and dairy producers are certifying themselves as non-GMO.

Finally, Munich-based BayWa Ag group controls Cefetra, a company based in the Netherlands that holds the rights to CRS (Certified Responsible Soy) standard.

In June 2020, a petition for the country's three largest German supermarket chains not to sell Brazilian products in protest of the escalation of deforestation had over 300,000 signatures.²⁵

1.5 Employment

No accurate estimates were found for the number of jobs created by the soybean complex. Some publications suggest figures of up to 10 million jobs, but they cannot be verified. In 2004, Embrapa pointed out that the soybean complex employed about 4.5 million people directly or indirectly.²⁶ Other researchers suggest that they were 3.5 million in 2005 and 3.7 million in 2014.²⁷ This estimate includes jobs created in the input industry, plantations, processing and supply chain services such as trade and transportation.

The number of workers formally employed in plantations and direct production (soil preparation, planting and harvesting) is relatively low, with a downward trend resulting from increasing adoption of farming technologies and mechanization. Therefore, in terms of the supply chain, the highest increase in the number of jobs is not concentrated in soybean production, but rather in services and processing. The number of jobs in production is also increasing, but at a slower pace.

Some parts of the supply chain include high labour informality, about which data are scarce.

²⁵ <https://climainfo.org.br/2020/06/16/peticao-pede-boicote-a-produtos-brasileiros-na-alemanha-por-cao-do-desmatamento-amazonico/>

²⁶ Embrapa, Documents 233 – Job creation in the agroindustrial soybean complex <https://www.infoteca.cnptia.embrapa.br/bitstream/doc/467980/1/documento233.pdf>

²⁷ MONTOYA, M. A. *et al.* Uma nota sobre consumo energético, emissões, renda e emprego na cadeia de soja no Brasil. Revista Brasileira de Economia, v. 73, no. 3, Rio de Janeiro, July/Sept. 2019 https://www.scielo.br/scielo.php?script=sci_arttext&pid=S0034-71402019000300345

Fieldwork conducted in agricultural hubs in the states of Mato Grosso (MT) and Mato Grosso do Sul (MS) in 2018 confirmed an average of 3.5 workers per 1,000 hectares of planted area and almost fully mechanized farms of different sizes, with more machines than people (12/10 on average). The article highlights the situation of “rural urbanization,” noting that the sector absorbs labour downstream and upstream of plantations, such as transportation, infrastructure construction, storage, and production processing (the latter, however, employs comparatively little when the option is for grains).²⁸

1.6 Prices and costs

Soybean costs vary from one Brazilian region to another. For the 2019/20 harvest season,²⁹ the cost per hectare in the Centre-West was roughly R\$ 3,500 (state of Mato Grosso do Sul, MS) for a sales price of around R\$ 4,600 – that is, net profits of R\$ 1,100 (a 31% margin). In Paraná, at a similar cost per hectare, the R\$ 5,300 sales price results in profits of R\$ 1,800 (51% margin). On average, the profit margin was 31%-37% over the previous harvest period (2018/19).

Example of cost composition in Mato Grosso do Sul:

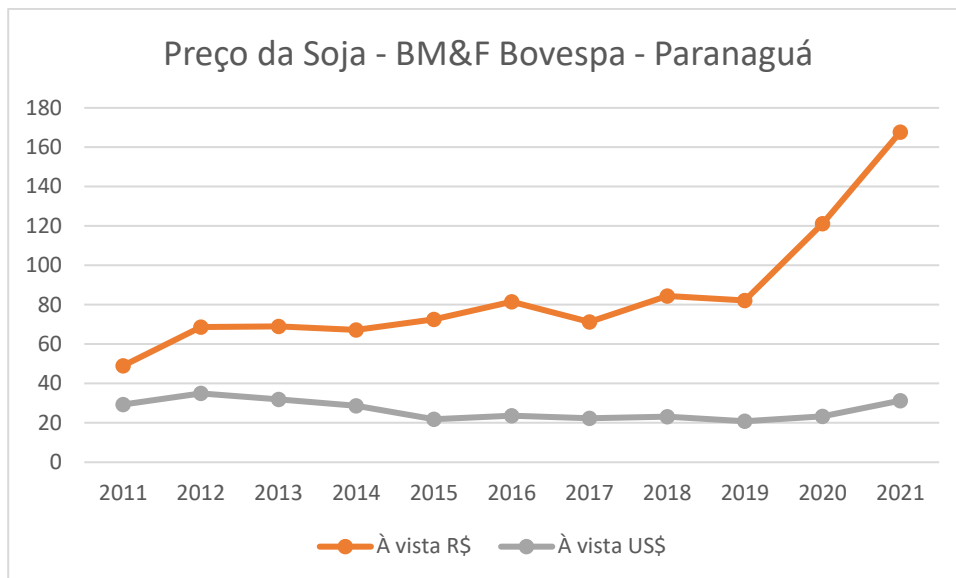
Conventional cost component	RR soybean			Intacta soybean		Conventional soybean
	(R\$ ha-1)	%		(R\$ ha-1)	%	(R\$ ha-1)
Variable cost	2,655.55	77.98		2,698.26	78.25	2,795.95
Seeds	217.35	6.38		341.04	9.89	278.3
Inoculant	5.72	0.17		5.72	0.17	5.72
Corrective substances	128.4	3.77		128.4	3.72	128.4
Fertilizers	724.73	21.28		724.73	21.02	724.73
Herbicides	157.21	4.62		157.21	4.56	200.23
Insecticides	263.86	7.75		157.8	4.58	263.86
Fungicides	258.73	7.6		258.73	7.5	258.73
Adjuvants	35.77	1.05		35.77	1.04	35.77
Agricultural operations	317.06	9.31		317.06	9.19	317.06
Administrative costs	546.72	16.05		571.8	16.58	583.15
Fixed cost	133.03	3.91		133.03	3.86	133.03
Maintenance of improvements	11.9	0.35		11.9	0.35	11.9
Depreciation	121.13	3.56		121.13	3.51	121.13
Total operational cost	2,788.58	81.89		2,831.29	82.11	2,928.98
Return on factors of production	617.12	18.11		617.12	17.89	617.12
Grand total	3,405.70	100		3,448.41	100	3,546.10

Embrapa – Economic viability of Soybean for the 2019/2020 Harvest for the Centre-South Region of Mato Grosso do Sul

After peaking in 2012, international soybean prices have been high for a few years. Due to exchange rates, among other factors, the national price has detached from the US dollar and reached a historic high.

²⁸ <https://dialnet.unirioja.es/descarga/articulo/7293684.pdf>

²⁹ <https://www.comprerural.com/resultados-economicos-soja-e-milho-2019-20-e-expectativas>



Source: Cepea/Esalq/USP.³⁰ (Price for a 60-kg sack, FAS – *free alongside ship*, that is, before customs clearance)

This creates a favourable scenario for exporters, with Brazilian soy being relatively cheap in the international market. It also creates pressure to increase production, which may have a short-term impact on the expansion of planted area. In addition to the tendency towards more deforestation, there is an impact on foods items such as black beans, since some producers cease to plant it to export soybeans.³¹

Latest market movements and trends

- **Chinese demand for soybeans:** Demand for Brazilian soybeans is not expected to fall any time soon, even because the Chinese economy has recovered more quickly from the pandemic. Despite being diplomatically tumultuous, the trade relationship between the two countries is especially important for Brazil's agribusiness. Chinese companies have even acquired land and crushing facilities in Brazil, so their role in the supply chain may become stronger in the coming years.
- **China-US relations:** Brazilian soybeans have gained market share as a result of trade disputes between China and the United States (the world's second largest producer and exporter). With the change in the US administration, these relations might improve and favour US producers.
- **The EU's search for sustainable alternatives:** Many voices in Europe have been criticizing Brazilian soybeans for their impact on deforestation. In January 2021, French President Emmanuel Macron went so far as to suggest that countries should seek to plant it locally to avoid contributing to Amazon and Cerrado destruction. The Rewe Group and Mega Tierernährung are working to reduce their dependence on Brazilian soybeans and even looking for alternative protein sources to make animal feed.

2. Socio-environmental and labour impacts

2.1 Deforestation

Soybean was the flagship of an economic and technological revolution in Brazil's productive activity. It is no exaggeration to say that it has changed the country over five decades. As stated by

³⁰ <https://www.cepea.esalq.usp.br/br/indicador/soja.aspx>

³¹ <https://ojoioeotriga.com.br/2020/09/o-que-o-dolar-alto-tem-a-ver-com-a-destruicao-da-amazonia-e-do-cerrado>

a memorial text from an industry website, soybean was the chief driver of the emergence of business-oriented agriculture and the emergence of the agribusiness logic in Brazil. It accelerated mechanization of plantations, modernized the transportation system, and expanded the country's agricultural frontier, in addition to spreading its effects to several business sectors. It also created cities and development hubs and, where its supply chain is more structured, it erased boundaries between the rural and the urban.³²

Soybeans' "democratic vocation," "socioeconomic revolution" and "islands of prosperity," in turn, are part of a much more controversial picture.

Large agricultural enterprises displace diverse and family-based cultures, reducing employment and production of traditional foods; they cause contamination, silting and overexploitation of rivers and groundwater basins; they make soils compact and waterproof, in addition to causing erosion; they cause loss of biodiversity; they change local climates.

Internationally, deforestation is the most visible aspect of this dark side and is related to virtually all the problems listed.

Monoculture is usually the culmination of a succession of stages in land conversion – hardwood removal, clear cutting with or without burning, pasture formation, extensive cattle ranching, and then planting. Note that land itself is an extremely valuable commodity and that a large part of these areas has no productive purpose. In any case, the process pushes settlers and livestock into the forest.

The Bolsonaro administration imposed unprecedented retrocession in forest protection. It tied the hands of environmental law enforcement, forcing inspection teams of the Brazilian Institute of Environment and Renewable Natural Resources (Ibama) to disclose their operations beforehand, freezing the agency's budget, and prohibiting lawful practices such as destruction of bulldozers used in illegal deforestation. It also established a conciliation policy that cancels environmental fines given to landowners – who had already been able to postpone payment for years through administrative and court appeals.

The Environment Minister's first trip in office – his first ever to the Amazon – focused on the Utiariti Indigenous Land, where the Paresi people plant soybeans on a large scale. Eight months later, the president of Ibama lifted the interdictions of areas belonging to that indigenous group as well as those of the Manoki and Nambikwara peoples. In those areas, rural producers and indigenous associations had been fined R\$ 2.7 million in 2018 for planting transgenic soybeans and corn.³³

According to a report by MapBiomas, 99% of deforestation in Brazil in 2019 was illegal.³⁴ In that year, fires in the Amazon increased enormously and landowners were found to be working in coordination – the so-called "Fire Day." In the following year, the tragedy was repeated in the region and was even greater in the Pantanal biome, also with orchestrated fires, which resulted in the largest number of outbreaks in ten years.

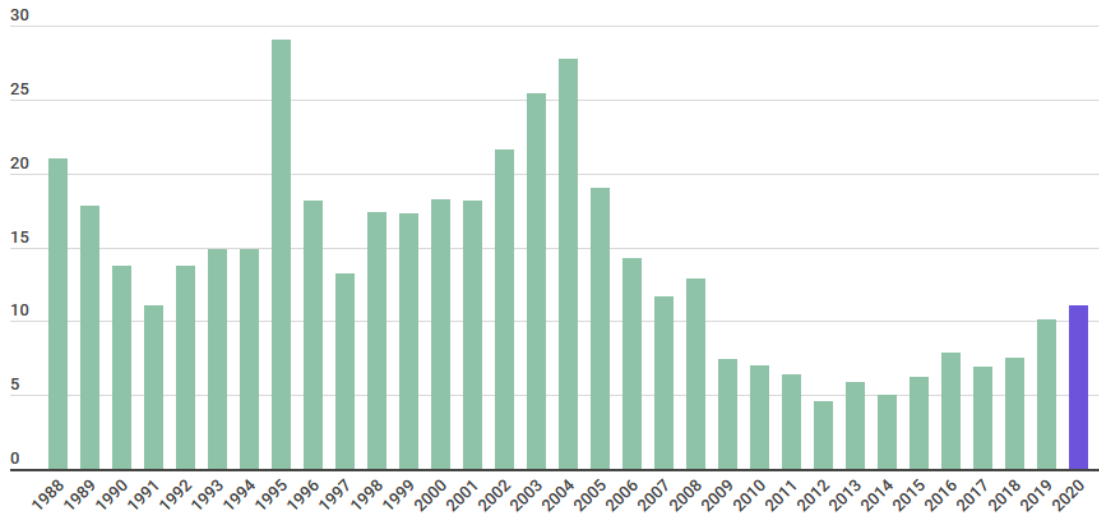
³² <http://plantproject.com.br/novo/2019/09/agribusiness-16-a-jornada-da-soja-o-grao-que-mudou-o-brasil/>

³³

https://sei.ibama.gov.br/controlador_externo.php?acao=documento_conferir&codigo_verificador=5968103&codigo_crc=2B51E383&hash_download=d4e846bdcc943a496ce889dbf68ee81167284a28d3533e7755429da262e3cb7098f5847c848e6d1d1f8c3b320fetc5ccfb1f5298046aabbf49d534254d9b8f355&visualizacao=1&id_orgao_acesso_externo=0

³⁴ <http://alerta.mapbiomas.org/relatorios>

Desmatamento na Amazônia - km² 1988-2019



Fonte: PRODES - INPE

* 2020 - dados preliminares

Soybean Moratorium

In 2006, there was strong increase in land acquisition and Amazon deforestation driven by Cargill's terminal in Santarém (state of Pará, PA), and Greenpeace launched a campaign based on research by Repórter Brasil, which exposed soybeans' role in the process and companies' responsibility in that unsustainable logic. Shortly after, McDonald's led a move that culminated in the establishment of the European Soy Consumer Group, which started pressuring suppliers in Brazil against the trade in raw material contaminated with deforestation, invasion of indigenous lands, and slavery.

Based on Greenpeace's proposal and driven by protests in several countries, on July 24, the Soy Moratorium was signed by members of the Brazilian Association of Vegetable Oil Industries (Abiove) and the National Association of Cereal Exporters (Anec), which controlled almost all Brazilian production. Under the agreement, trading companies commit to stop buying soybeans grown in the Amazon biome on deforested lands from that year on. Civil society organizations joined the initiative, forming the Soy Working Group (GTS), and the government joined the commitment in 2008.

The moratorium opened markets for Brazilian soybeans. In ten years, deforestation fell by 86% in the 76 municipalities covered, which produce 98% of soybeans in the Amazon Biome, while the planted area increased by 170%. According to official information, while in 2004 up to 30% of soybeans planted in the region came from recent deforestation, that number had dropped to 1% in 2016. The "zero deforestation" target was reaffirmed in a Popular Bill of Law introduced in Congress and signed by 1.4 million citizens.³⁵

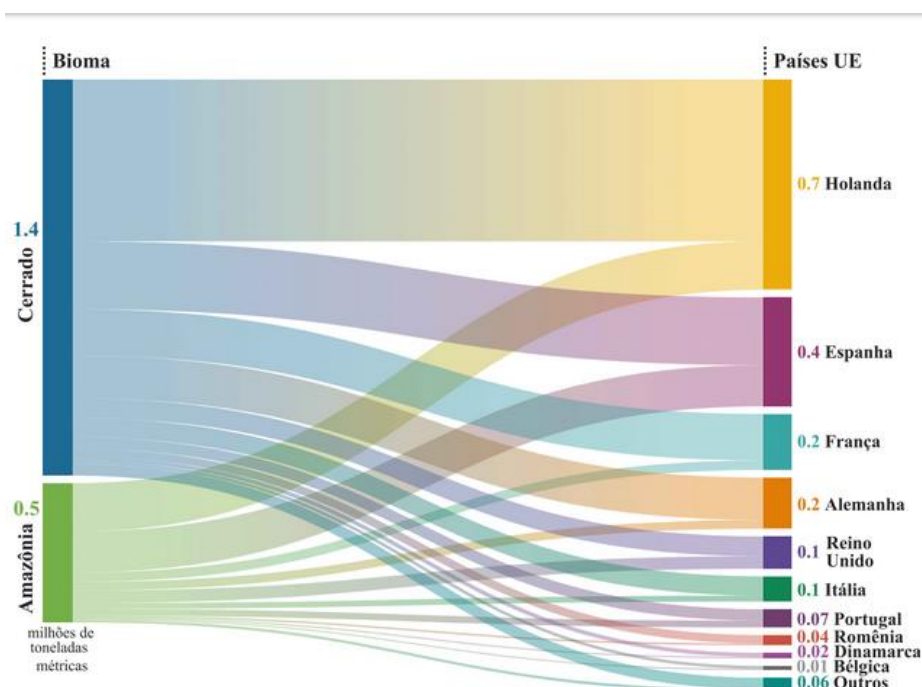
After being renewed for a few years, the commitment – considered "absurd" by the current Minister of Agriculture³⁶ – was extended indefinitely in 2016, when the Minister of the Environment defended its extension to the Cerrado – the second largest Brazilian biome and home to a large number of indigenous and traditional peoples and communities, rich biodiversity, in addition to the water sources that form the rivers of the Pantanal and part of the Amazon Basin. It was there that

³⁵ <https://www.greenpeace.org/brasil/blog/moratoria-da-soja-completa-dez-anos/>

³⁶ <https://revistagloborural.globo.com/Noticias/Politica/noticia/2019/11/e-um-absurdo-diz-ministra-sobre-moratoria-da-soja.html>

the agribusiness leap took place in previous decades. The mandatory percentage of legal forest reserve in Cerrado areas is lower, which led to much less preservation of the original vegetation cover. Most of the soybean production that supplies Europe comes from the Cerrado.

According to Agrosatélite, the annual agricultural area in the Cerrado doubled in 2000-2017, increasing by 9.5 million hectares – most of it from 2007 to 2014.³⁷



Source: Science Magazine³⁸

COMPOSIÇÃO DA AGRICULTURA ANUAL:			
	SOJA	ALGODÃO	MILHO
Área (milhões de ha)	15,6	0,5	1,2
Participação na agricultura anual do Cerrado	90%	3%	7%
Participação na área do cultivo no Brasil	52%	50%	25%

Fonte: *Agrosatélite – Rudorff, Risso et al., 2015

Source: Agrosatélite – Rudorff, Risso *et al.*, 2015

The GTC – an arrangement similar to the GTS (Soy Working Group) – was established in 2017, when 40 entities launched a manifesto for the urgent protection of the Cerrado. Soybean leaders, however, are reluctant to sign a commitment with the same content.³⁹

Despite resistance against more systemic restrictions, some traders have refused raw material from recently deforested Cerrado areas.⁴⁰ Bunge's demand in this regard has already been

³⁷ <http://www.agroicone.com.br/wp-content/uploads/2018/06/CERRADO-CAMINHOS-PARA-OCUPACAO-TERRITORIAL-SUSTENTAVEL-EXPANSAO-DA-SOJA-FINAL.pdf>

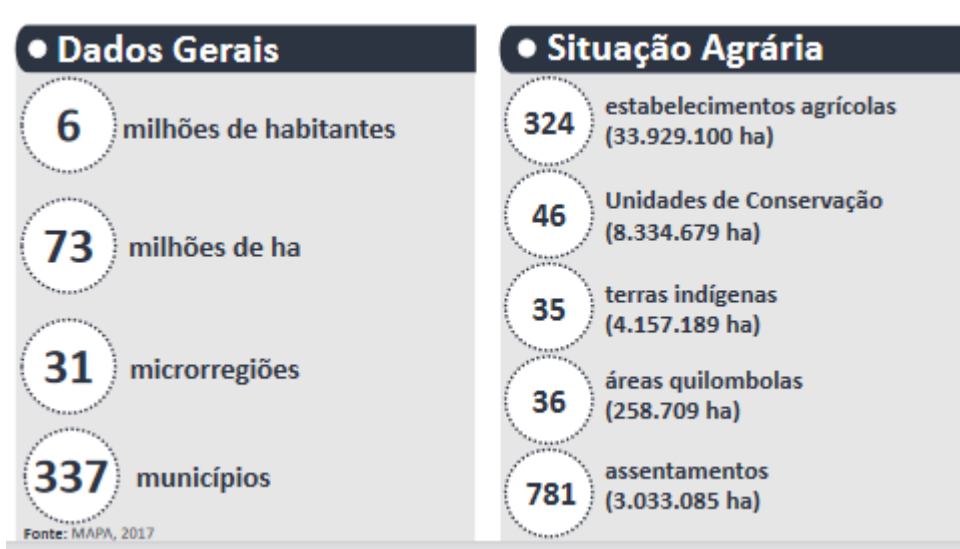
³⁸ <https://science.sciencemag.org/content/369/6501/246.full>

³⁹ <https://drive.google.com/file/d/0B9Q81I9GzbdfeVNYNFJHWFp1ZzA/view>

⁴⁰ <https://www.dw.com/pt-br/desmatamento-no-cerrado-volta-a-crescer-em-2020/a-56016083>

reported.⁴¹ The company is the largest exporter to Germany and has just launched a program to monitor its indirect purchases in the region in order to eliminate those linked to legal deforestation by 2025.⁴² Cargill – Germany’s top importer and seventh largest exporter – had committed to zeroing deforestation by 2020 but cancelled its commitment.⁴³ Both received huge fines in an operation conducted by Ibama and the Public Prosecution Service in 2017.⁴⁴

Since 2007, deforestation in the biome has been concentrated in the region known as Matopiba, where plantation areas increased fourfold from 2000 to 2017. Soybeans and cotton have been putting strong pressure on traditional communities and family farmers as a result of disputes over land and water. Most communities in the region live near the banks of water courses.



Matopiba data. Prepared by: Agroicone⁴⁵

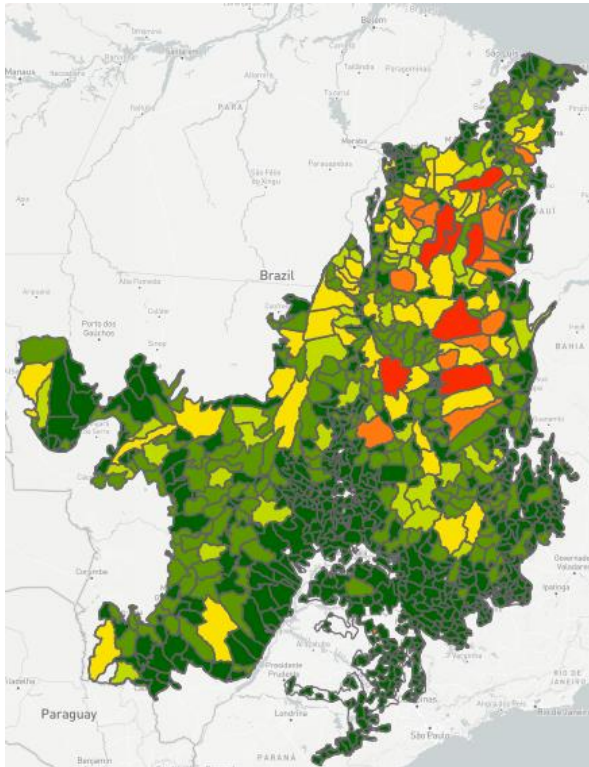
⁴¹ <https://www.canalrural.com.br/programas/informacao/mercado-e-cia/soja-bunge-moratoria-cerrado/>

⁴² <https://www.reuters.com/article/idUSL2N2L11IW>

⁴³ <https://economia.uol.com.br/noticias/reuters/2019/06/13/cargill-diz-que-industria-alimenticia-nao-cumprira-meta-de-zerar-desmatamento.htm>

⁴⁴ <https://www.reuters.com/article/commods-bunge-multas-desmatamento-idBRKCN1IO26E-OBRS>

⁴⁵ <http://www.agroicone.com.br/wp-content/uploads/2018/06/CERRADO-CAMINHOS-PARA-OCUPACAO-TERRITORIAL-SUSTENTAVEL-EXPANSAO-DA-SOJA-FINAL.pdf>



Deforestation in the Cerrado in 2020 (estimate). Source: Cerrado DPAT⁴⁶

Recently, a detailed study showed that up to one fifth of the soybeans exported to the EU may be “contaminated” with environmental degradation. One fifth of the 53,000 properties producing it in the Amazon and the Cerrado have done it on deforested land after 2008, which is why the authors called them “rotten apples.”⁴⁷

In Mato Grosso, after four years under a deforestation ban, in 2016 state deputies voted to resume the use of “big chains,” which consist of two tractors pulling a large chain to cut down all the trees and undergrowth of a forest. Only after four years did an injunction banned the method again.

2.2 Disputed lands

In the Matopiba region, American TIAA pension fund owns 100,000 hectares of land (one third of its land in Brazil). To this end, it maintains the TIAA-Cref Global Agriculture LLC I and II (TCGA I and II) funds, which together are worth US\$ 5 billion. Its main investors include European pension funds that present themselves as “responsible investors”: Germany’s Ärzteversorgung Westfalen-Lippe (ÄVWL), which invested US\$ 100 million; Netherlands’s ABP, with US\$ 200 million; and the second largest Swedish National Pension Fund (AP2), with investments of US\$ 1.2 billion. At least part of the land was bought from a businessman who is said to be one of the region’s biggest land grabbers, and some of the areas were under legal dispute.

Complex schemes are put in place to circumvent the law that bans land ownership by foreign companies – and which Brazilian lawmakers want to change.⁴⁸ The TIAA played a central role in a case in which Cargill may have shipped soybeans “contaminated” by crimes. Soybean producer SLC Agrícola’s main partner is British investment fund Odey Asset Management. It is also a major supplier of Amaggi-Louis Dreyfus and Bunge.⁴⁹

⁴⁶ <https://www.cerradodpat.org/#/plataforma>

⁴⁷ <https://science.sciencemag.org/content/369/6501/246.full>

⁴⁸ <https://fianbrasil.org.br/caravana-matopiba-solicitou-as-autoridades-brasileiras-agir-e-advertiu-investidores>

⁴⁹ <https://brasil.mongabay.com/2020/12/grilagem-no-cerrado-baiano-resvala-na-cargill-e-em-fundo-de-pensao-dos-eua/>

International organizations have unsuccessfully appealed to the World Bank to stop funding a US\$ 100-million project in the state of Piauí that is driving land grabbing and violence against communities.

In Mato Grosso do Sul – the state covered in this case study – pressure from soy and sugar cane producers – and landowners in general – hinders demarcation and homologation of Indigenous Lands. Reports from human rights organizations document the high levels of food insecurity, violence and weakening of societal organization – conditions attested by international observers and officially denounced to instances of the United Nations and the Organization of American States (OAS), which are looking into them.

In 2018, Repórter Brasil revealed that at least three Brazilian companies that export soybeans to Norway – Caramuru, Mocap and Selecta – did business with farmers involved with slave labour, illegal deforestation and land conflicts. The crimes were found during an investigation conducted with NGOs Future In Our Hands and Rainforest Foundation.⁵⁰

The work resulted in salmon farms' requiring guaranteed zero deforestation from their Brazilian suppliers of raw material for salmon feed. Only Cargill Aqua Nutrition declined to take part. In July, the aquaculture feed branch of Cargill – one of the largest soybean exporters in Brazil – had already been excluded from Norway-based Grieg Seafood's list of suppliers.^{51 52}

Increasing concentration and exclusion

Brazil has one of the worst land distribution ratios in the world. With 45% of its rural areas in the hands of 0.91% of the owners, it scores 0.87 in the Gini Coefficient for Land Distribution (global inequality indicator in which 0 means total equality and 1 means total inequality), which places it in the fifth worst position in Latin America.⁵³

This aspect of inequality has recently worsened. The number of family farming establishments as well as their area decreased between 2006 and 2017 – when the last two agricultural censuses were conducted – while the opposite occurred with agribusinesses. Researchers associate the model to conflicts, deforestation and rural exodus, with resulting urban unemployment.

Agricultural censuses found out that jobs were reduced in the country due to land concentration and mechanization. According to the Brazilian Institute of Geography and Statistics (IBGE), 1.4 million jobs were extinguished in rural areas between 2006 (when Brazil had 16.5 million rural workers) and 2017. Family farming lost 2.2 million jobs.⁵⁴

In 2019, the Land Pastoral Commission (CPT) recorded 1,833 land conflicts and 32 people murdered as a result – a total of 417 since 2010. The vast majority of these killings occur in the Amazon, and the state of Pará is their epicentre. Seven indigenous leaders were killed in the country – the highest number in ten years.⁵⁵

A partial assessment for the following year, released in December, showed 178 cases of territory invasion, more than half directed at indigenous families.

⁵⁰ <https://reporterbrasil.org.br/2018/11/para-alimentar-salmaa-noruegues-soja-brasileira-desmata-e-explora-trabalho-escravo>

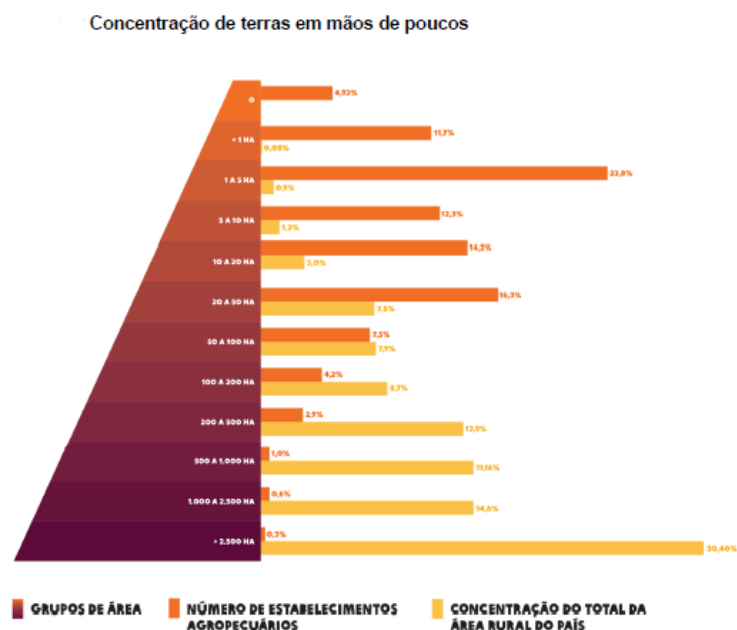
⁵¹ <https://news.mongabay.com/2021/01/european-farmed-salmon-sector-to-use-only-deforestation-free-brazilian-soy/>

⁵² <https://conexaoplaneta.com.br/blog/companhia-norueguesa-de-salmaa-uma-das-maiores-do-mundo-em-seu-setor-suspende-compra-de-produtos-ligados-ao-desmatamento-no-brasil/#fechar>

⁵³ <https://www.oxfam.org.br/publicacao/menos-de-1-das-propriedades-agricolas-e-dona-de-quase-metade-da-area-rural-brasileira/>

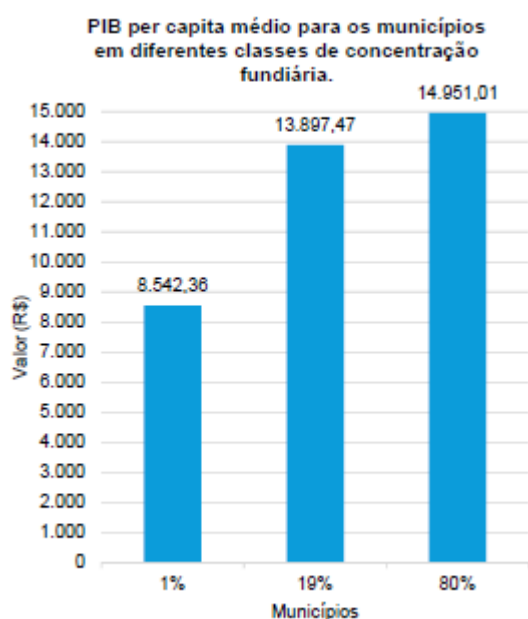
⁵⁴ <https://reporterbrasil.org.br/2019/11/maior-concentracao-de-terras-revelada-pelo-censo-agropecuario-incentiva-desmatamento-e-conflitos/>

⁵⁵ <https://mst.org.br/2020/04/17/2019-registrou-maior-numero-de-conflitos-no-campo-dos-ultimos-cinco-anos/>



Source: Oxfam

Brazil has the world's second highest income concentration. Oxfam showed the association between the two dimensions of exclusion, where municipalities with lower land concentration (80%) had higher HDIs and lower income concentration rates on average, and the higher the land tenure concentration, the lower the per capita GDP.



Source: Oxfam

The group of municipalities with the lowest land concentration rates also has lower poverty rates. According to the study, poverty increases by 77% between this group and the intermediate one, and increase more than threefold at the opposite end.

Oxfam points out the case of Correntina (BA) – one of the most dynamic hubs in the Matopiba region – as a good illustration of the group with the highest concentration. The 2006 Census shows that the town had the highest rates of municipal GDP (R\$ 786 million) and per capita GDP (R\$ 25,096.34). That is in contrast to a Gini index for land concentration of 0.927, with large

estates occupying three quarters of its rural area, while 45% of the rural population and 31.8% of the general population lived in poverty, with an HDI of 0.603, well below the national average.

2.3 Political influence

Soybean farm owners are very important in the ruralist caucus, a group of parliamentarians who have exerted increasing influence in the last 20 years and play a major role in the current administration. One of the group's voices is Amaggi's owner Blairo Maggi, twice governor of Mato Grosso, senator and minister of Agriculture in the Lula and Temer administrations. Their representation in Congress shrank in the 2018 election, but they often become landowners in "sync" with their political activities.⁵⁶

The group's institutional tools are the Agricultural Parliamentary Front (FPA) and Pensar Agropecuária Institute (IPA), which channels donations from multinationals to the FPA. An example of their actions was the pressure over the Brazilian Health Regulatory Agency (Anvisa) to authorize, on an exceptional basis, the use of stocks of pesticide paraquat after it was banned.⁵⁷

In 2014, ruralists were able to pass tax benefits in Congress, in addition to those they already enjoyed, such as exemption from two taxes (PIS and Cofins) on soybean sales for all commercial purposes. Agribusinesses rank tenth among the Federal Government's largest debtors and managed to obtain debt forgiveness in several administrations.

By working strongly against people's rights in rural areas and against land reform, the group has focused on criminalizing social movements and struggles.

The 2012 Forest Code (FC) pardoned properties that had illegally deforested by 2008.⁵⁸ The law was a watershed within the agribusiness sector. Since then, its "fundamentalist" portion, which operates the IPA and the FPA, is signalling with new changes in the Constitution and other deregulations, while the "rational" segment started cooperating with scientists and NGOs (Coalizão Brasil Clima, Florestas e Agricultura) and brings its platform closer to what the IPCC advocates, for example.⁵⁹

Over the past two and a half years, many actors have publicly advocated a more sustainable model – from groups of former ministers to trillion-dollar funds, through dozens of NGOs and six hundred researchers in *Science*. The debate includes negotiations to ratify a trade agreement between the EU and Mercosur, considered to be favourable to South American agribusiness and European industry.

Arguing that the "legalist" wing was reserving market for themselves by taking a public stance, the Brazilian Association of Soybean Producers (Aprosoja) left the Brazilian Agribusiness Association (Abag), which is part of the coalition's core.⁶⁰

A history of privilege

At different times, the Brazilian State has promoted expansion of the agricultural frontier and concentration of land ownership. The military government (1964-1985) sought to establish settlers in the Amazon, which is still considered the "last frontier" of the subcontinent. Its policies included subsidized credit and tax incentives for urban industrial complexes that implemented agricultural projects close to ports and highways – in particular the Transamazônica (BR 230) and Cuiabá-Santarém roads (stretches of BR 163 federal road) – and centuries of actions and omissions aimed at transferring land to private owners. Furthermore, the military dictatorship strongly favoured large landowners and, by leaving the small squatters on their own, it let them sell their

⁵⁶ <https://diplomatie.org.br/o-agro-e-lobby-a-bancada-ruralista-no-congresso>

⁵⁷ <https://deolhonosruralistas.com.br/2020/07/20/veja-como-estes-lideres-ruralistas-pressionaram-por-liberacao-de-agrotoxico-banido>

⁵⁸ http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/l12651.htm

⁵⁹ <http://coalizaobr.com.br/home/index.php/posicionamentos/itemlist/>

⁶⁰ <https://revistagloborural.globo.com/Noticias/Politica/noticia/2020/09/aprosoja-brasil-rompe-com-abag-apos-documento-sobre-desmatamento-na-amazonia.html>

land or otherwise be expelled from the land plots originally reserved for them in the areas bordering roads.

In the academic environment, the term “conservative modernization” is commonly used to describe the historical process started in the second half of the 20th century, which promoted technological and economic advancement without changing – and actually strengthening – centuries-old structures. Several authors see the term as mild considering the violence not only in continued neglect of rights, but also in the active repression of the many movements.

Brazil’s 1850 Land Law made official what was already enshrined in practice: land without owners was considered “vacant” rather than public, and by being on the land and making improvements to it – which does not mean producing – a person gained ownership over it. In the recent past, Law 13465 of 2017 allowed the regularization of land occupied by 2011 for values that could be as much as 10% below market prices, in addition to regularizing properties of up to 2,500 ha. It became known as the “Land Grabbing Law” as it promoted “mass privatization” and “a real liquidation of common goods, impacting public lands, forests, waters, and federal islands in the Amazon and Brazil’s coastal areas,” according to a letter released by 60 organizations.⁶¹

A new Provisional Order enacted by President Jair Bolsonaro allowed land regularization by self-declaration for areas of up to 15 fiscal modules (which can be up to 1,650 hectares). The President’s Order was not voted by Congress and expired, but a Bill of Law (2633/2020) partially incorporated its content, and lawmakers can now validate measures implemented during the four months of the Provisional Order’s validity.

Land reform, in turn, slowed down in the second Lula administration, ceased expropriation of new land under Dilma Rousseff, shrank to a minimum with Michel Temer, and was officially buried by the current president.

2.4 Agrochemicals

A 2015 study examined 71.2 million hectares of 21 crops, of which soybeans accounted for 42% of the planted area and 63% of the total volume of agrochemicals, followed by corn (13% of agrochemicals for 21% of the total area). Soybeans, with 17.7 litres per hectare (l/ha), used the fifth largest average amount of agrochemicals per area (tobacco, the first one, used 60 l/ha).

⁶¹ https://www.oc.eco.br/wp-content/uploads/2017/07/Carta_adin_MP759.pdf

Tabela 1. Área plantada, média de uso por hectare e total de agrotóxicos por tipo de lavoura no Brasil, 2015.

Cultura agrícola	Área plantada (hectares)	Média de uso de agrotóxicos (litros/hectares)	Consumo de agrotóxicos (litros)
Soja	32.206.787	17,7	570.060.129,90
Milho	15.846.517	7,4	117.264.225,80
Cana-de-açúcar	10.161.622	4,8	48.775.785,60
Algodão	1.047.622	28,6	29.961.989,20
Trigo	2.490.115	10	24.901.150,00
Fumo	406.377	60	24.382.620,00
Arroz	2.162.178	10	21.621.780,00
Café	1.988.272	10	19.882.720,00
Cítricos	766.516	23	17.629.868,00
Feijão	3.130.036	5	15.650.180,00
Banana	484.430	10	4.844.300,00
Tomate	63.626	20	1.272.520,00
Uva	78.026	12	936.312,00
Girassol	111.843	7,4	827.638,20
Mamão	30.445	10	304.450,00
Melancia	97.910	3	293.730,00
Abacaxi	69.565	3	208.695,00
Manga	64.412	3	193.236,00
Melão	20.837	3	62.511,00
Total	71.227.136	-	899.073.840,70

Fonte: IBGE-SIDRA²⁰; Pignati et al.⁸

The ten Brazilian municipalities with the highest rates of agrochemicals consumption in litres are soybean leaders: Sorriso, MT (14.6 million), Sapezal, MT (11.1 million), São Desidério, BA (10.2 million), Campo Novo do Parecis, MT (9.1 million), Nova Mutum, MT (9.0 million), Formosa do Rio Preto, BA (8.1 million), Nova Ubiratã, MT (8.0 million), Diamantino, MT (7.6 million), Rio Verde, GO (7.3 million) and Campo Verde, MT (6.7 million). They top the group of 24 out of the country's 5,600 municipalities that used more than 4.1 million litres (2015 data).

A more recent study conducted by researchers from the University of São Paulo (USP), based on active ingredient mass instead of product volume, provides a different ranking, with tomatoes as the (negative) champion and tobacco way below, while soy drops from fifth to eighth place. The study was commissioned by the tobacco industry to the authors, who adopt the parameters advocated by the industry and criticize the use of timeframes,⁶² among others. One of the most cited researchers on the subject, on the other hand, warns that some rankings based on planted area, such as FAO's, include unproductive land and therefore dilute the figures.⁶³

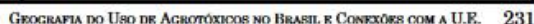
The 20 active ingredients that were most widely used from 2012 to 2016 were glyphosate (herbicide), chlorpyrifos (insecticide), 2,4-D (herbicide), atrazine (herbicide), mineral oil (adjuvant), mancozeb (fungicide), methoxyfenozide (insecticide), acephate (insecticide), haloxyfop-P-methyl (herbicide), lactofen (herbicide), methomyl (insecticide), diquat (herbicide), picoxystrobin (fungicide), flumetsulam (herbicide), teflubenzuron (insecticide), imidacloprid (insecticide), insecticide lambda cyhalothrin (insecticide), imazethapyr (herbicide), azoxystrobin (fungicide) and flutriafol (fungicide).

Of these, 15% were considered extremely toxic for human beings, 25% were highly toxic, 35% were moderately toxic, and 25% were slightly toxic. Brazil's drug surveillance agency Anvisa

⁶² <https://pipoca.esalq.usp.br/sistemas/webdvcomun/arquivos/03-03-estudo-compara-uso-de-defensivos-agricolas-por-diferentes-culturas-do-agronegocio-brasileiro-agrolink.pdf>

⁶³ <https://revistagalileu.globo.com/Ciencia/Meio-Ambiente/noticia/2019/06/afinal-o-brasil-e-o-maior-consumidor-de-agrotoxico-do-mundo.html>

⁶⁴ https://contraosagrototoxicos.org/sdm_downloads/agrototoxicos-perigosos-bayer-e-basf-um-negocio-global-com-dois-pesos-e-duas-medidas/



In 2020, 493 products were registered – a record number of agrochemicals and chemical substances legalized for the fifth consecutive year. Brazil is the world leader in pesticide use – although, as the sector’s corporations and spokespersons underline, it is far from the first group if planted area is proportionally considered.

⁶⁴ https://contraosagrototoxicos.org/sdm_downloads/agrototoxicos-perigosos-bayer-e-basf-um-negocio-global-com-dois-pesos-e-duas-medidas/

investigated were found in 50% of them. More than half of the country's 5,570 municipalities have not had their water tested in the period.⁶⁵

Companies claim that the approval process is strict, that the active ingredients sold are safe, that tropical agriculture's requirements are different from those in temperate areas and that productivity would fall sharply under a more restrictive policy. The sector has already signalled that it will lobby to change the official terminology for product types, which they always refer to as "agricultural defensives."

Agrochemical application in soybeans repeats the pattern of very few jobs, and one worker – the "supervisor" who accumulates other functions or the "poisoner" in charge of that specific task – may use a tractor to apply it on 1,000 hectares. The lack of adequate filters in cabins' air conditioning systems, with consequent aspiration of part of the product, is considered one of the main problems, along with workers' resistance to wear personal protective equipment (PPE) when preparing the substances because they are often inadequate to climates found from Brazil's Midwest upwards. Aerial spraying still prevails in some areas.

2.5 Workers' rights

Municipality-wide collective agreements usually establish floors somewhat above the minimum wage (currently at R\$ 1,100) – which is slightly higher in the South of Brazil on average.

Fieldwork already mentioned, conducted in Sinop in 2016, found an average monthly income of 2.4 minimum wages for formal workers, against 1.78 of the national average. But it also showed that 30.1% of the local population had nominal per capita incomes of up to half a minimum wage, proving that the model excludes many local residents from the formal job market.

After deforestation – not always attributed to soybean (see below) – the heaviest task in the supply chain consists of "picking," that is, manual cleaning of the land, which includes cutting or uprooting shrubs and roots where machines cannot reach. That is a temporary job where informality is high.

In January 2021, 25 Guarani and Kaiowá indigenous people were rescued from slave-like labour while cleaning land for plantations in Mato Grosso do Sul.⁶⁶

Workers operating harvesters that cost R\$ 1 million to R\$ 2 million are protected from the weather, but long workdays seen as normal in the job make ergonomics an issue. They often spend the whole day in machines' cabins, including mealtimes, and relieve themselves in the fields.⁶⁷

Law enforcement under threat

Brazil's system to combat slave labour is built over a solid legal foundation and expertise. In a 2010 publication, the International Labour Organization (ILO) praised the country for responding to the problem "with strength and determination" since 1995. In May 2005, Brazilian actions implemented with support from the US and Norwegian governments were recognized by that UN body as international references.

However, labour inspectors are increasingly overloaded (since new staff have not been hired in a long time) and have worked in precarious conditions since 2014, which has worsened in the last two administrations. There is lack of funds for fuel or vehicle maintenance, for example.

The first annual budget proposal under Bolsonaro cut resources for labour inspections to the lowest level in history. The R\$ 26 million earmarked for this purpose were 63% below the 2019 budget.

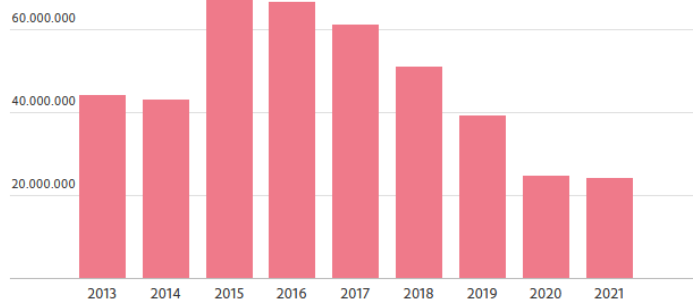
⁶⁵ <https://portrasdoalimento.info/agrotoxico-na-agua/#>

⁶⁶ <https://noticias.uol.com.br/colunas/leonardo-sakamoto/2021/01/30/megaoperacao-de-libertacao-revela-diversidade-do-trabalho-escravo-no-brasil.htm>

⁶⁷ tinyurl.com/HVSoares

Orçamento para fiscalizações trabalhistas cai no governo Bolsonaro

Projeto de Orçamento, em R\$*



*Valores corrigidos pela inflação Fonte: Ministério da Economia

Prepared by Folha de S.Paulo

Until October 2020, the Bolsonaro administration had used less than half of the R\$ 70.5 million available in the previous Budget for operations to inspect occupational safety and health conditions, combat slave labour, and compel companies to pay labour benefits – and a small share of that money went to fieldwork. In the 2020 budget proposal, these activities received less than R\$ 2 million.

In addition, a Provisional Order intended to boost youth jobs altered or revoked a series of articles of the Consolidation of Labour Laws (CLT) that regulated worker safety and dignity.^{68 69}

The Budget Proposal sent to Congress for 2021 reduced the amount earmarked for labour inspections to R\$ 24.1 million – a new low record.

Accounting for 1,501 of the 43,234 rural workers rescued from slave-like conditions since 1995, soybeans tend to be a secondary player regarding that crime. However, it had its peaks in some years: in 2003, when it accounted for 413 of workers rescued; in 2005, when there were 214; in 2004, 181; and in 2008 and 2012, with 150.⁷⁰

While the 2010 publication cited above praised the effort of economic sectors to leave behind their history as “dirty list” members after a project developed by Repórter Brasil, ILO saw lack of engagement in the soybean supply chain to combat the problem, similarly to beef and cotton production.

In the last four years, the Labour Prosecution Service conducted 494 investigations after on labour complaints in soybean plantations and 393 in wholesale trade.

Labour Reform took away workers’ rights – examples in rural areas include the end of paid commuting time and the expansion of the possibilities for temporary work and outsourcing, which have always had a strong correlation with degrading and even slave-like work routines.

Several actors involved with the issue mention the impacts of the President’s public stance. He has made it a priority to take the State “off the back” of employers since his election campaign and still criticizes the criteria for defining slave labour.

Labour Justice, historically pro-workers, has come under pro-capital leadership in recent years, and the change in legislation that makes employees pay the costs and fees if they lose in court has brought down the number of lawsuits⁷¹.

Another result of Labour Reform – the end of mandatory union contributions – reduced the revenues of rural workers’ unions by as much as 90%, preventing enforcement actions such as unscheduled visits to farms – which often require traveling over 150 kilometres. The current

⁶⁸ <https://www1.folha.uol.com.br/mercado/2019/11/verba-para-fiscalizacao-trabalhista-recua-63.shtml>

⁶⁹ <https://outline.com/mVAHM6>

⁷⁰ <https://sit.trabalho.gov.br/radar/>

⁷¹ This point was declared unconstitutional four years later: <https://www.migalhas.com.br/depeso/353636/stf-declara-inconstitucional-cobranca-de-honorarios-de-sucumbencia>

administration's pro-weapons policy – which, among many measures, authorized bearing guns in the entire area of a property (it used to be restricted to their main houses) – appears as another obstacle to enforcing rights. Labour inspectors and union members point to additional difficulties related to the confusion about which rights have been extinguished and which are still in force, and some farm owners' understanding that inspections have been fully cancelled.⁷²

Slave labour is concentrated in agricultural expansion fronts and the deforestation stage. Therefore, the crime is not always included in the so-called "soybean radiography," given the successive land uses already described.

Seasonality and displacements usually lead to weaker employment relationships, since many workers move from farm to farm between one harvest season and the next, often in different regions of the country.

The soybean supply chain also drives immigration flows, especially of Argentinean and Uruguayan workers to the states of Rio Grande do Sul and Paraná, and, to a greater extent, Paraguayans to Paraná and Mato Grosso do Sul. Immigrants' situation is precarious, since most of them do not have work visas and therefore are subjected to lack of health care in the event of an accident, for example. At border towns, some groups enter the country to work and return on the same day.

The reverse is also true, with Brazilians working in Argentinean, Uruguayan and mainly Paraguayan plantations – the so-called Braziguayans.

A search on the press shows at least 106 workers killed in grain silos from 2009 to 2018 in Brazil – most of whom were buried. Two of the top municipalities in grain production, Sorriso and Canarana, lead the national ranking.⁷³

Explosions, overexertion, dust and toxins also cause injuries, ergonomic illnesses, and problems in the respiratory tract and eyeballs.⁷⁴

Repórter Brasil's monitoring and interviews indicate that certifications make a difference, but they are not a magic solution – they do not replace legislation, public policies and, especially, law enforcement. The workers' labour confederation points out positive effects of the advancement of certification in other crops – even on collective bargaining. In some cases, rural employers accepted demands that they would usually reject.

Labels such as Fairtrade and Fair for Life are more associated with organic soybean farming, practiced today by some 200 producers and covering a total area of around 10,000 hectares (not counting production exclusive for crop rotation). Being less input and more labour-intensive, the system's costs and productivity are close to those of conventional farming, and it achieves better prices. The Brazilian Agricultural Research Corporation (Embrapa) itself points it out as viable after some technical adjustments.

2.6 Certifications

Brazil's largest soybean producers and exporters (ADM, Bunge, Cargill, Louis Dreyfuss, Amaggi) not only usually hold all the certifications but also, in cases like the RTRS (see below), they took part in developing the very standards they adopted. While not all their production is certified, these companies are prepared to meet the higher demand for certified products, even using certifications themselves as a "guarantee" of sustainability and corporate social responsibility, which is misleading.

In fact, since certifications are usually established under strong influence by the industry, although with pressure from civil society, they do not necessarily solve the problems they claim to tackle and we should realize the limitations of their impacts. For example, some certifications only

⁷² <https://reporterbrasil.org.br/2019/12/fazenda-que-fornece-a-grupo-dono-da-segafredo-corta-cantina-e-pagamento-de-deslocamento-do-trabalhador/>. See also off-the-record interviews conducted for the investigation into the tomato supply chain.

⁷³ <https://www.bbc.com/portuguese/brasil-45213579>

⁷⁴ <http://www.sstonline.com.br/acidentes-de-trabalho-em-silos/>

guarantee that grains are not GMO but do not cover other social or environmental issues in supply chains such as slave labour, deforestation or agrochemical use.

Small and illegal producers are not concerned with certifications, which have costs that they cannot or will not bear. And they manage to market their soybeans in both the Brazilian and export markets. In addition, China – by far the world’s largest importer – does not usually purchase certified soybeans as generally demanded by Europe and Japan. If the “market” does not require wide adoption of the measures required by certifications, they are unlikely to be widely adopted.

Specific certifications for soybeans

Two “categories” of product certification may be pointed out for the soybean complex. The first one consists of specific product certifications, which include the Certified Responsible Soya Standard (CRS) and the Roundtable on Responsible Soy (RTRS). The second category includes non-specific certifications linked to agribusinesses in a broader way.

RTRS – Roundtable on Responsible Soy

This is perhaps the main specific RTRS standard. The International Responsible Soy Association (RTRS) was founded in 2006 in Zurich, Switzerland, in the aftermath of the Soy Moratorium. Its founding members include civil society (WWF, Solidaridad, Fetrauf-Sul), producers (Amaggi), the food industry (Unilever) and retail chains (Coop). Today, the RTRS has more than 160 members and observers, including seed producers, retail chains, traders, NGOs and even other certification bodies such as FoodChain ID.

The RTRS established its first certification standard in 2010. It is now divided into two major areas, the first of which is related to production (“RTRS Production Standard,” “Agrofuels” and “Non-GMO”). Within a list of 106 items to be checked, the RTRS seeks to verify whether producers comply with all applicable laws, including environmental and labour legislation; that the soybeans were not grown in deforestation areas; and if good agricultural practices were used. In the case of Agrofuels, the certification also follows the European Union’s Renewable Energy Directive (RED), a program that aims to increase the use of renewables in the EU. Finally, the “Non-GMO” certificate guarantees traceability to certify that the soybean (or its derivatives) is not contaminated by genetically modified grains.

The second area concerns chain of custody (CoC). The certification describes conditions for all parts of the supply chain located downstream of production to maintain traceability of soybean or its derivatives, whether it is in reception, transportation, processing and marketing of certified products, while remaining separate from non-certified ones.

Certifications are valid for five years but undergo annual audits to verify compliance.

RTRS-certified soybeans can be marketed on an exclusive platform (“trading platform”), which can also sell CRS-certified soybeans (see more below).

According to a RTRS technician in Brazil,⁷⁵ the country produced 4.6 million tonnes of certified soybeans in 2020, which accounts for only 3.7% of the 133.7 million tonnes produced. There is room for growth, but certified soybeans are usually more expensive than the non-certified product.

CRS – Certified Responsible Soy Standard

CRS is a standard launched in 2008 by Netherlands-based trader Cefetra. It follows seven principles: traceability, compliance with legal norms; working conditions; farms’ land tenure status; the environment; social responsibility; and good agricultural practices. This standard works in conjunction with RTRS, even integrating their chain-of-custody certification mechanisms and suggesting that those interested in certification join the RTRS.

⁷⁵ <https://revistagloborural.globo.com/Noticias/Agricultura/Soja/noticia/2020/08/volume-de-soja-certificada-no-brasil-cresce-35-no-primeiro-semester-de-2020.html>

⁷⁶ <https://www.idhsustainabletrade.com/uploaded/2020/05/IDH-European-Soy-Monitor-v2.pdf>

3.1.1 Background

Coamo was founded in the late 1970s as Cooperativa Agropecuária Mourãoense, in Campo Mourão, western Paraná state, southern Brazil. Founded by 79 rural producers, its initial focus was to boost wheat production in the area, then followed by soy.

It is now one of the largest cooperatives in Latin America. It stands out for the high volume of commodities it trades, for its territorial coverage (large areas of the states of Paraná, Santa Catarina and Mato Grosso do Sul), and for its operations as an international trading company (it is among Brazil's ten largest soy exporters). In 2020, its revenues reached R\$ 20 billion. According to Professor Raoni Azerêdo from the Administration School of the Federal University of Western Pará (Ufopa), the cooperative is the result of a government policy focused on rural development, implemented as both technical assistance and rural extension, as well as state-provided credit policies with a view to fostering consolidation of a large-scale agro-export rural model. "Thanks to public credit policies and rural technical assistance, billion-dollar cooperatives emerged in Paraná," Professor Azerêdo explains. "The presidents of those cooperatives were 'rural extensionists'⁷⁷ from the former Acarpa and from Emater.⁷⁸ Coamo's President [José Aroldo] Gallassini used to work as an extensionist for Acarpa." Gallassini actually became Coamo's second CEO in 1975 and was reappointed again and again until 2019, when the cooperative changed its organizational structure and he became chairman of the new Board of Directors. In 1971, with less than a year of existence, Coamo was granted a loan from the Regional Bank for the Development of the Far South (BRDE, created in 1961 by the southern states of Paraná, Santa Catarina and Rio Grande do Sul). The loan enabled the cooperative to build its own headquarters, a warehouse, a dryer and a scale, already focused on soybean processing. Eight years later, the cooperative had 6,439 members spread across 13 municipalities in Paraná. In addition to building new warehouses and storage units with new loans provided by state banks, it started to take over smaller cooperatives or their structures, in cases of liquidation. That expansion strategy was specifically focused on soy, which saw a consumption boom in the 1970s. The expansion process continued in the following decade, with incorporation of cooperatives in the state of Santa Catarina. Coamo had 31,175 members in 1988, but that number started to fall sharply as a result of the economic crisis and lack of credit. In 1997, it had 17,788 members. During that period, members' profiles also started to change towards larger properties, in a process of exclusion of small producers. That contingent would only increase again after 2002, with expansion to the state of Mato Grosso do Sul (2004) and incorporation of new cooperatives.⁷⁹ In late 2020, according to the cooperative's management report, it had 29,438 members.

⁷⁷ "Technical Assistance and Rural Extension" is currently defined by Law 12188/2010 as "non-formal, continuous education service in rural areas, which promotes processes of management, production, processing and marketing of agricultural and non-agricultural activities and services, including agro-extractivist, forestry and artisanal activities." Brazil's first public rural extension institutions were founded in the 1940s, in the developmentalist context of rural modernization. No specific training is required from rural extensionists, but they are usually agronomists, veterinarians or zootechnicians, among others.

⁷⁸ The Rural Credit and Assistance Association (Acarpa) was a non-profit organization that used to work on rural extension in Paraná in the 1950s-1970s, when the Brazilian government promoted the creation of Technical Assistance and Rural Assistance Companies (Emater) in each state. Emater's Paraná chapter became the Rural Development Institute of Paraná (IDR-Paraná) in 2019.

⁷⁹ Data from: AZERÊDO, R. F. *Agronegócio cooperativo da Coamo: territorialização, poder e controle*. Master's Dissertation in Geography) – Paulista State University "Júlio de Mesquita Filho" (Unesp), Institute for Public Policies and International Relations (IPPRI), Graduate Programme in Territorial Development in Latin America and the Caribbean (TerritoriAL). São Paulo, 2016. Available at: <https://repositorio.unesp.br/handle/11449/144211>

3.1.2 Business diversification

Soy is still the organization's main business, boosted by services added to production such as sales of pesticides and other inputs, seeds and agricultural machinery. This division of the business, which also includes veterinary products, generated R\$ 5.1 billion in 2020.

Coamo also sells other services to its members, including health insurance (with companies such as Unimed), life and car insurance (it controls Via Sollus), as well as harvest insurance and agricultural credit (through Credicoamo).

Trade in wheat, cotton and coffee are also part of its operations. The cooperative maintains its own brand of final consumer products – ground and roasted coffee, flour, margarine and vegetable oils, among others.

In an investigation for a 2018 report, Repórter Brasil found that the company's foreign clients included Amaggi International – a subsidiary of Amaggi, the Brazilian trading company whose partners include former-minister Blairo Maggi –, Belgian trading company Vanden Avenne Commodities, the Cofco Group – China's largest food processor, and Japan's Zen-Noh, one of the world's largest cooperative organizations. According to partial data for 2021, Coamo exported a total of 245,000 tons of soybeans, crude soybean oil and soy meal, with 101,000 tons of bran – of which 37,000 tons were unloaded in Europe.

On international databases, companies such as US-based Cargill and Dutch Transgrain appeared among those providing services to the organization. The former is listed as one of Coamo's main grain carriers abroad. In 2017, Cargill took the Brazilian group's grains to ports in Germany (Hamburg and Bremen, the largest ports by commodity volume), the United States, France and the Netherlands. According to data from 2021, the countries that received soybeans from Coamo included China, Vietnam, India and South Africa. In the European Union, the Netherlands were the only country to receive soy meal from the company in Amsterdam, the second largest port in the country and the fourth largest in Europe by commodity volume.

3.1.3 Work system and facilities provided to members

By joining the cooperative, farmers have access to technical assistance, inputs and a series of services, including health, equipment and harvest insurance, in addition to training. Professor Azerêdo believes that, in many cases, assistance takes on an almost managerial role in production, controlling the process from land preparation to planting, harvesting, storage and transport and ultimately to grain trade.

The situation is confirmed in a 1996 study by Professor Decio Zylbersztajn from the Economics and Administration School of the University of São Paulo, which highlights how "in fact, agricultural producers delegate great power to the cooperative's board, always with the expectation that it will defend their interests." The article describes an episode that took place in March 1996, when Coamo decided to export corn, whose international prices were higher than those practiced in Brazil.

While Brazil is an occasional exporter of corn, at the time of the decision, everyone was aware that the chances of having to import the product to meet domestic demand were high. Even so, Coamo had decided to sign a contract to export to South Africa at R\$ 7.60, which had an immediate impact on the Brazilian market. On the same day, domestic prices had their downward trend reversed, reaching R\$ 7.50 the following week and R\$ 8.10 during harvest season, indicating a very promising scenario for producers.⁸⁰

Azerêdo points out a dominant technocracy operating under a logic of capitalist accumulation and strengthening the landed ruling class as one of the main characteristics of Coamo's model, strongly induced by the Brazilian State and common to several other agro-industrial cooperatives. "While

⁸⁰ Zylbersztajn, D. et al. "Cooperativa Coamo: Gerenciando os Conflitos do Crescimento". Case study. School of Economics and Administration of the University of São Paulo (FEA-USP). São Paulo, 1996. Available at:

http://www.fundacaofia.com.br/PENSA/anexos/biblioteca/2212008132516_ec96_coamo.pdf

Accessed: September 27, 2021.

all instances of democratic decision are in place, such as assemblies, what we see is that administrative decisions or longer-term decisions are disconnected from the cooperative's members," he says. "In this business-oriented cooperative, they end up being guided in a very technocratic way on how to operate. That's what distinguishes it from a typical popular, solidarity-based cooperative."

There are exceptions to this process of "verticalizing" decisions. Members with larger properties usually have their own resources to be used in areas such as storage, drying and transportation, which allows them to establish less umbilical relations. Occasionally, they market their harvest with other companies and even other cooperatives, as explained by a former employee who would rather remain anonymous.

Nevertheless, Coamo invests in a spirit of community among its members and employees, including their relatives. "Clubs" are created in some regions, known as Coamo Employee Recreation Associations (Arcam), which are funded by the organization but also by employee contributions – mandatory ones, in practice. Arcam also organizes local and nationwide social events, including barbecues, sports tournaments and parties, in addition to charitable social actions.

According to Reinaldo Remigio, vice president of the Union of Workers in Agricultural Cooperatives, Farming and Agroindustrial Companies of Paraná (Sintracoop) from Campo Mourão, Paraná (where Coamo is based), the cooperative's employees' main demand is the recovery of salaries' purchasing power. "The workers started losing purchasing power after the 2017 labour reform. Since that time, Coamo has no longer signed Collective Conventions or Labour Agreements with the workers," and will not negotiate with the Union. From the point of view of labour relations, Remigio says that many Coamo employees left the union at the same time, right after the labour reform, and he suspects that they might have been pressured by the company.

"Ministry of Labour inspections have virtually disappeared during the current administration. With the pandemic, Coamo does not allow the union to enter the companies' facilities to monitor workers," Remigio adds.

3.1.4 "Sustainable soy"

In November 2016, the "Coamo Sustainable Soy Production Program" was launched in Campo Mourão. At the event,⁸¹ the cooperative's board explicitly set the goal of meeting a growing demand for "sustainable production of certified soy." The principles announced include "compliance with laws, environmental awareness, and social development."

In May 2017, the cooperative announced⁸² that the program had been certified by an institution called the International Trade Centre to "provide the European Feed Manufacturers Federation." However, it does not explain exactly what such certification is and which criteria have been met. The Coamo Program is mentioned by the European Soy Monitor⁸³ report in its 2017, 2018 and 2019 editions (published two years after the reference year, that is, 2019, 2020 and 2021, respectively) as a sustainable production model from a social and environmental point of view. However, the reports do not provide numbers on certified area, volume produced or even specific operational criteria. It should be noted that the monitor seeks to compile data on soy that meet the standards of Fefac – the European Feed Manufacturers' Federation. Therefore, it becomes an important instrument of corporate responsibility for the European manufacturing industry. Fefac's recognition is essential for accessing the European market of soy meal for animal feed, hence its importance for Coamo's program.

⁸¹ "Produção sustentável de soja é foco da Coamo". Coamo Magazine, Ed. 464, November 2016. Available at: <http://www.coamo.com.br/jornal/conteudo.php?ed=35&id=630>. Accessed on: September 7, 2021.

⁸² <http://www.coamo.com.br/site/noticia/1047/coamo-obtem-certificacao-sobre-a-producao-sustentavel-da-soja>

⁸³ IDH. European Soy Monitor. Available at: <https://www.idhsustainabletrade.com/publication/european-soy-monitor-report-2019/>. Accessed: September 7, 2021.

Given plenty of time to respond, Coamo did not provide information about the program, and there are no documents on guidelines, requirements and parameters available online – note that transparency is a core element in certification. Nor did it offer details on International Trade Centre’s certification, and no information could be located about it. Specifically, Coamo was asked about:

- What are the program’s criteria and how are they actually implemented?
- In terms of adoption by members, does Coamo have targets for program expansion?
- Is production certification separated from chain of custody certification?
- Once the program is implemented on a given farm or agro-industrial unit (if applicable), is its enforcement periodically monitored?
- Is traceability – a principle adopted by Coamo – part of this program or is it treated separately?
- Number of farms/cooperative members participating in the program;
- Total soy plantation area (in hectares) covered by the program, including, if possible, annual evolution since its adoption;
- Volume (in tons) of soy or soy meal considered sustainable and exported in the last year, including, if possible, annual evolution since the program was implemented;
- If possible, the main destinations (Europe/Asia/Australia) for sustainable soy exported by Coamo, including, if possible, annual evolution since the program was implemented.

In contrast, the leading organization working on specific soy certification – the Roundtable on Sustainable Soy (RTRS) – provides extensive online documentation on its certification procedures, number of producers participating, and volume produced, including specific chain of custody certification as mentioned in item “Specific Certifications for Soy.”

3.1.5 Operation in Mato Grosso do Sul

According to information provided by the cooperative itself, Coamo reached the southern cone of Mato Grosso do Sul in 2003,⁸⁴ building warehouses in Amambaí and Caarapó. Since then, it has expanded its structure, even incorporating assets from a local cooperative – Coagri, which was liquidated in 2008 – and reaching 14 units. In 2018, two new warehouses were opened in Itaporã and Sidrolândia at R\$ 90 million. In the following year, two new factories were opened in Dourados, with investments of R\$ 780 million. Aimed at the European and domestic markets (Southern Brazilian states), they expanded their daily processing capacity to 8,000 tons of soybeans and their refining capacity to 1,440 tons of oil.

Coamo’s soy processing, crushing and oil refining plant in Dourados was opened⁸⁵ with the presence of Brazil’s Minister of Agriculture Tereza Cristina and state governor Reinaldo Azambuja – a Coamo member at the time.

According to the Federal Prosecution Service (MPF), almost all soy producers in the region are members of Coamo.

“The cooperative has grown very large in recent decades and, like other companies in the area, its vision is focused on producing, producing, producing, regardless of the impacts of its activity, such as pesticides,” says Kunã Aranduhá (aka Jaqueline Gonçalves Porto), a member of the Kuñangue Aty Guasu assembly. “As long as someone is buying abroad, they will be producing here.”

Coamo members include farmers who own lands in areas claimed by indigenous peoples in Mato Grosso do Sul. They are entitled to the services provided by the group, from input sales to support in export operations. According to indigenous leaders interviewed, several cooperative members have properties overlapping traditional “usufruct” territories such as Jatayvary, Dourados Amambaípegua I, Takuara and Guyraroká. These producers include the defendants in the attack on the Tey’i kuê Indigenous Village (see section “Dismay and struggle”).

⁸⁴ <http://www.coamo.com.br/site/institucional/area-de-atuacao-ms>

⁸⁵ A GRANJA. “Coamo inaugura indústria em Dourados/MS com a presença de Tereza Cristina”. November 26, 2019. Available at: <https://edcentaurus.com.br/agranja/noticias/15244> Accessed: September 8, 2021

Asked about the involvement of its members and employees in incidents such as the Caarapó Massacre, Coamo did not comment.

At the end of President Michel Temer's administration in 2018, the federal government issued Decree 9571,⁸⁶ which "established National Guidelines on Business and Human Rights," seeking to promote compliance with environmental, labour and human rights regulations. Based on that decree, Federal Prosecutor Marco Antonio Delfino, based in Dourados, started looking for large companies, traders and local farmers that will adopt a kind of "sustainable production protocol" in the state. Despite being persistently invited, Coamo did not join the process, according to the interviewee. Asked why it would not participate, the organization did not comment.

3.1.6 Coamo today

In its 2020 management report,⁸⁷ published in 2021, the cooperative provides the following data:

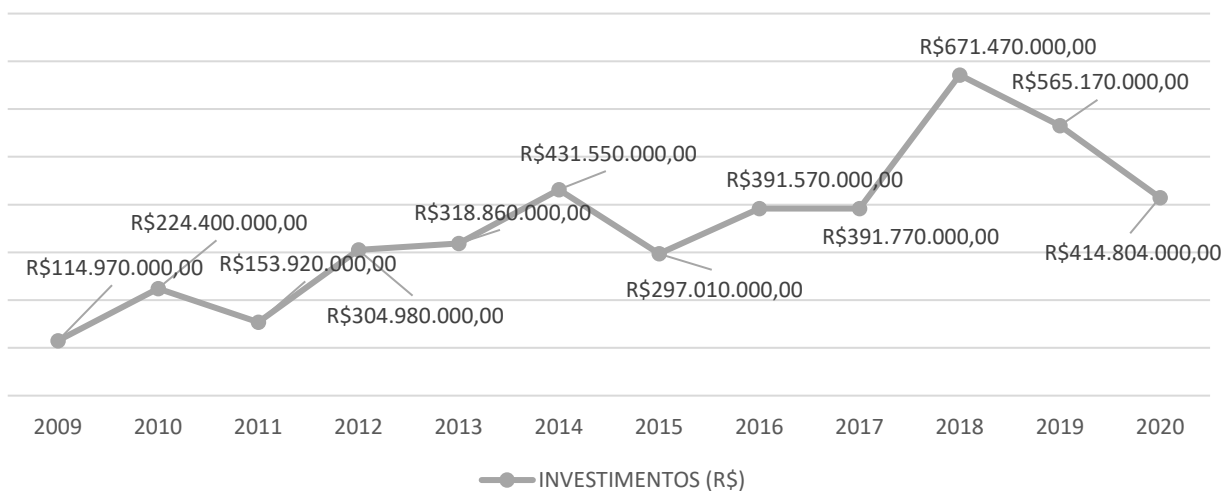
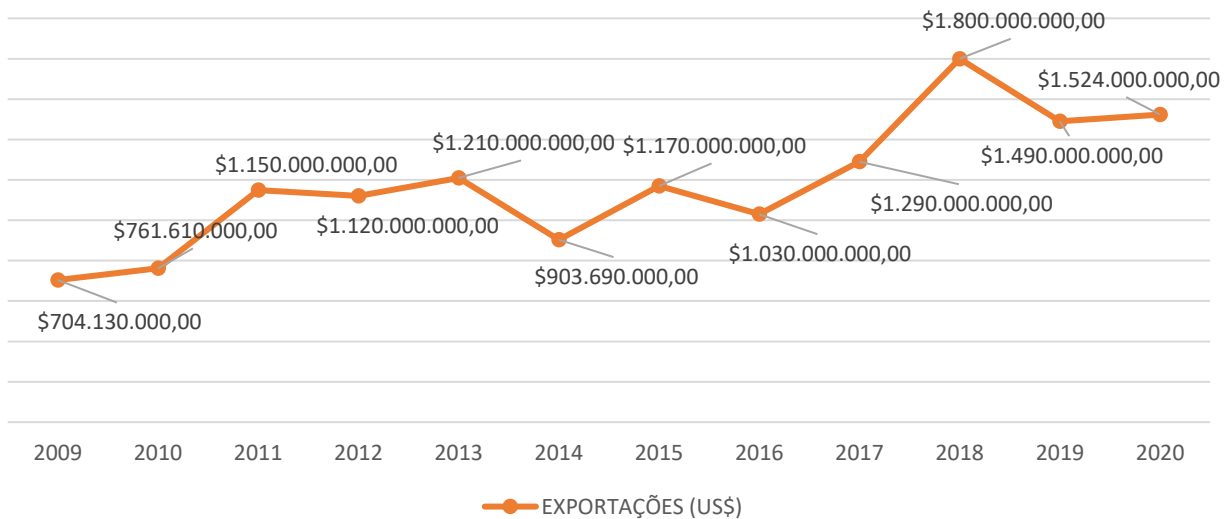
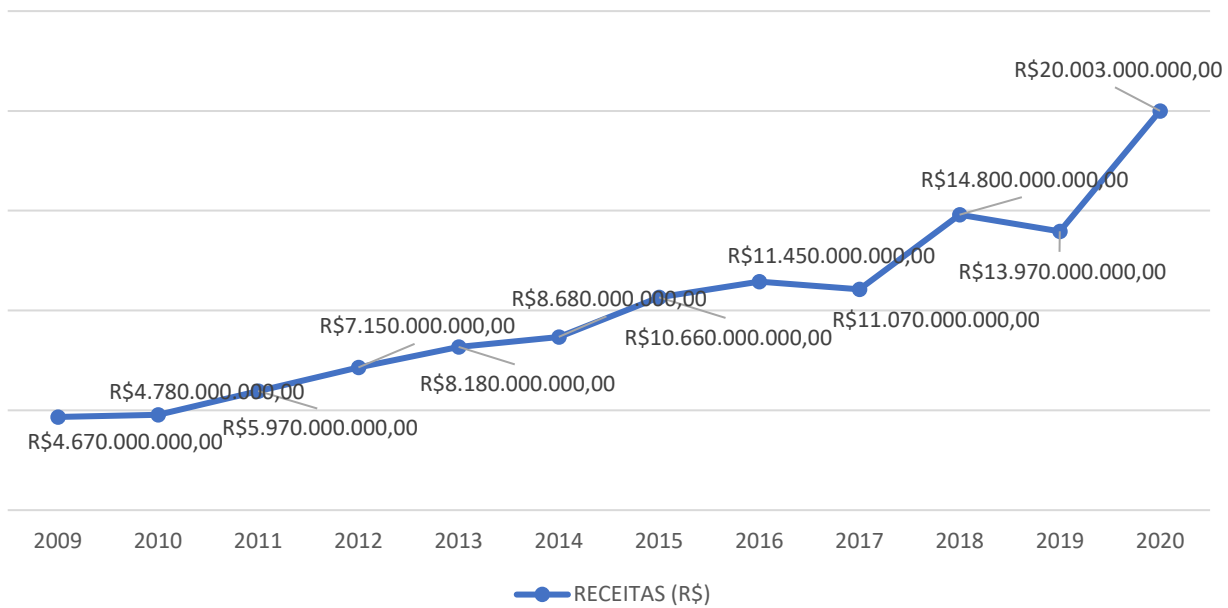
- Global revenues of R\$ 20 billion – a 43%-increase over 2019;
- 4.6 million tons of products exported to 19 countries in Latin America, Europe and Asia, with US\$ 1.5 billion in revenues;
- 29,438 members;
- 8,095 permanent employees, including agronomists, veterinarians, administrative staff, plant operation and transportation personnel, and a monthly average of 1,400 temporary or subcontracted workers, totalling approximately 9,500 employees;
- 111 units (warehouses and agro-industrial plants in Paraná, Santa Catarina and Mato Grosso do Sul, in addition to its own terminal at the Port of Paranaguá, PR);
- Installed storage capacity for 6.8 million tons of soybeans;
- It received 9.3 million tons in 2020 (3.6% of Brazil's domestic production);
- 2.5 million tons of soybeans were processed (bran; refined oil and vegetable shortening, partly for final consumers);
- 3,200 tons of roasted and ground coffee processed;
- 212,800 tons of wheat flour and bran processed;
- 3,200 tons of cotton yarn processed;
- R\$ 414 million were invested (construction of a second terminal at the Port of Paranaguá and a new unit in Dourados, modernization and expansion of storage units, among others), with similar investments planned for 2021;
- In 2018, Coamo already had its own fleet of 280 trucks and operated another 600 through carriers.

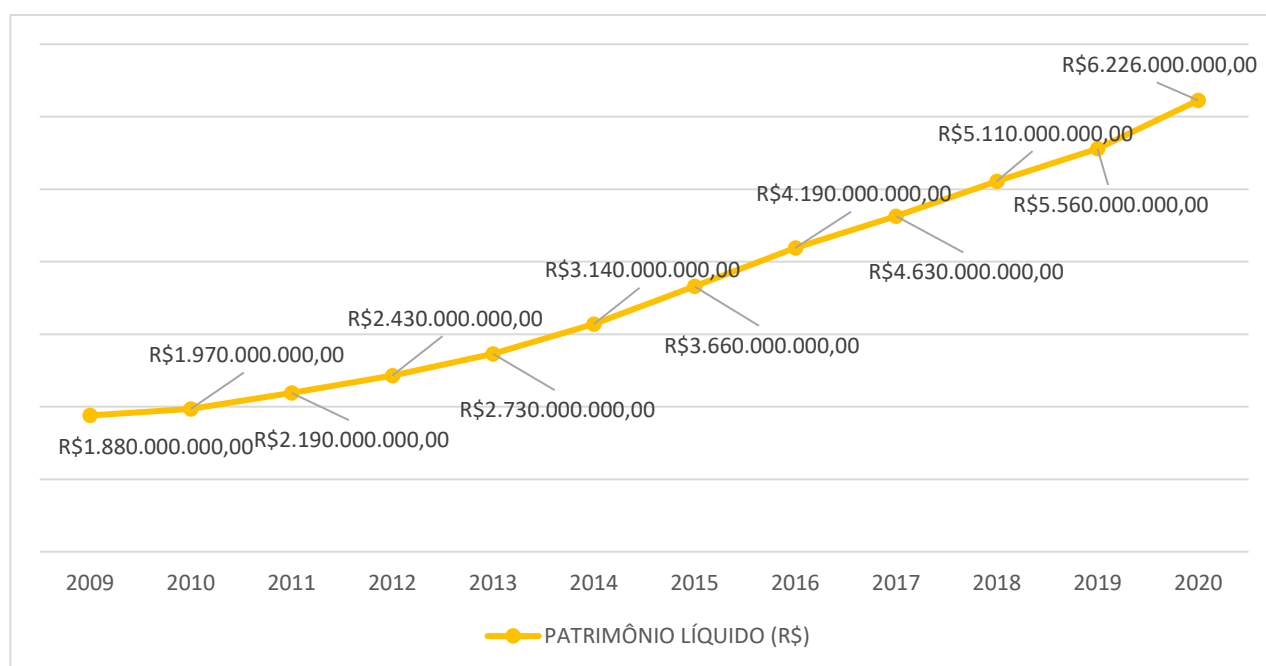
Coamo's evolution based on Management Reports from 2009 to 2020:

YEAR	REVENUE (R\$)	EXPORTS (US\$)	INVESTMENTS (R\$)	EQUITY (R\$)
2009	R\$ 4.670.000.000,00	\$ 704.130.000,00	R\$ 114.970.000,00	R\$ 1.880.000.000,00
2010	R\$ 4.780.000.000,00	\$ 761.610.000,00	R\$ 224.400.000,00	R\$ 1.970.000.000,00
2011	R\$ 5.970.000.000,00	\$ 1.150.000.000,00	R\$ 153.920.000,00	R\$ 2.190.000.000,00
2012	R\$ 7.150.000.000,00	\$ 1.120.000.000,00	R\$ 304.980.000,00	R\$ 2.430.000.000,00
2013	R\$ 8.180.000.000,00	\$ 1.210.000.000,00	R\$ 318.860.000,00	R\$ 2.730.000.000,00
2014	R\$ 8.680.000.000,00	\$ 903.690.000,00	R\$ 431.550.000,00	R\$ 3.140.000.000,00
2015	R\$ 10.660.000.000,00	\$ 1.170.000.000,00	R\$ 297.010.000,00	R\$ 3.660.000.000,00
2016	R\$ 11.450.000.000,00	\$ 1.030.000.000,00	R\$ 391.570.000,00	R\$ 4.190.000.000,00
2017	R\$ 11.070.000.000,00	\$ 1.290.000.000,00	R\$ 391.770.000,00	R\$ 4.630.000.000,00
2018	R\$ 14.800.000.000,00	\$ 1.800.000.000,00	R\$ 671.470.000,00	R\$ 5.110.000.000,00
2019	R\$ 13.970.000.000,00	\$ 1.490.000.000,00	R\$ 565.170.000,00	R\$ 5.560.000.000,00
2020	R\$ 20.003.000.000,00	\$ 1.524.000.000,00	R\$ 414.804.000,00	R\$ 6.226.000.000,00

⁸⁶ http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/decreto/D9571.htm

⁸⁷ <http://www.coamo.com.br/contabeis/2020/>





3.1.7 Coamo as a tool for the agribusiness industry

“Agrarian, so-called business-oriented cooperativism was crucial for the establishment of the agribusiness model in Brazil,” says Professor Raoni Azerêdo. Agro-industrial cooperatives created the conditions for that ecosystem to function: consolidation of large estates focused on large-scale production, with a view to supplying the domestic market, but mainly to export commodities; high level of automation and technology, including widespread use of pesticides and transgenic seeds. Gisele Onofre, a Geography professor at the State University of Paraná (Unespar), studied Coamo. She considers that, “despite its social message, cooperativism incorporated to capitalism contributed to reproduce and reinforce the structural conditions of the capitalist mode of production, working as a complementary tool for capital to expand and move in the globalized economy.”⁸⁸

In other words, Coamo or similar cooperatives do not directly concentrate land or reduce the area for subsistence farming or environmental preservation, nor do they get into land conflicts, whether with family farmers, indigenous peoples or traditional populations. However, they provide enormous financial incentives to land concentration for soy production – one of the richest sectors in Brazilian economy and one of the main sources of foreign currency reserves for the country in recent decades.

Therefore, it comes as no surprise that Coamo has been working to compete with companies such as the so-called ABCD traders (ADM, Bunge, Cargill and Louis Dreyfuss) in the international market. The cooperative founded Aruba-based Coamo International AVV to manage its exports. According to data from Trase, Coamo was already among the ten largest exporters of Brazilian soybeans in 2018, having sold 2.8 million tons. It is worth remembering that this figure reached 4.6 million in 2020.

With regard to land conflicts and human rights violations, Marco Antonio Delfino, a Federal Prosecutor based in Dourados, considers that the soy sector does not see these situations as obstacles to production. “I remember a pulp company that gave up investments [in southern Mato Grosso do Sul] because they were not sure if the areas where they would invest were indigenous

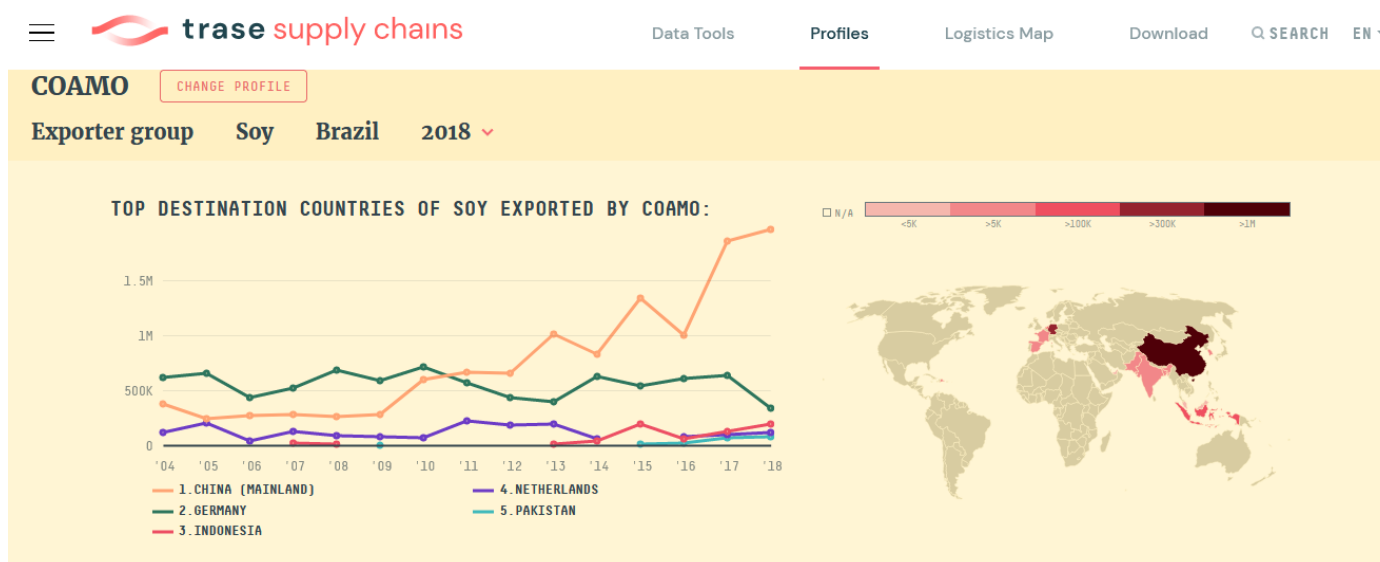
⁸⁸ ONOFRE, G. R. Capital e Coamo – Agroindustrial Cooperativa: A formação de um território. Doctoral Thesis in Geography. School of Philosophy, Letters and Human Sciences of the University of São Paulo (FFLCH-USP). São Paulo, 2011. Available at: <https://www.teses.usp.br/teses/disponiveis/8/8136/tde-05102016-170424/en.php>. Accessed: 28 set 2021.

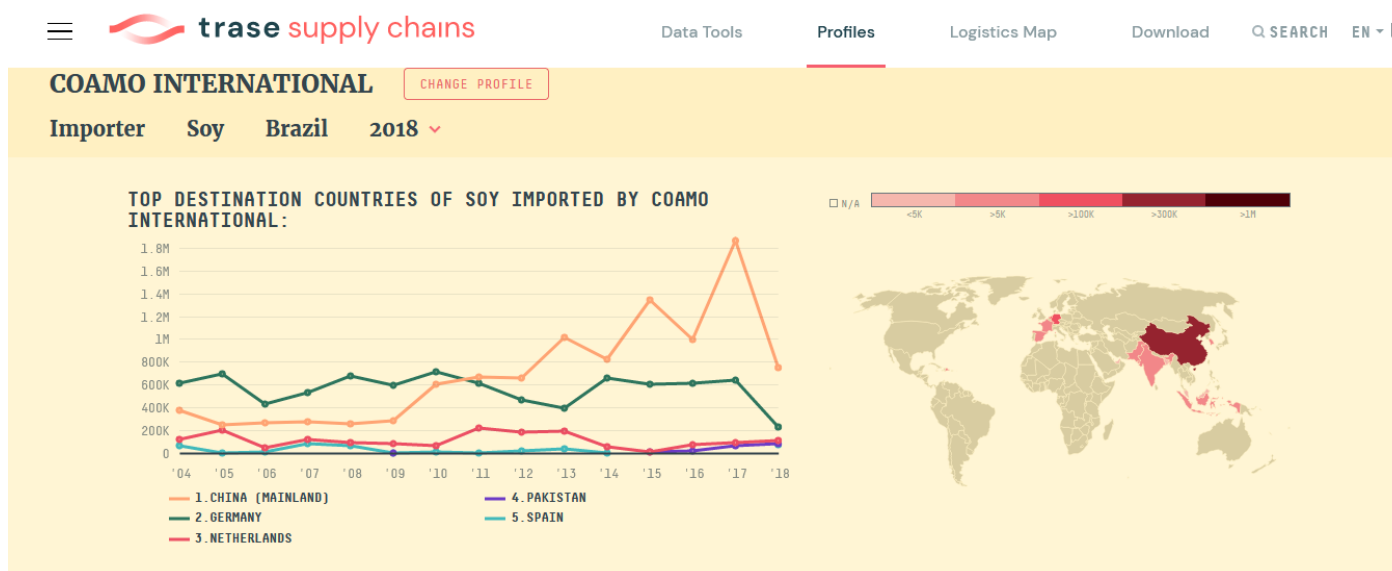
land or not.” In the case of soy, “it seems to me that Coamo understood that it would not be an obstacle.” He adds:

I understand that Coamo has not performed the due diligence expected from a company its size, especially one that exports to markets that demand it, which are concerned with protecting traditional populations. Even the EU itself has already released a note at the European Parliament about its concern with the Kaiowás and Guaranis, an extremely complicated situation. That’s not an unknown scenario. [...] We’re talking about the second largest indigenous population in Brazil, with the worst rates of suicide, violence, imprisonment. An absolutely de-territorialized population, without territory. And which is often the target of international demonstrations by non-governmental organizations. [...] It is the community with the most children targeted by protective measures. So the scenario is already known. Anyone who opens the newspapers from time to time is fully aware of the issues involving the Kaiowá and Guarani. It is not difficult to dialogue. It seems to me that the company decided to ignore that scenario based on a legal view that that it was no obstacle in its relationship with members and in the consequent export of products, even to sensitive countries. [...] So Coamo, when it advertises sustainability, it tries to sell to its clients the idea that it is a sustainable company... Its behaviour has to be compatible with that. Because just complying with the legislation is not enough. Nobody can advertise that they comply with the law.

3.1.8 Coamo and Germany

The organization and its international arm – Coamo International AVV – account for a significant part of all soy exported from Brazil to Germany, basically as soy meal for animal consumption. According to Trase, Germany is historically one of the main destinations for soybeans exported by Coamo’s international division. In the last year available for consultation – 2018 – 224,000 tons were exported, but the number points to a sharp drop. In the four previous years, the average was above 600,000 tons, which is almost half of all soy imported by Germany. The data are not complete, as Trase does not know the importer of 118,000 tons.





3.2 The situation of Guarani and Kaiowá Indigenous Peoples in Mato Grosso do Sul

3.2.1 Eviction and confinement

Two of the three Guarani groups found in Brazil have historically lived in the state of Mato Grosso do Sul: the Pãi-Tavyterã, known as Kaiowá, and the Avá Guarani, known as Ñandeva (or simply Guarani).⁸⁹ Because they are together in their struggles and share most areas, they are often referred to as *Guarani-Kaiowá*, but they usually prefer *Guarani and Kaiowá*, which conveys the idea of association rather than homogeneity.

The best-known colonization landmarks in the area occurred at the end of the War of the Triple Alliance, in 1870. After the conflict, the Brazilian Empire granted much of the territory to Companhia Matte Larangeira (or Mate Laranjeira, owned by Thomáz Larangeira) in 1877, to explore yerba mate using mostly indigenous labour, even under debt bondage. Between 1915 and 1928, Brazil's Indian Protection Service (SPI, which would later become the National Indian Foundation, Funai) demarcated eight reserves covering between 700 and 3,600 hectares, which were initially occupied by the indigenous people who worked for Matte Laranjeira under debt bondage.⁹⁰ The largest of these reserves is now known as Te'yi kuê, in Caarapó, with 3,594,000 hectares, where Simão Kunumi and Eliel Benites were interviewed.

Starting in 1948, the Agricultural Colony Nova Dourados (Cand), established during Brazil's so-called New State (1937-1945) in the context of the "March to the West,"⁹¹ began distributing parcels, creating a new migratory flow and a new wave of conflicts with indigenous people, who were not limited to reserves demarcated by the SPI and still lived scattered throughout the region. The government of President Getúlio Vargas encouraged settlers (mainly from Rio Grande do Sul state) to take land in the region as part of a policy to occupy remote areas and whiten the country. Those were traditional lands belonging to some ethnic groups, including the Guarani Kaiowá and Ñandeva. The project was to make them disappear as indigenous people, "diluting" them into the larger society as poor workers.

At the time, the SPI already received frequent requests to help the settlers, but there are reports about the agency itself working against the indigenous people. The Cand gave them seven pieces

⁸⁹ <https://pib.socioambiental.org/pt/Povo:Guarani>

⁹⁰ <https://deolhonosruralistas.com.br/deolhonoparaguai/2017/11/08/no-seculo-19-matte-laranjeira-teve-2-milhoes-de-hectares-no-paraguai/>

⁹¹ The New State was a dictatorial government headed by Getúlio Vargas and inspired by Portugal's New State (1933-1971). The "March to the West" consisted of a set of federal policies implemented in the final years of the New State to encourage occupation of Brazil's Center-West and North regions.

of land where they started resisting, but those driven from their lands in violent actions were also removed to those areas. At the time, a pattern of house burnings, beatings and murders was already established and remains until today.

SPI statements and documents report evictions in the areas of Amambai, Bela Vista, Juti and Paranhos between the 1940s and 1950s. There are reports of indigenous people taking refuge in Paraguay and returning to Brazil,⁹² such as the following account:

In the community of Taquara, in Juti, nearly 80 people were transferred to the Caarapó reserve in 1953, with explicit support from the SPI, which produced extensive records documenting the episode. The action is known to have cost 200 cruzeiros, paid by the José Bonifácio Indigenous Post (now Caarapó IL) out of the money from sales of yerba mate extracted by the indigenous people themselves:

Reports by older Kaiowá who witnessed the eviction [...] are emphatic about the use of violence, a lot of confusion, and people running around; [...] houses were burned, people were tied up and forcibly placed on the back of the truck that transported them, and a few belongings collected in a hurry. [...] The Indians claim that days after the families were removed, Indians from Jarará found two charred bodies in a house burned by the agents who carried out the eviction – an elderly woman and a child. Another child would have fallen into the Taquara River in a desperate attempt to escape to the Lechucha village and drowned in its waters, being found by the same Indians trapped in branches by the riverbank.

3.2.2 Recurring pattern

The pattern of forced evictions after land conflicts with settlers, squatters or people who simply came up with “land titles” repeats itself over the decades, often with direct government support. One of the first cases that drew nationwide attention occurred between 1977 and 1979, with two attempts to remove the community of Rancho Jakare, in the Laguna Carapã region. Funai carried out the forced eviction, with reports about indigenous people tied up in trucks, and moved them 400 kilometres to the Kadiweu Reserve in the Pantanal, where conflicts with squatters also occurred.

From here they took us in a cage, a real cage; three cages came, and we went in the cage. [...] Along the way, we slept, they fed us, they gave us bread rolls so we wouldn't starve, they covered our cage so we wouldn't see our trail.

The indigenous people, however, walked back to their lands, to live precariously until 1984, when two ILs were created – Rancho Jacaré and Guaimbé.

In addition to SPI and Funai actions against the indigenous people, police forces are often mentioned as having direct participation in violent actions while ignoring their requests for help. Evicted from their lands, confined to small areas, humiliated and subjected to degrading labour on the farms – including sugarcane plantations –, the indigenous people saw their way of being and living destroyed. While they used to be divided into large collective houses that were several kilometres apart from each other, where extended families composed of small family groups used to live, today their houses are separated, smaller and much closer to each other, which often forces families not necessarily connected to live together.

They began to find ways to survive by working on farms or – marginally – in cities. In a situation of extreme pressure and destroyed community structure, many Guarani and Kaiowá commit suicide. “That’s provisional,” says Rosy Kaiowá, a member of Retomada Aty Jovem (RAJ), referring to a state of affairs rather than a specific space. “It’s something temporary that improvises our lives.” She details the routine of instability and latent violence:

As I always say: our life is temporary; as long as there is no demarcation, we'll have no peace. We won't be calm. We won't be able to plant. Because we think about tomorrow. We plant today, and sometimes we think about not eating, like... We plant so much, so much, and then comes eviction. We lose everything we have. So it's like this: our fight is

⁹² http://cnv.memoriasreveladas.gov.br/images/pdf/relatorio/volume_2_digital.pdf - texto 5, p. 215

really... Not only for life, but for territory, because it's the territory that will provide us indigenous people with life.

And there is lots of fear, really, of being evicted... That they'll come suddenly... The farmers, when they arrive, they don't arrive with mercy. Non-indigenous people, I'll say it like that: they come already with aggression, with hatred. They come with tractors, bullets, dogs, machines, they come pushing, they come destroying, they come killing and abusing, they come with racism and prejudice. So we already face all that on a daily basis, but we don't care about that. What we really want is to guarantee demarcation of territory. He handed over the territory, we know how to deal with our own land.

Rosyh Kaia, 25 years old

3.2.3 Dismay and struggle

Spensy Pimentel, born and raised in Dourados and now a Professor at the Federal University of Southern Bahia (UFSB), provides a little synthesis of the scenario experienced by the Guarani and Kaiowá:

The scene was really of dismay; those people were removed from the places where they lived and taken into the reserves, until the 1980s. And then inside the reserves a very bad situation was established because the reserve was gradually becoming overcrowded [...]. The 1980s were marked by a lot of angst. There were many conflicts there, and because of that, the number of suicides increased. Especially among the youth, it was something that older people they didn't remember hearing about... Did suicide even exist? It did, but it was one isolated case or another that people heard about once, that they knew to have happened. Not as it started to happen during that period, which was like this: every month – first every month, then every two weeks. And now it's almost every week. From the number you can see that it's more than one per week.

Since the 1980s, indigenous people have sought to return to their ancestral lands, in a process known as *retomada* (repossess, take back, resume). Rosyh Kaiowá explains the logic:

Reserve, village and retomada are different. Different realities. The reserve is known to have been demarcated by the SPI. There are many people in a reserve who were removed from several villages, who were placed... We say that a reserve is a pigsty. A pigsty from which several problems come. Why? Because the reserve is not our village, it's not our tekoha, we don't belong there.

We never asked for a reserve. So, today's problems at the reserves are not our fault. These problems are inevitable. Why? Because when they lived in several villages, each extended family had their leaders, they had their advisers, their doctors – in an extended family they already have their way of organizing, their way of farming, their way of seeing, their way of eating. Children have their own education, their rules. And when a person is taken from a village that is the place where they belong, and when that village becomes private property, when the community is removed and taken to the reserve – that process was very... There was a lot of loss at that time.

Rosyh Kaiowá, 25 years old

Retomadas intensify confrontation with farm owners. As illustrated by Professor Eliel Benites, of the Indigenous Intercultural College (Faind), also a counselor of Aty Guasu:

Families seek resistance, living in the same area. And the owners, they also seek their property rights. So, this entire indigenous area is not stable, right? It's always in a mood for resistance, in a mood to face eviction. Families are left with these psychological problems. In addition, several cases of violence practiced by henchmen, you know? They run people over, they come shooting at the families... And these attacks often don't take place in the daytime. It's in the wee hours of the morning, so it's hard to record them.

Eliel Benites, 43 years old, a resident of the Te'yi kuz Village

My Guarani and Kaiowá people have always struggled. Here, where I live, there is a whole historical process of retomada. The first retomada happened before the 1988 Federal Constitution. So my village was demarcated before 1988 – it was demarcated in 1984. Then there was a whole process of removing the community. They came back after six months, on foot, and there was a lot of violence in this process of removal, back and forth.
Rosyh Kayowá, 25 years old

Often translated as “the place where one is” or “the place where one can be (what one is),” the notion of *tekoha* is at the heart of this movement. Benites speaks about it:

At that time [when they were forced to go the reserves], people who were young then are now old. But many are still alive, right? So, there is all the memory of each place... Each river, each forest, each water source, they know everything in Guarani, in the traditional language. So, these older ones have a whole mental map, right? It's saved. That's not trespassing on a property, taking the property of others, right? But it's returning exactly to the areas where they used to belong. It's like a piece of land you want to return to, right? You know it... You were born... [...] There were traditional rituals in a certain space, so... It's... When the indigenous people talk about “retomada,” it's not a random area, right? These are specific areas. With a certain name, you know? The ritual names that people have are even part of that place. So... When children are born, in certain traditional villages, their name is linked to that land, right? [...].
The idea of territory – nowadays they speak of “territory” – in our language, it's tekoha, right? Teko means the “way of being” while ha means the “place.” So, breaking down this word tekoha, we have “the place where you actually live”, right? And tekoha, for us, gives an idea that this is the place where things are produced... Food, house building... A ritualistic practice, right? All kinds of rituals, like children's transition to adult age. The sacred chants. The healing rituals, right?
At the tekoha, everyone has their place. For example, we are living in a house, and each family has the right to a hunting area, a fishing area. An area to stay wandering in the forest. And another area for fruit collection. And an area for planting. So, the tekoha is made up of different areas for practices that are characteristic of the Guarani and Kaiowá, and these different areas, it... It seeks to create behaviour that seeks to approach their deities, right? When they hunt, it's not just hunting to kill. They're actually having a relationship with those who own that hunt, right? And certain groups of deities are part of a regional area, and the Guarani Kaiowá relate to those deities.
So, when non-indigenous people come, they run over all that, cutting down all the forests, polluting everything, and leaving an arid land, right? The absence of all that. The importance of the tekoha is not just an area for production; the tekoha is a means, a mediation between Guarani and Kaiowá humanity in search of their divine way of being. So, the relationship... with the land, with the forest, with the leaves, you know?... the animals... In fact, it's the means to establish a spiritual relationship with their deities. So, the tekoha is the place of deities. That's the idea.
Eliel Benites, 43 years old, a resident of Te'yi kuê Village

3.2.4 Violence with economic and racist motivation

According to the Missionary Indian Council (Cimi), 39% of the 1,367 murders of indigenous leaders between 2003 and 2019 took place in Mato Grosso do Sul. In 2019, they were 10 out of 35.⁹³

⁹³ <https://cimi.org.br/wp-content/uploads/2019/09/relatorio-violencia-contra-os-povos-indigenas-brasil-2018.pdf>
<https://www.cptnacional.org.br/downlods?task=download.send&id=14242&catid=41&m=0>

According to Public Defender Daniele Osório, 25 of the 30 people in the federal witness protection program in the state are indigenous. And that protection is not enough for the top targets, who also receive UN protection.

In the case known as the Caarapó Massacre, an attack on Te'yi kuê ordered by farmers on June 14, 2016 left health worker Clodiodi Aquileu Rodrigues de Souza death and six other indigenous people shot, including a 12-year-old child. According to the investigations, more than 100 perpetrators – many of them armed – in about 40 trucks and three loaders (a type of tractor) forcibly removed a group of approximately 40 Guarani and Kaiowá from the Yvu Farm, owned by Nelson Buainain Filho. He was identified as the principal along with four other farm owners – Jesus Camacho, Dionei Guedin, Eduardo Yoshio Tomanaga and Virgílio Mettifogo. Mettifogo owns the Edurama Farm, another property that overlaps with the indigenous land, according to the National Indian Foundation (Funai), and which was used as a shortcut for the onslaught.

The accused spent around four months in prison but are now free and awaiting trial.

The group gathered in front of the local Coamo unit. Seven employees of the cooperative were denounced by the Federal Prosecution Service (MPF) for perjury when they denied having witnessed any abnormal movement that morning.

Other elements suggest that the accused's connection with Coamo and organizations representing the local elite is not superficial. Buainain Filho is the son-in-law of Sylvio Mendes Amado, founder of the Mato Grosso do Sul Agriculture and Cattle Association (Famasul), which gathers rural associations (representing landowners). Camacho used to be president of the Rural Association of Caarapó. Guedin and Mettifogo are Coamo members and have already appeared in the organization's institutional news – the former was portrayed receiving money paid to each member proportionally to their trade volume during the year. Agropecuária Tomonaga is adjacent to the unit located by state road MS-379. In October 2020, the Dourados Rural Association held a march to ask for “rural peace,” defend the right to property, and demand freedom for the five people accused.⁹⁴

A Kaiowá man who worked at the Caarapó unit in 2015 reports that three of those people used to unload their production there, and the other two did it in the neighbouring municipality of Laguna Carapã. He adds that Camacho was often seen at the organization's office. Other people interviewed claim that at least some of the accused continue to exploit the Dourados Amambaipegua I Indigenous Land economically. Mettifogo, says one of them, controls around 40 leased areas.

“That's what happens when you enter the struggle: you'll stop when you are buried, when you die. That's how this person ends, but history, life and the fight continue,” says Simão Kunumi, a Kaiowá man from that area.

That's where it grows even more. I may die today, for example, like Marçal Tupã-ĩ⁹⁵ died, but he grew a lot. Then there are many young people, and now there are several leaders, prayers, the women have already gone, they've left us, and now we are here. [...].

Because today, for example, we're not going back to the past. But what we want is to strengthen our prayers, our language, to demarcate land for us, to have that piece of territory recognized – it's not general. And to guarantee autonomy for us, which the law also restricts today, they create several laws, and they are beginning to dominate because of that law as well, and they want to take our economy from us.

Simão Kunumi, 44 years old, a resident of Tey'i kuê Village

<https://cimi.org.br/wp-content/uploads/2020/10/relatorio-violencia-contra-os-povos-indigenas-brasil-2019-cimi.pdf>

<https://cimi.org.br/2020/09/em-2019-terras-indigenas-invadidas-modo-ostensivo-brasil/>

⁹⁴ <https://www.sindicatordedourados.com.br/imprensa/noticias/sindicato-rural-de-dourados-apoia-luta-de-produtores-por-justica>

⁹⁵ Historical Nandeva leader, co-founder of the Union of Indigenous Nations (UNI), murdered at home on November 25, 1983.

A sort of militia that used to work for the so-called ruralists, called Gaspem, was dissolved in January 2018 as a result of a lawsuit filed by the Public Prosecution Service. They were accused of perpetrating attacks that left two indigenous people dead and dozens injured between 2009 and 2011.⁹⁶ However, similar militia are still active, tearing down straw and canvas houses with armoured tractors (known as “caveirão” or big skull) and imposing psychological terror on communities by shooting into the air, harassing and other methods.⁹⁷

Some sources say that, after an escalation of violence in 2019 that mobilized police contingents and federal authorities, a solution based on land leases has somewhat mitigated the conflicts because the agribusiness industry have access to the areas they want without shedding blood and without being exposed internationally. An indigenous person also described: “They arrive little by little, they use a strategy to reach the community smoothly and then take the lead.” Another factor for such (relative) peace would be ruralists’ unprecedented influence over the Federal Executive and Legislative.

“Forms of indirect control have emerged as a new strategy,” says anthropologist Felipe Johnson, from the Federal University of the Greater Dourados Area (UFGD). “Even if lands were demarcated – which will not happen – they’d allow production in those places.” He points out that the practice is in line with the logic of “ethno-development” and “indigenous entrepreneurship” advocated by the federal government and expressed, for example, in Joint Normative Instruction 1 of 2021, issued by Funai and Ibama.⁹⁸

He recalls that violence continues in several forms, such as torture and rape of elderly nuns by men linked to neo-Pentecostal churches.⁹⁹ In the second half of 2021, persecution of traditional religion is pointed out as the reason for the burning of the prayer house belonging to 92-year-old prayer Cassiano Romero, in the Rancho Jacaré Indigenous Land in Laguna Carapã.¹⁰⁰ Another case took place in Amambai in early October.¹⁰¹

In the Dourados Reserve, houses were burned in daylight by private security guards in early September. According to the local press, rural producer Giovanni Jolando confessed he had burned the house of an indigenous family with three children, located in the Avaê’té *retomada* (camp). The justification would be that the house was in an area he leases and that the families camped there would have destroyed part of his corn plantation.

Erileyde, from the Guyaroká Indigenous Land – one of the leaders of Retomada Aty Jovem and some sort of advisor to her 103-year-old grandfather Tito Vilhalva – still has that violence imprinted in her childhood memory:

I think I was 10 years old, we were on the roadside and there were police officers, soldiers, civilians – what do you call it? Gunmen. They came with lots of trucks loaded with stones, full, full and full, and my late uncle, he left, everyone ran, everyone hid, only my uncle went out there alone. And my grandmother, my mother, they ran to get me, I wanted to know what was going on, I wanted to see what that was. They were aiming their guns at us. As if we were... Now I think of an animal, say a capybara, which we eat, a capybara – there’s one capybara, it’s there, you have a machete, a sickle, to kill that animal to eat. And at that time, they were aiming... I was afraid and also very curious. And I never forgot that vision.

⁹⁶ <http://www.mpf.mp.br/ms/sala-de-imprensa/noticias-ms/milicia-privada-fechamento-compulsorio-e-multa-de-r-240-mil-para-empresa-envolvida-em-morte-de-indigenas>

⁹⁷ <https://cimi.org.br/2020/01/caveirao-tiros-feridos-segurancas-policiais-retomadas-guarani-kaiowa/>

⁹⁸ <https://www.gov.br/funai/pt-br/assuntos/noticias/2021/instrucao-normativa-conjunta-no-01-2021-da-funai-e-do-ibama-conta-com-apoio-de-diferentes-etnias>

⁹⁹ https://redeindigena.ip.usp.br/wp-content/uploads/sites/776/2021/01/Kunangue-ATY-guASU-DENUNCIA-o-Crime-de-intolerancia-religiosa_Tortura-contra-as-nhandesys-1.pdf

¹⁰⁰ <https://deolhonosruralistas.com.br/2021/08/20/casa-de-reza-de-lider-kaiowa-e-incendiada-no-mato-grosso-do-sul>

¹⁰¹ <https://www1.folha.uol.com.br/cotidiano/2021/10/incendio-destroi-casa-de-reza-de-aldeia-guarani-kaiowa-em-ms-veja-video.shtml>

That's why even today, when I go with my mother or my sister to the woods to get firewood or to hunt something, I don't have the courage to kill. Because I see myself in the place of the animals, when they are alone. Like I'm alone there and the person has a machete. The animal is helpless, and it does everything with its nails, or by biting, something like that, to protect itself.

Erileyde Domingues, 30 years old, a resident of the Guyraroká Indigenous Land

Once a religious centre where marriage and ritual exchanges took place between Guarani groups from different communities, that indigenous land in the municipality of Caarapó has already been the scene of several episodes of violence, and the climate of insecurity is great, including reports of threats by gunmen. Repórter Brasil visited the site in 2017 and found that the path to the home of the main local leader was full of private farms, where sugarcane and soy fields prevail. After successive *retomadas* and evictions, some 100 residents now occupy 50 hectares of the total traditional perimeter, which used to be 200 times larger.

3.2.5 Land demarcation

That land is one of 29 indigenous territories in the state that are awaiting the conclusion of their demarcation processes, whose stages are defined by the 1988 Constitution and governed by a 1996 decree.

Posse das terras indígenas pelos Guarani no Mato Grosso Sul

Terra indígena	Município	Povo	Superfície (hectares)	Área ocupada	%
Aldeia Limão Verde	Amambai	Guarani-Kaiowá	668,08	668,08	100,00
Amambai	Amambai	Guarani-Kaiowá	2.429,55	2.429,55	100,00
Arroio-Korá	Paranhos	Guarani-Kaiowá	7.175,77	4.000,00	55,74
Tey'i Kue	Caarapó	Guarani-Kaiowá	3.594,4154	3.594,41	100,00
Dourados - Amambaipégua I	Caarapó	Guarani-Kaiowá	55.590,00	4.594,42	8,26
Cerrito	Eldorado	Guarani Nhandeva	1.950,98	3.250,00	166,58
Dourados	Dourados, Itaporã	Guarani Nhandeva, Guarani-Kaiowá, Terena	3.474,60	3.474,60	100,00
Guaimbé	Laguna Carapá	Guarani-Kaiowá	716,93	716,93	100,00
Guasuti	Aral Moreira	Guarani-Kaiowá	958,80	958,80	100,00
Guyraroká	Caarapó	Guarani-Kaiowá	11.440,00	50,00	0,44
Iguatemiégua I: Pyelito Kue, Mburakay	Iguatemi	Guarani-Kaiowá	41.571,00	98,00	0,24
Jaguapiré	Tacuru	Guarani-Kaiowá	2.342,02	2.342,02	100,00
Jaguari	Amambai	Guarani-Kaiowá	404,71	404,71	100,00
Jarara	Juti	Guarani-Kaiowá	479,07	479,07	100,00
Jatayvari	Ponta Porã	Guarani-Kaiowá	8.800,00	108,00	1,23
Nãde Ru Marangatu	Antônio João	Guarani-Kaiowá	9.317,22	5.400,00	57,96
Panambi - Lagoa Rica	Douradina, Itaporã	Guarani-Kaiowá	12.196,00	390,00	3,20
Panambizinho	Dourados	Guarani-Kaiowá	1.272,80	1.278,80	100,47
Pirajui	Paranhos	Guarani Nhandeva	2.118,23	2.118,23	100,00
Pirakua	Bela Vista, Ponta Porã	Guarani-Kaiowá	2.384,06	2.384,06	100,00
Porto Lindo	Japorã	Guarani Nhandeva	1.648,89	1.648,89	100,00
Yvy Katu	Japorã	Guarani Nhandeva	9.494,1636	9.494,1636	100,00
Potrero Guaçu	Paranhos	Guarani Nhandeva	4.025,00	1.000,00	24,84
Rancho Jacaré	Laguna Carapá	Guarani-Kaiowá	777,53	777,53	100,00
Sassoró	Tacuru	Guarani-Kaiowá	1.922,64	1.922,64	100,00
Sete Cerros	Paranhos	Guarani Nhandeva, Guarani-Kaiowá	8.584,72	8.584,72	100,00
Sombeerito	Sete Quedas	Guarani Nhandeva	12.608,00	600,00	4,76
Sucuriy	Maracaju	Guarani-Kaiowá	535,10	535,10	100,00
Takuaraty / Yvykuarusu	Paranhos	Guarani-Kaiowá	2.609,09	2.609,09	100,00
Taguaperi	Coronel Sapucaia	Guarani-Kaiowá	1.776,96	1.776,96	100,00
Ypoí/Triunfo	Paranhos	Guarani	19.756,00	800,00	4,05
Taquara	Juti	Guarani-Kaiowá	9.700,00	1.881,30	19,39
Total 32 terras indígenas			242.322,33	70.370,08	29,04

Source: Cimi, apud ISA

Estimate of indigenous areas in Mato Grosso do Sul that are eligible for the census – 2019

Localidades indígenas		Municípios com localidades indígenas
Terras Indígenas oficialmente delimitadas e definidas em setores censitários	48	36
Agrupamentos indígenas definidos em setores censitários ¹	111	
Outras localidades Indígenas ²	22	
Total	181	

Source: IBGE, apud ISA

Mato Grosso do Sul - Situação das Terras Indígenas - 2020

Situação jurídica	Nº	Área (ha)
Em estudo	15	--
Delimitada	4	129.123,0
Declarada	10	145.392,8
Homologada	5	28.165,8
Regularizada (TI, RI, DI)	29	601.904,3
TOTAL	63	904.585,9

Source: Funai, September 2020, apud ISA

Acampamentos Guarani e Kaiowá no MS - 2019

Município	Acampamento	Nº de famílias
Antônio João	Ñande Ru Marangatu	150
Aral Moreira	Guaiviry	79
Caarapó	Itagua	25
	Teyjussu	6
Coronel Sapucaia	Kurussu Ambá	117
Dourados	Apikay	6
	Boqueirão	35
	Itahum	36
	Pakurity	30
	Passo Piraju	19
	Picadinha	9
	Ñu Porã	42
	Ñu Verá	42
Douradina	Atykaagurussu	61
	Tayassu Ygua	15
	Guyrakamby	25
Guia Lopes da Laguna	Cerroy	23
Jardim	Laranjal	15
Rio Brilhante	Gerovey	14
	Laranjeira Ñande Ru I	10
	Laranjeira Ñanderu II	25
	7 Placas	7
9 Municípios	22 Acampamentos	791 Famílias



During these processes, based on the demand of the indigenous people in question, Funai initiates demarcation studies that will result in a detailed report identifying and delimiting the area. The process is open to challenge by anyone who claims to have large or small properties within the perimeter. The next step is the Ministry of Justice's declaratory ordinance, and then Funai must appoint a commission to assess and set compensation for improvements made by rural producers who acquired or were settled in the area in good faith, so they can leave (the so-called *desintrusão*, or "disencroachment"). Subsequently, new technical studies are conducted for the physical delimitation and georeferencing of the indigenous land.

Como funciona a demarcação de terras indígenas

1. Estudo e identificação das terras por antropólogos e grupo técnico da Funai

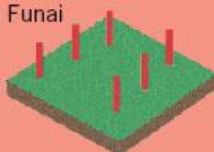


- 2. Publicação de relatório no Diário Oficial da União. Interessados têm 90 dias para se manifestar**

- ### 3. Avaliação do Ministro da Justiça



4. Demarcação física pela Funai



- ## 5. Homologação da Presidente da República



O que muda com a PEC?

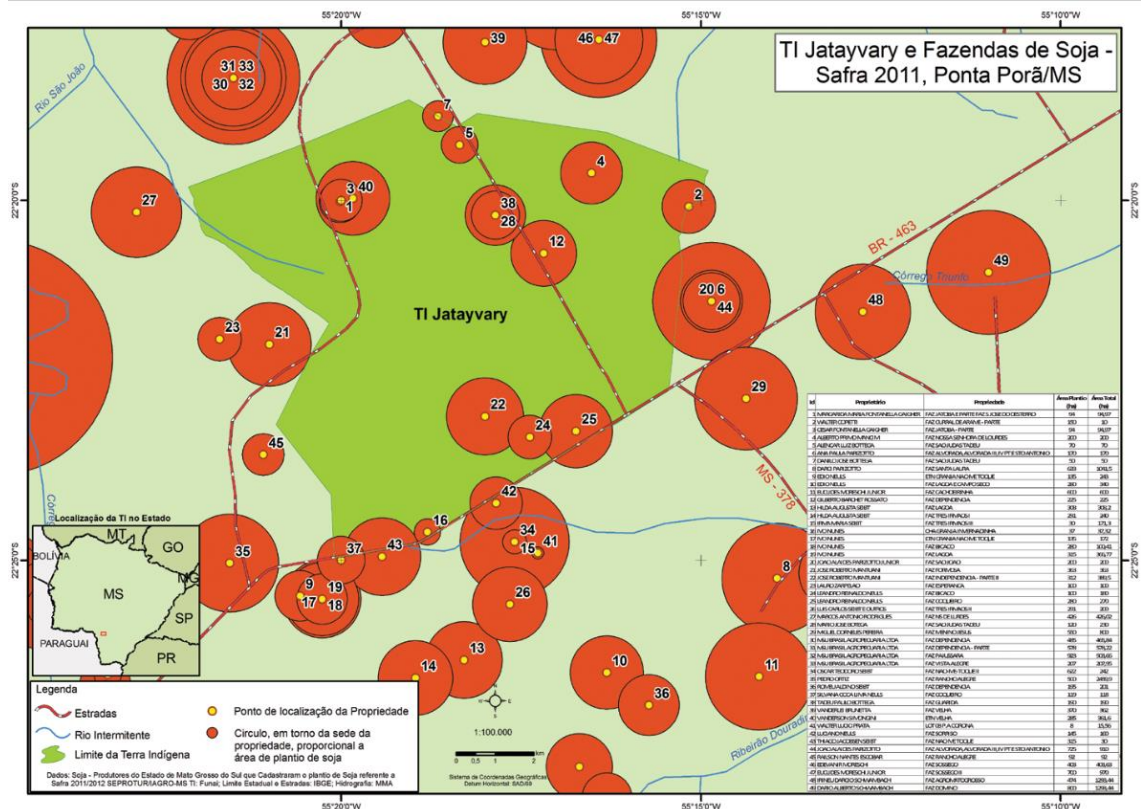
Decisão final sobre a demarcação passa ao Congresso Nacional. Próximas etapas dependem da regulamentação.



Fonte: Funai e Cimi (Conselho Indigenista Missionário)

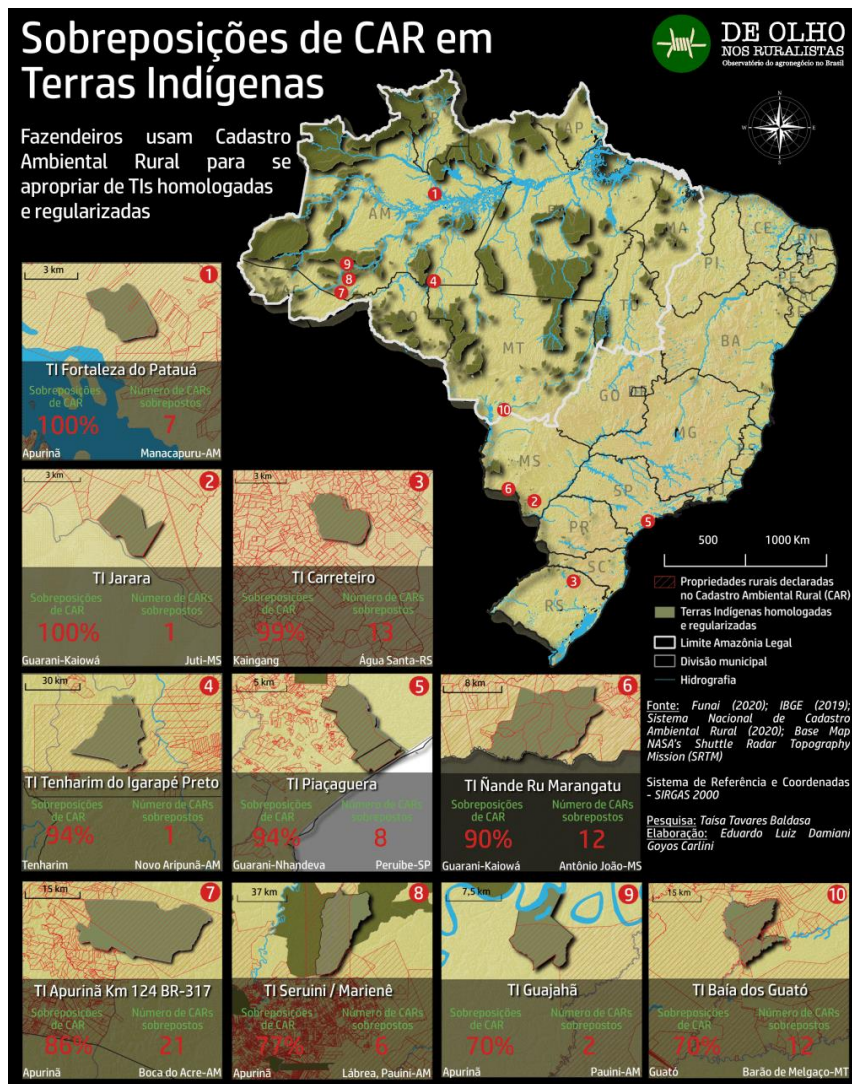
While the Lula (2003-2010) and Dilma Rousseff (2011-2016) administrations demarcated new Indigenous Lands in Mato Grosso do Sul and made progress in officialising others after the Conduct Adjustment Agreement (TAC) signed in 2007, not even those covered by the document have been approved yet.

The tragedy of indigenous peoples in southern/southwestern Mato Grosso do Sul and its connections with the soy and sugarcane supply chains was described in detail in a Repórter Brasil publication called *In someone else's lands: Soybean and sugarcane production of in Mato Grosso do Sul's Guarani areas*.¹⁰² The report shows hundreds of farms and smaller ranches overlapping with territories claimed as traditional by indigenous people.



The map shows soy farms overlapping the perimeter of the Jatayvary Indigenous Land. Source: Repórter Brasil

¹⁰² <https://reporterbrasil.org.br/documentos/emterrasalheias.pdf>

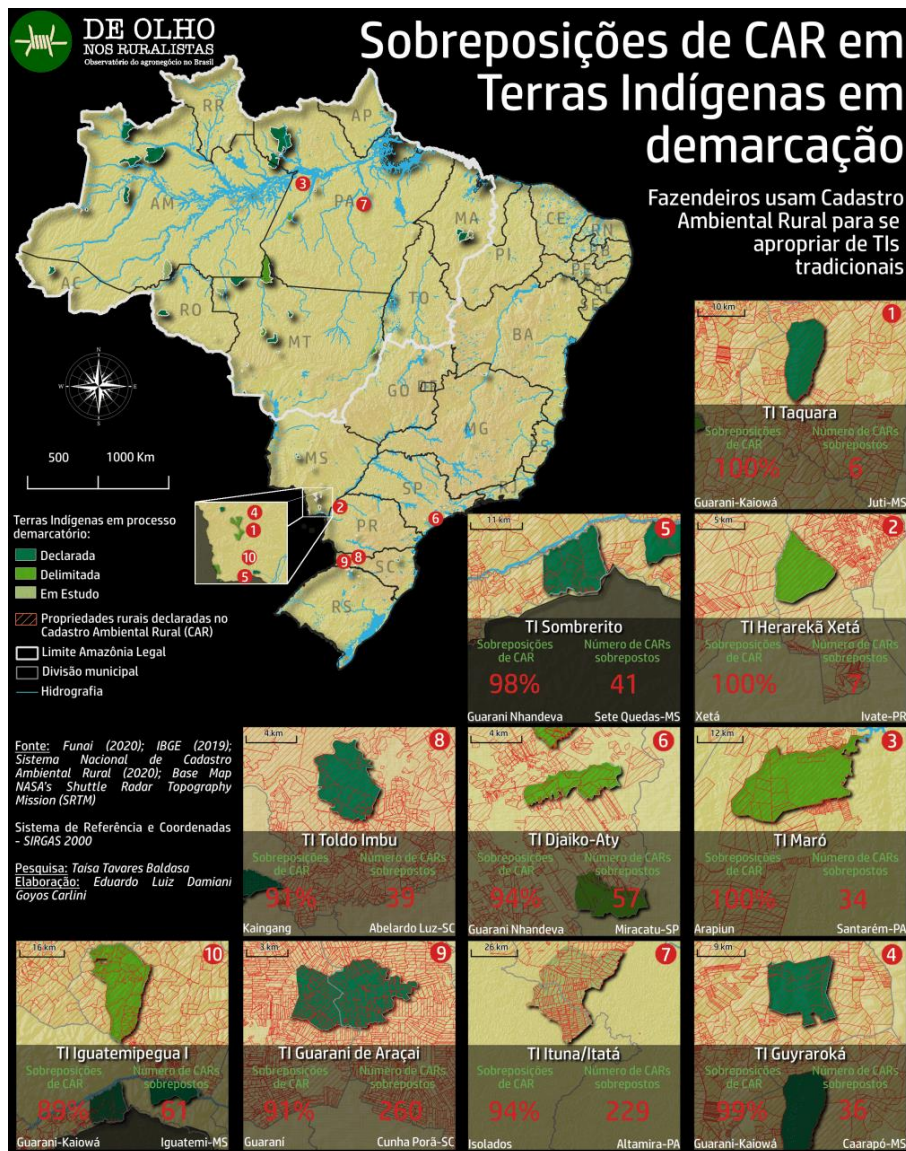


Map shows regularized Indigenous Lands with greatest overlaps by private perimeters in the Rural Environmental Register. Source: De Olho nos Ruralistas

A December 2020 survey by the *De Olho nos Ruralistas* website showed that the problem not only increased but was also further complicated by a tool created to be one of the main instruments of the Brazilian Forest Code: the Rural Environmental Register (CAR).¹⁰³ The mapping found that properties listed on the CAR overlap with nearly 300 Indigenous Lands in the country. Mato Grosso do Sul is one of the eight states with the 25 most problematic cases – at least 90% of their areas overlap ILs. The three Guarani peoples appear as the most disadvantaged among the 111 ethnic groups facing these disputes.

Two of the five Indigenous Lands whose entire areas overlap with properties on the Rural Environmental Register are from Mato Grosso do Sul: Taquara and Jarara. The latter is overlapped by a single farm.

¹⁰³ <https://deolhonosruralistas.com.br/2020/10/27/terras-em-297-areas-indigenas-estao-cadastradas-em-nome-de-milhares-de-fazendeiros>



Indigenous lands under regularization with largest overlaps with private perimeters in the system.
Source: De Olho nos Ruralistas

The CAR was created in 2012 to monitor deforestation levels and other environmental preservation practices in properties, such as the minimum legal reserve quota. However, social movements and researchers denounce the use of this tool to legitimize possession by “digital land grabbing” and facilitate rural credit for large landowners, while making it difficult to demarcate traditional territories. The information is always self-declared and depends on georeferencing, which is expensive.

There is also the practice of “green appropriation,” in which land belonging to indigenous and traditional communities is registered as rural properties’ legal reserves, allowing their “owners” to remain legal in terms of environmental inspections and even make money from the so-called green economy.

To further complicate the situation, mega-construction works are emerging on the horizon, such as the Central Bi-Oceanic Railway, part of the Initiative for the Integration of South American Regional Infrastructure (Irsa), aimed at transporting commodities to the Asian market; and Nova Ferroeste, a railroad that will link Maracaju and Dourados to the Port of Paranaguá and is expected to be Brazil’s second largest grain transport corridor. According to the Kuñangue Aty Guasu assembly, it will be built by Russian Railways (RZD) with direct support from Coamo. The

organization emphasizes that it will cross areas of intense land conflict and will receive support from giant corporations such as Cargill and Bunge.¹⁰⁴

“These are times of full expansion of supply chains and extractive industries, to the detriment of areas that are semi-integrated or not integrated into the global market,” says anthropologist Felipe Johnson. “In the case of Mato Grosso do Sul, this is in line with the increasing militarization of the area, with cases of intimidation and even torture, and with capital and the government focusing on logistics and infrastructure.”



Route planned for the Central Bi-Oceanic Railway. Source: Kuñangue Aty Guasu



Route planned for New Ferroeste. Source: Kuñangue Aty Guasu

Germany’s consul general in São Paulo, Thomas Schmitt, met with Mato Grosso do Sul governor Reinaldo Azambuja in early October and declared that the route provides opportunities for foreign investment, possibly by his country’s industry, and logistic improvements in Brazil and neighbouring countries. He also stressed Germany’s concern with the environmental and sustainability agenda as a priority for German and European consumers.

¹⁰⁴ <https://www.kunangue.com/por-tr%C3%A1s-do-arrendamento-vem-o-despejo>

3.2.6 Interconnected Violence

In August 2021, during the preparation of this report, a Kaiowá girl was killed after being gang raped. In that month and the next two, prayer houses and dwellings were burned. These are expressions of violence in the area that may seem very different but are interconnected.

The 11-year-old girl was raped by two adults and three teenagers in a quarry used for consumption of alcohol and illicit drugs in the Dourados Indigenous Reserve. They threw her off a 20-metre cliff.¹⁰⁵ One of the perpetrators – the victim's uncle – was found dead in his cell at the police precinct. The police and medical examiners at the Legal Medical and Dental Institute (Imol) reported that he killed himself.

With 15,000 residents, that reserve has the highest concentration of indigenous population in the country. The Federal Prosecution Service points out that people there are four times more likely to be murdered than non-indigenous people in Mato Grosso do Sul. According to official data, from 2012 to 2014 the state had an average rate of 26.1 homicides per 100,000 people – slightly below the national figure of 29.2. Among indigenous people of Mato Grosso do Sul, the number rises to 55.9, and it reaches 101.18 per 100,000 people in the Dourados Reserve. If it were a city, the index would place it among the most violent places in the world.¹⁰⁶

Ranking ↕	Cidade ↕	País ↕	Homicídios (2020) ↕	População (2020) ↕	Homicídios por 100,000 hab. por ano ↕
1	Celaya	 México	699	639 052	109.38
2	Tijuana	 México	2 155	2 049 413	105.15
3	Ciudad Juárez	 México	1 567	1 512 450	103.61
4	Obregón	 México	309	305 539	101.13
5	Irapuato	 México	823	866 370	94.99
6	Ensenada	 México	402	443 807	90.58
7	St. Louis	 Estados Unidos	264	300 576	87.83

List of cities by homicide rate. Source: Wikipedia

A Report by the Special Indigenous Health District (DSEI) links social determinants to impacts on health: “Poor public safety, low-quality education, inadequate food and housing, lack of projects aimed at generating income and creating jobs, and the absence of public policies for indigenous people are reflected in the high rate of violence, drug and alcohol consumption, infant mortality, and alarming homicide and suicide rates.”

Federal Public Defender Daniele Osório describes how this is reflected in her work:

Within my institution, I'm the regional human rights defender. This means that I can work collectively throughout Mato Grosso do Sul. [...] My job is quite broad. I work on health issues, immigrant issues, here in the state. Several issues. But since the main human rights violations in Mato Grosso do Sul are related to indigenous peoples, it turns out that much of my work is focused on them.

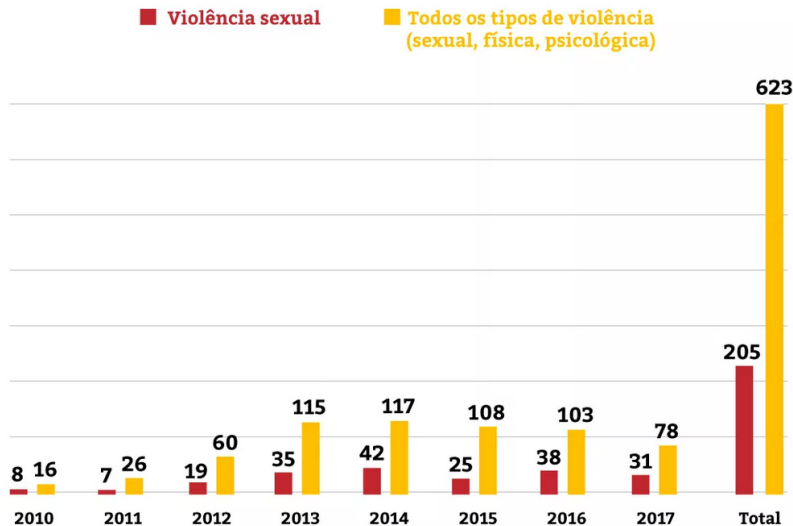
The Public Prosecution Service stresses that the suicide rate among the Guarani and Kaiowá in the Dourados area “is unparalleled, even among the countries with the highest rates in the world.” It was 89.92 per 100,000 people in 2015, while Brazil's rate was 9.6. Most people who died were

¹⁰⁵ <https://www1.folha.uol.com.br/cotidiano/2021/08/bebida-domina-aldeias-de-ms-onde-indigena-foi-estuprada-e-morta-diz-procuradoria.shtml>

¹⁰⁶ https://pt.wikipedia.org/wiki/Lista_de_cidades_por_taxa_de_homic%C3%ADdios
<https://exame.com/mundo/as-cidades-mais-violentas-do-mundo/>

between 15 and 29 years old. According to Instituto Socioambiental (ISA), Mato Grosso do Sul concentrated 63% of cases in the country between 2000 and 2019. The difference from the general population is also huge in hospitalizations of children and adolescents.

Domestic and sexual violence is yet another side of this violent scenario. While covering the annual meeting of the Kuñangue Aty Guasu (the Great Assembly of Guarani and Kaiowá Women), Agência Pública heard reports such as that of a matriarch who says they are often called “beating bags.” The article reproduces official data that place Amambai, with 79 cases of domestic violence against indigenous women in 2017, as having the worst indicator in Brazil. Dourados appears as the second municipality with more records: it tops the ranking of sexual abuse against indigenous women in the country since 2012 (in 2017, 31 cases).¹⁰⁷



Violence against indigenous women in Dourados. Source: Agência Pública based on data from DataSUS

The journalist reports that, while the territory’s population is larger than those of more than 40 municipalities in the state, it has only one high school, four health units, a circular bus line that does only few trips a day, and a Social Assistance Reference Centre (Cras) with poor facilities. The text highlights several difficulties – related to culture, family, logistics and discrimination – for women residents to report aggressions. According to Federal Public Defender Daniele Osório, aggressions at home included politically motivated ones, mainly aimed at silencing elderly women who opposed practices such as land lease.

A lawsuit filed by the Federal Prosecution Service with Federal Public Defenders Offices and the State of Mato Grosso do Sul puts pressure on the three spheres of government to address drug addiction and maintain public mental health policies there. They point out government agencies as “negligent regarding their constitutional and legal duties of protecting the lives and health of the indigenous population of Dourados” and a “hostile indifference,” often with a discriminatory basis, as a driver of violence rates.¹⁰⁸

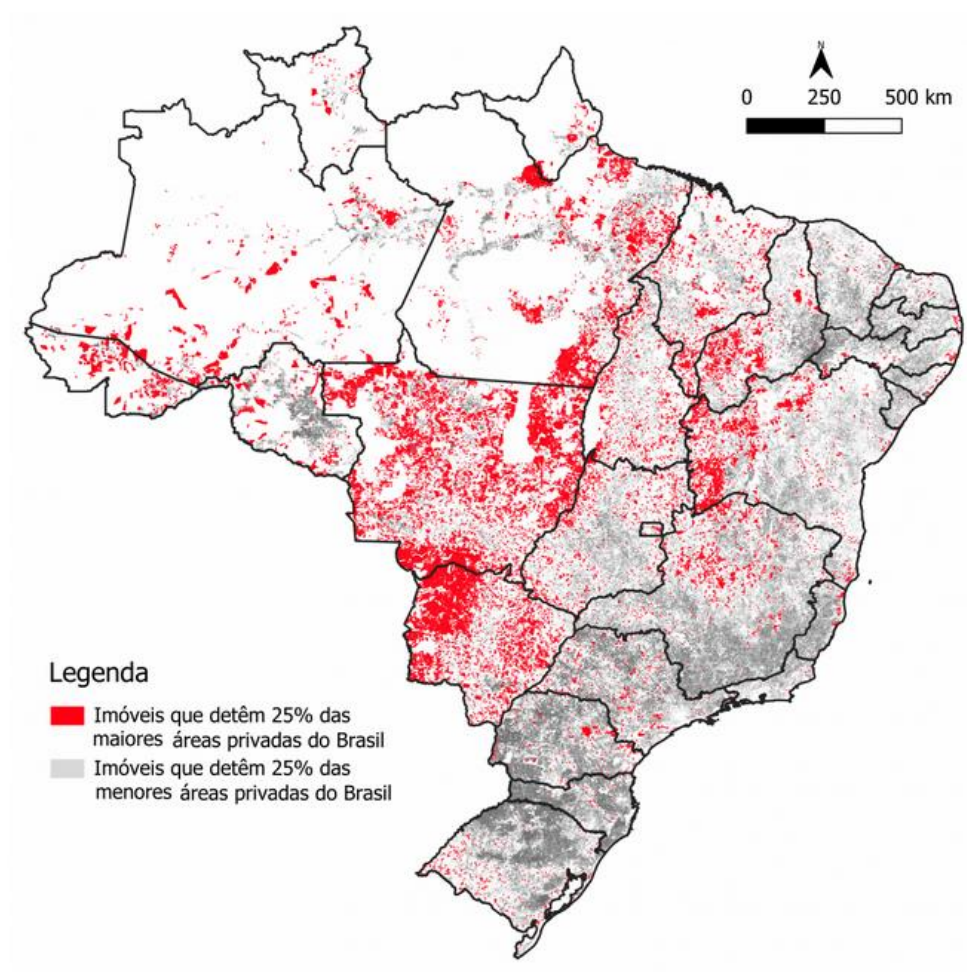
3.2.7 Indigenous Lands

Of Brazil’s five regions, the Centre-West has the highest concentration of land ownership, and Mato Grosso do Sul is among the states with the most unequal figures in this regard. It comes third

¹⁰⁷ <https://apublica.org/2019/10/a-luta-das-guarani-e-kaiowa-na-regiao-mais-perigosa-para-mulheres-indigenas-no-pais>

¹⁰⁸ <http://www.mpf.mp.br/ms/sala-de-imprensa/noticias-ms/reserva-de-dourados-tem-maior-taxa-de-suicidios-do-pais-mas-governos-sao-omissos>

in a survey conducted by Imaflora, with a Gini index of 0.84, on a growing scale of inequality ranging from 0 to 1. The national average is 0.73.¹⁰⁹



Source: Imaflora

¹⁰⁹ <https://www.imaflora.org/noticia/estudo-mostra-o-mapa-da-desigualdade-da-distribuicao-de-terras-no-brasil>; see the complete study at: https://www.imaflora.org/public/media/biblioteca/1588007031-resumo_sustentabilidade_terras_agricolas.pdf. See, also https://www.imaflora.org/public/media/biblioteca/1588006460-sustentabilidade_terras_agricolas.pdf

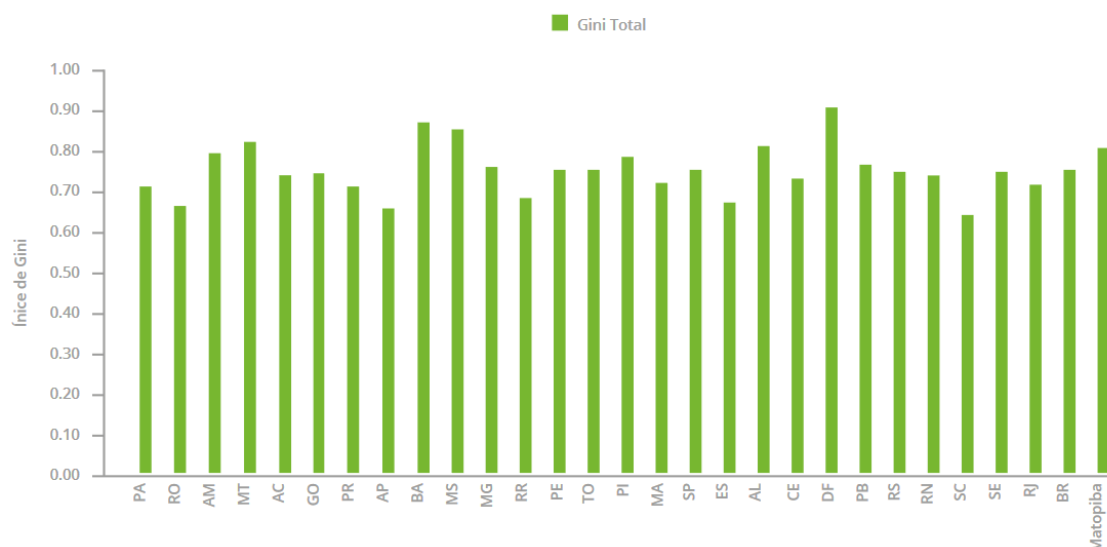


Figura 1. Índice de Gini-total (com imóveis privados e lotes de assentamentos) de distribuição da posse da terra no Brasil, por estado e para o Matopiba segundo dados da malha fundiária.

Source: Imaflora

In the 2017 Agricultural Census, the state appears with the fourth highest land concentration – 0.867, only behind Maranhão (0.888), Amapá (0.885) and Mato Grosso (0.876). IBGE’s (the Brazilian Institute of Geography and Statistics) database shows a smaller variation between the states, with Mato Grosso do Sul’s coefficient corresponding to the national average. According to Instituto Socioambiental (ISA), private areas occupy 92% of the state’s territory, while Indigenous Lands cover only 2.5%. Large farms (over 1,000 hectares) account for 83% of the extension of rural properties, while small properties are only 4%.¹¹⁰ Still according to that survey, the state has the second largest population living in Indigenous Lands (about 85,000 people) – 10% of the people living in these areas in Brazil, but the territory where they are today accounts for 0.7% of the total. The institute continues the comparison: 8,600 properties, a tenth of the total, cover three-quarters of the entire area of rural properties in the state, with an average of 2,600 hectares. Meanwhile, the areas under effective possession of the Guarani Kaiowá and Nandeva on their 32 lands correspond to 1.1 hectare per person.

¹¹⁰ <https://terrasindigenas.org.br/pt-br/noticia/150588>
<https://www.socioambiental.org/pt-br/noticias-socioambientais/mato-grosso-do-sul-e-campeao-de-conflitos-com-indigenas-mas-tambem-em-concentracao-de-terras>

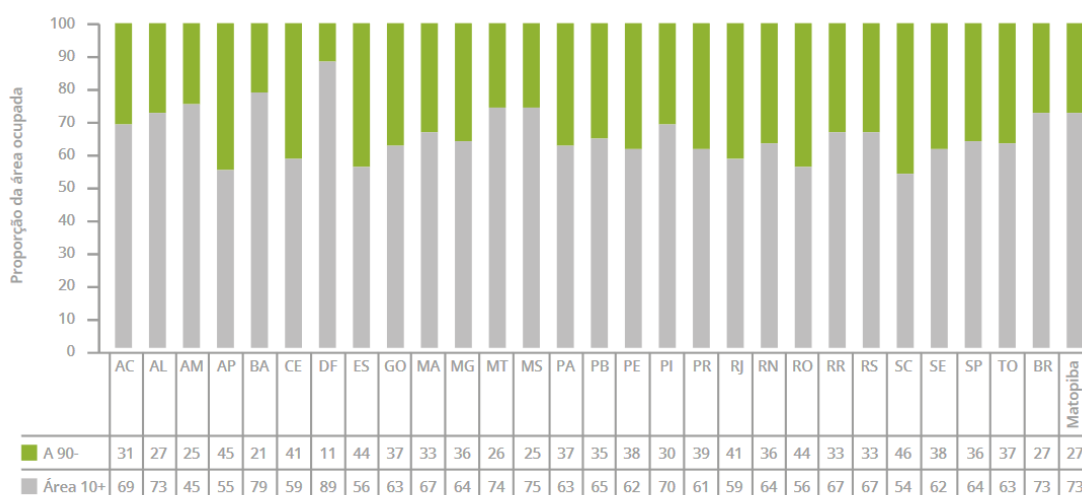


Figura 2. Proporção da área ocupada pelos 10% maiores (A10+) e 90% menores (A90-) imóveis da malha fundiária.

Source: Imaflora

The journalistic website *De Olho nos Ruralistas* established another comparison: while each Guarani and Kaiowá has 1 hectare of land to live on average, 58 state politicians, including those holding elected offices and those elected in 2019, owned 1,351 hectares each on rural properties.¹¹¹

The survey scrutinized the assets of senators, federal deputies, state deputies, mayors and deputy mayors, not including city councillors. And it found that, from election to election, they – including current governor Reinaldo Azambuja (PSDB) – are acquiring more land and expanding their assets. In 2017, a report by the National Council for Food and Nutritional Security (Consea) linked the tragedy of the Guarani and Kaiowá to agribusiness. The Council’s president Maria Emília Lisboa Pacheco highlighted the traditional character of the land for the Guarani and Kaiowá and their need for forests with fruit for collection, medicinal plants, areas to plant family or collective crops. According to the report: “The commission found a situation of violence with murders, prejudice and violation of human rights, especially the Human Right to Adequate Food.”¹¹² Pacheco criticized what she called the “agribusiness expansion with high environmental degradation and pesticide contamination of soil and water sources,” in addition to the “confinement to which these peoples are subjected.” Consea emphasized that the only response possible is demarcating and titling indigenous lands, in addition to guaranteeing the human right to food and access to public policies.

Public Defender Daniele Osório endorses this view:

The main issue is land – it’s the land problem. I understand that everything else is a consequence of that problem. We are going to have health problems, interethnic education problems, disrespect for rights, problems of violation of political rights, problems involving criminal justice, issues involving Children and Adolescents’ Courts, issues relating to violence within villages. Everything seems to me to reflect this issue of non-demarcation of indigenous lands, of total neglect for demarcation rights.

3.2.8 Food Insecurity

A survey published in 2017 by FIAN Brasil pointed to food and nutritional insecurity in 100% of the homes at the three indigenous communities, when the national average was 23%. In three quarters (76%) of the households in Kurusu Ambá, Ypo’i and Guaiviry, respondents stated that in

¹¹¹ <https://deolhonosruralistas.com.br/deolhonoms/2018/11/08/ms-tem-1-351-hectares-para-cada-politico-e-apanas-1-hectare-para-cada-guarani-kaiowa>

¹¹² <https://fianbrasil.org.br/consea-relaciona-tragedia-humana-dos-guarani-kaiowa-ao-agronegocio>

the previous month – fieldwork was conducted in September 2013 – there had been occasions when children and youth in their households spent a whole day without eating and went to bed hungry because there was no food. In 82% of households, people had eaten less food than they considered necessary, for lack of money. In four out of five households, respondents claimed to have eaten less so they could feed their children. The survey conducted in 96 households and its review were carried out over three years.

In July 2021, a technical note commissioned by FIAN to researchers found that the Guarani and Kaiowá depended on emergency food programs. The document points out confinement, reaffirms the need for new demarcations, and warns to the worsening of social vulnerability as a result of the pandemic and the need for the government to take urgent measures. Based on a survey in 12 villages, the assessment was conducted by anthropologist Spensy Pimentel with social scientist Gustavo Aires Thiago and economist Gabriela Thomazinho.

The organization sent the note to the Federal Prosecution Service, the Federal Justice in the state, the National Indian Foundation (Funai), the office of the governor of Mato Grosso do Sul, and the State Secretariat for Human Rights, Social Assistance and Labour.

The authors found obstacles related to income transfer programs, such as chronic lack of personal documents, outdated records, insufficient enforcement of benefit payment, and unclear responsibilities – as well as institutional racism pervading all of these elements. There is also lack of assistance to family farming, especially in areas considered under litigation, with “partnerships” (leases) for soy being favoured, which potentially competes with food production.

3.2.9 Staple Food Packages: insufficient and precarious

Another issue is the difficulty of accessing basic services due to territorial disputes dragged on in court. In late 2019, Funai decided to stop distributing food packages in areas not officially confirmed as indigenous lands.¹¹³

“If we don’t plant, we’ll die,” Otoniel Ricardo, from Pirajuí, said to Repórter Brasil. “If we depend on the government’s food packages – that’s exactly what they want, not to strengthen our economy, our own, original food, which we’ve always done.”

As the technical note points out, indigenous peoples now in vulnerability were considered excellent farmers and spread cultivation of stevia, peanuts and sweet potatoes, for example. As for food packages, the study finds them insufficient, their makeup is inadequate, and they include expired items. From an emergency point of view, the authors consider that supporting family plantations, orchards or raising small animals could mitigate the situation of many families during the pandemic.

Even after a lawsuit filed by the Coordination of Indigenous Peoples of Brazil (Apib) calling for priority to be given to these communities in containing the novel coronavirus and mitigating its impacts was granted by Brazil’s Supreme Court (STF), many villages in Mato Grosso do Sul had to organize health barriers on their own and pool money to buy food, medicine and other essential items.¹¹⁴

By September 21, 2021, Apib counted 59,154 infections among indigenous people, with 1,204 deaths – one nine took place in Mato Grosso do Sul.¹¹⁵ In the initial outbreaks, meatpacking plants were centres for irradiation of SarsCov-2 in indigenous villages, due to infections of residents who worked at those companies.

Several respondents declared that they no longer rely on the National Indian Foundation (Funai), an agency that has been losing its workforce for two decades¹¹⁶ and undergoing several budget

¹¹³ <https://www.bbc.com/portuguese/brasil-51272231>

¹¹⁴ <https://reporterbrasil.org.br/2020/09/no-mato-grosso-do-sul-indigenas-tentam-bloquear-covid-sem-ajuda-do-governo>

¹¹⁵ https://emergenciaindigena.apiboficial.org/dados_covid19

¹¹⁶ <https://repositorio.enap.gov.br/bitstream/1/3476/1/Helton%20Soares%20dos%20Santos%20-%20Vers%C3%A3o%20reformulada%20TCC.pdf>

cuts, not to mention their managements, which resist any territorial claim. Understaffing is more serious in the divisions that have more contact with the communities. The workforce is often limited to one public employee in complex areas such as the Caarapó region, where Agência Pública witnessed the routine of a person who was in charge of 10,000 indigenous people with a single vehicle.¹¹⁷

ANO	INGRESSOS	APOSENTADORIAS	EXCLUSÕES	SALDO
1991	8	72	53	-117
1992	4	39	77	-112
1993	15	32	47	-64
1994	34	69	53	-88
1995	23	129	32	-138
1996	48	92	96	-140
1997	16	105	89	-178
1998	12	73	18	-79
1999	16	42	458	-484
2000	6	21	362	-377
2001	21	10	48	-37
2002	24	18	26	-20
2003	19	31	57	-69
2004	76	13	17	46
2005	45	11	19	15
2006	40	13	28	-1
2007	24	10	10	4
2008	13	20	10	-17
2009	45	19	11	15
2010	392	15	19	358
2011	56	13	49	-6
2012	226	24	54	148
2013	4	66	65	-127
2014	3	106	50	-153
2015	1	77	28	-104
2016	1	59	25	-83
2017	0	151	17	-168
1991 a 2017	1.172	1.330	1.818	-1.976

Decrease in Funai's staff. Source: Helton Soares dos Santos

A report by Agência Pública found that understaffing is even worse at more decentralized structures – those closest to the communities. According to the text, in 2019 the Caarapó region had one employee for 10,000 indigenous people – without any structure¹¹⁸

3.2.10 The winds of lease

According to Dourados Federal Prosecutor Marco Antônio Delfino, the phenomenon of leasing was a result of the logic of the sugarcane harvest season in the region, which has been quite strong in

¹¹⁷ <https://apublica.org/2019/03/operando-com-10-do-orcamento-funai-abandona-postos-e-coordenacoes-em-areas-indigenas>

¹¹⁸ <https://apublica.org/2019/03/operando-com-10-do-orcamento-funai-abandona-postos-e-coordenacoes-em-areas-indigenas>

the last 20-30 years. Indigenous people were taken to work in harvesting for 30-60 days – like other seasonal workers – and returned to their villages for short periods of 5-10 days, before leaving again.¹¹⁹ Therefore, they used to abandon their lands. Then comes the lease scheme as a way to maintain these areas productive.

“We can see it clearly: people planting soybeans today are those who used to intermediate labour at the time of sugarcane,” Delfino explains. The intermediaries who recruit indigenous people to work on large farms are called “*cabeçantes*” (heads), and they are similar to the so-called “*cats*” from North and Northeast Brazil, who deceive rural workers to hire them. The difference is that they are also in charge of production, of supervising the workers. “You can’t say they are rich because they are also paid very low values. From the point of view of the supply chain, they are also exploited. They are exploited and exploiters at the same time.”

The 1973 Indian Statute expressly prohibited the lease model, as these areas are federal lands for the exclusive usufruct of their traditional residents. This view is reinforced by Funai’s Normative Instruction 5 of 2006, which gives police power to the federal agency. It even provides for the possibility of restricting third parties’ entry into indigenous lands or removing them, as well as seizing vehicles, goods/assets and objects from those who exploit the natural wealth of these places. It also enables the agency to enter private properties and irregular occupations in those lands. Decisions in other states have already frozen assets of Indian chiefs and their partners and even led to their arrest, as in a 2018 operation in the Xapecó Indigenous Land, inhabited by the Kaingang people, in Santa Catarina.¹²⁰ The situation had already resulted in convictions of former indigenous chiefs and consultants and a Conduct Adjustment Agreement (TAC) with the producers – which was not complied with.

The government of President Michel Temer (2016-2018) has tested different paths for regulation and now there are several legislative initiatives in the same direction. However, the system continues to spread and take root unofficially. “It’s like that, a kind of wind. When it emerges, it’s already full blown,” says Otoniel Ricardo, leader of the Pirajuí Indigenous Land, in Paranhos. The Paresí are an indigenous people who are already in their 17th harvest of transgenic soy, in Mato Grosso, the next state to the north. They have become the best advertisement for advocates of transgenic crops and the resumption of the integrationist discourse based on productivist assimilation to address indigenous issues. President Jair Bolsonaro’s former Environment Minister Ricardo Salles – one of the main spokespersons for this proposal – chose the region for his first visit to the Amazon.

While the Paresí produced in scale and full mechanization, their activity involves less than 2% of the 1.1 million hectares of the nine indigenous lands. According to an April 2018 report by Agência Pública, rather than the operation being merely handed over to tenants, the Paresí work in machine operation and managerial functions at the plantations, and one of them had already graduated as an agronomist.¹²¹ Such improvement did not prevent a series of environmental crimes, whose amnesty had Salles as an advocate.

In the Mato Grosso context, soy production has also expanded its presence in the lands of the Nambikwara, Enawenê-Nawê and Manoki.

According to Prosecutor Delfino, leasing as it happens in Mato Grosso do Sul grows in the absence of income generation alternatives.

Repórter Brasil interviewed a Kaiowá person who graduated in Human Sciences, in the Teko Arandu Intercultural Undergraduate Degree. Elson Carneiro intends to take Masters’ Studies in Law or History, but so far, he has not been able to break free from the script pre-established for

¹¹⁹ Currently, it is the apple harvest that takes indigenous people farther away from their lands. Southern companies entice workers, who are taken to Rio Grande do Sul or Santa Catarina for several months, to work in precarious and even slave-like conditions.

¹²⁰ <http://www.mpf.mp.br/sc/sala-de-imprensa/noticias-sc/mpf-sc-e-pf-deflagram-operacao-de-combate-ao-arrendamento-de-terras-indigenas>

¹²¹ <https://apublica.org/2018/04/indios-paresi-buscam-autonomia-para-manter-lavouras-de-soja/#Link4>

most young people in his ethnic group. Waking up at two in the morning and taking a bus to cut cane in another municipality, he only got his diploma at the insistence of his advisor.

In 2018 I started working at that processing plant. The first time I worked there, that period was very painful, until I got the hang of the job, learned the practice. It was very difficult for me. I was a student, and I never thought about working at the plant like that, but I started working while my college studies were left aside. That was because we needed the job, because today the capitalist system forces us to work – not because we feel like it, but because today we are already part of it. Because we can't live without jobs anymore. We need money, not to get rich, but to survive.

Elson Carneiro, 34 years old, resident of Tey'i kuê Village

Today he works from 6:00 pm to 6:00 am, sometimes operating tractors, sometimes watching them at the same plant.

The respondent from the Public Prosecution Service explains how “sharecropping” works in soybeans: “There are cases where a one-year lease costs R\$ 1,000 per hectare. For those who plant, that’s fantastic business because it is a very small amount. One thousand reais, with a sack of soybeans at R\$ 100, it’s ten sacks of soybeans for a year.” Other respondents speak of something in the range of 15% for indigenous people.

Otoniel Ricardo, from the Pirajuí indigenous land in Paranhos, also highlights their lack of perspectives:

The leaders need to find some solution. And for them, this is an emergency solution, something like that... It seems that it's for faster money, the only way is to lease – [resort to] soy. [...] To earn easy money, but they don't think about the future consequences. Traditional leaders say the struggle fails there. And not everyone wins. The community keeps offering it, those who provide it get just like that. [...] And the third person who is exploring goes out and gets rich, not the indigenous person.

On a trip to the region in 2018, Repórter Brasil visited an indigenous area in Dourados where soy farming had recently taken hold. A resident who is critical of the system pointed it out as the main problem in the community at the time. He said that, with the advance of monoculture, few families continued planting subsistence crops. According to him, Coamo was the main link for processing that production. Respondents involved in the activity, in turn, said that it benefited the community. One of them, who is a member of another ethnic group and lives in an urban area, said that Coamo was the only large company not to receive their soybeans.

When complaining about the impossibility of obtaining credit for lack of land titles, another indigenous individual stated that this is yet another form of discrimination. He also said that planting follows all environmental and phytosanitary standards, such as the interval between harvests to prevent the pest known as rust. He assured that the activity follows the guidance of and is approved by all agricultural development agencies and the Prosecution Service. This, however, was not confirmed by Prosecutors.

Several respondents mentioned this idea – that adhering to land lease to plant soy undermines their struggle, weakening the argument about the importance of the traditional territory.

An indigenous woman who lives in the Dourados area and did not want to be identified described the process that led to the leases and the material conditions common to several places:

Our village has been officially approved. Then we recovered our land, our territory, but all in a degraded area. It was all cleared. [...] It was very difficult for us, because after the land was demarcated, we lost much of our faith. We lost faith in the government, which did not give us that support. I think that, as a result of that, without support, without planning, most of the community chose to lease their land. The community wanted to build houses – there is no wood. We needed thatch, but the farmers set the thatch on fire. How can we build houses without thatch, without wood?...

In the Panambizinho Indigenous Land, as in many others, the consequence of deforested land used as pasture or for monoculture plantations includes the soil taken by guinea and braquiaria grasses.

“It’s difficult to work on them with a hoe,” says professor and researcher Kaiowá Anastácio Peralta, who is now almost fully dedicated to cultivation. He managed to establish an agroforestry system with corn, cassava, pineapple, coffee, peppertree, blackberry, orange, Suriname cherry and trees for wood such as inga, canafistula, cedar, in addition to making efforts to recover water sources. He mentions donations from the Indigenous Missionary Council (Cimi) that allowed them to plant vegetable gardens and support they received from businessman Eduardo Moreira.

So it’s a little help, it’s a little something... But we don’t have any projects at state and municipal level. We send a project there and there’s nothing. There’s no project, they don’t want to do it...

We had to have a support project not only for the vegetable gardens, but also for corn, cassava, potatoes, all these things that we can produce. The municipal government barely provides technicians and there are no inputs either. Because the soil needs repairing, we need seeds. Emater [a Land Development and Rural Extension Company] came here about four years ago. Then they also stopped coming. It didn’t work out and they didn’t come back. We need permanent assistance; it’s not just to finish the field and that’s it. You have to keep coming, helping, it’s different from a traditional farm. Then they end up abandoning us.

Anastácio Peralta, 61 years old, a resident of the Panambizinho Indigenous Land

In the case of soy, the “producer” receives inputs, a harvester, a truck from the buyer, who pays well below market prices, even because lessors are not able to market their production by themselves – they do not have all the legal registrations.

Professor Sandra Procópio, from the Indigenous Intercultural Faculty (Faind) of the Federal University of Grande Dourados (UFGD), describes the mechanism: “Farmers come to the community and entice a leader’s family. They will give that family a car, an old, R\$ 10,000 car, it means nothing to them [the enticer]. They give them a car, they provide a tractor.” Then this family goes to other, even more impoverished families. “So that family is at their mercy, they have nothing to eat, they’re starving, and they are offered R\$ 500 a month if they lease their land to the ‘patrician.’”

Another point that appears in the reports is the alternation between (moderately) good times and tightness – such as lack of money for fuel, leaving the vehicle idle for months.

The exploitation described is repeated in other places. A former Coamo employee mentions a quilombo in Quarto Centenário (PR), where the quilombolas produce soy, but do not join the cooperative because they do not have land titles. In this case, a farmer intermediates the sale. Professor Raoni Azeredo says that similar cases take place in land reform settlements.

The responsibility of companies, banks and development agencies to be aware of the socio-environmental footprints of their partners or beneficiaries – and demand sustainability – is underlined in a 2016 document issued by then UN Special Rapporteur on Indigenous Peoples’ Rights, Victoria Tauli-Corpuz, prepared after she visited Brazil.

One of the measures with effective potential in that field – directing banks not to finance plantations under improper conditions – collides with the financial clout of giants in the sector, which often support suppliers by anticipating harvest contracts.

3.2.11 International Concern

The last three UN Special Rapporteurs on the rights of Indigenous Peoples expressed concern and urged the Brazilian government to take measures to address the situation in Mato Grosso do Sul. In her 2016 report, which involved getting information from representatives of more than 50 ethnic groups and public managers, Victoria Tauli-Corpuz praised Brazil’s Federal Constitution regarding the rights of indigenous peoples, highlighting the federal government’s duty to ensure “social organization, customs, languages, beliefs and traditions, and the original rights over the lands they traditionally occupy” – but warned about the highest risks they face since the adoption of the Constitution in 1988.¹²²

¹²² <http://unsr.vtaulicorpuz.org/site/images/docs/country/2016-brazil-a-hrc-33-42-add-1-en.pdf>

She stresses the growing number of reprisals, threats and killings, often in response to reoccupation movements. In addition to the situation of violence, she underscored the harsh conditions of the Guarani-Kaiowá in the face of land conflicts. Among general and specific recommendations to the government, the document calls for a redoubled effort to complete demarcations. The situation in Mato Grosso do Sul is among those seen as particularly urgent. After visiting the region in 2018, the Inter-American Commission on Human Rights (IACHR) adopted precautionary measures to protect members of the Guyraroká community. Currently, the 26 families in the village live on 55 of the 11,000 hectares delimited in 2004 and declared as traditionally occupied in 2009. The case was taken to the UN Human Rights Council and the IACHR, which inspected the indigenous land during their visit to Brazil in 2018. The IACHR classified the issue as a “serious human rights situation” and asked the Brazilian government to take steps to guarantee the right to life and the integrity of community members. The precautionary measure is a mechanism that disregards the controversy and focuses on the requirements of gravity, urgency and risk of irreparable damage.¹²³ IACHR addresses the case again in its report on human rights in Brazil in March 2021, in which it points out that “overcrowding in these native reserves and the conflicts triggered by such close confinement lead to conditions that deprive the Guarani and Kaiowá of a decent life.”¹²⁴ Those stances may have contributed for the Federal Supreme Court to review the case (see “*The future sub judice*”).

3.2.12 Pesticides: in water, in vegetables, in the stomach

We go get honey and there's no more left around here because they destroyed everything in the forest, right? So, it's just the water source, like... With this deforestation, with this soy plantation, our water source ends up being damaged, right? Even... Right here where you drink water, here in the stream, it's risky for our children to drink it, the poison that's in soy may come with it, right? Everything comes into the stream, it's... When it rains, all the poison comes into the stream and we have to drink it because there's no other water. That part there, we suffer the consequences of this soy plantation a lot, right? We are used to planting native corn and they plant transgenic corn, damaging our plantation. They use that poison... Strong poison. And it ends up damaging our plant, which is planted, like, cassava, watermelon, rice, our vegetable garden... It depends on the time they plant it, when they use a lot of poison, we end up holding back not to plant things because we'll be harmed. So, it's... Very complicated, right?

The scenario described by Simão Kunumi from the Tey'i Kuê Village, is no exception.¹²⁵ In virtually all testimonies collected, pesticides emerged as a major problem. “All of a sudden they throw poison into the river. We can't bathe in the river,” says Rosyh Kaiowá, from another community – Rancho Jacaré. “We go there, it itches, there are days when... Planting soy, the dogs can't drink the water, they might even die. We bathe and it itches.” Outbreaks of diarrhoea, fever and headache are also reported, as well as fish dying and disappearing.

Aerial spraying has become rarer in soy, but it still happens in states where it is allowed. In 2015, indigenous people recorded the application of fungicide on the Tey Jusu community, in Caarapó. The video, which caught the aircraft's registration prefix, was the basis for the conviction of a farmer, a pilot and company C. Vale to pay compensation of R\$ 150,000 for collective moral damages by a Federal Court in Mato Grosso do Sul, after the Federal Prosecution Service filed a lawsuit.¹²⁶

¹²³ <https://www.oas.org/pt/cidh/prensa/notas/2019/244.asp>

¹²⁴

¹²⁵ Water bodies and their sources are also damaged by silting resulting from plantations or by cattle that moves to the banks. The legislation provides for land strips to be kept along these banks as permanent preservation areas, which in many cases have been reduced by the 2012 Forest Code.

¹²⁶ <http://www.mpf.mp.br/go/sala-de-imprensa/docs/not2216-sentenca.pdf>

This practice of using these substances as a weapon has been seen in Brazil and the world, either for intimidation (and eviction) or to cause damage to health.¹²⁷

A study published in December 2020 links deterioration of neonates' health indicators to the spread of glyphosate – the top-selling agrochemical in Brazil, after transgenic soy became legal in 2003. The research covered the Centre-West and South regions, where soy production is concentrated. The authors estimate a 5% increase in infant mortality – or 503 more child deaths per year, in all – in municipalities downstream of soybean-growing areas, that is, municipalities that receive water from soy plantation areas.¹²⁸

Bayer, the Brazilian Association of Soy Producers (Aprosoja) and CropLife Brasil downplayed the scientific work and reaffirmed the safety of glyphosate, which accounts for sales close to those of the nine active ingredients that come next in the Brazilian market.¹²⁹



Regions and sub-basins covered by the study. Source: Down the River: Glyphosate Use in Agriculture and Birth Outcomes of Surrounding Populations

A previous study concluded that the highest rates of infant-juvenile cancer mortality in Mato Grosso are in municipalities with large agricultural production. The disease is the second leading cause of mortality among children and adolescents aged 0-19 years in Brazil.¹³⁰

Bayer has lost several legal battles involving the association of its product with cancer. In the EU, the active principle was banned in Austria, and Germany – where the company is based – set the end of 2023 as the deadline.¹³¹

¹²⁷ <https://fianbrasil.org.br/agrotoxicos-na-america-latina-violacoes-contra-o-direito-a-alimentacao-e-a-nutricao-adequadas>

¹²⁸ <https://www.insper.edu.br/conhecimento/politicas-publicas/glifosato/>
<https://www.insper.edu.br/wp-content/uploads/2021/04/Dias-Rocha-Soares-2020.12.30.pdf>

¹²⁹ <https://www.bbc.com/portuguese/brasil-57209799>

¹³⁰ <https://www.abrasco.org.br/site/noticias/opiniao/agrotoxicos-mt-e-campeao-em-cancer-infantojuvenil-e-ma-formacao-fetal-alerta-wanderlei-pignati/41596>

¹³¹ <https://www.cnnbrasil.com.br/business/bayer-perde-3-recurso-judicial-relacionado-a-herbicida-a-base-de-glifosato>

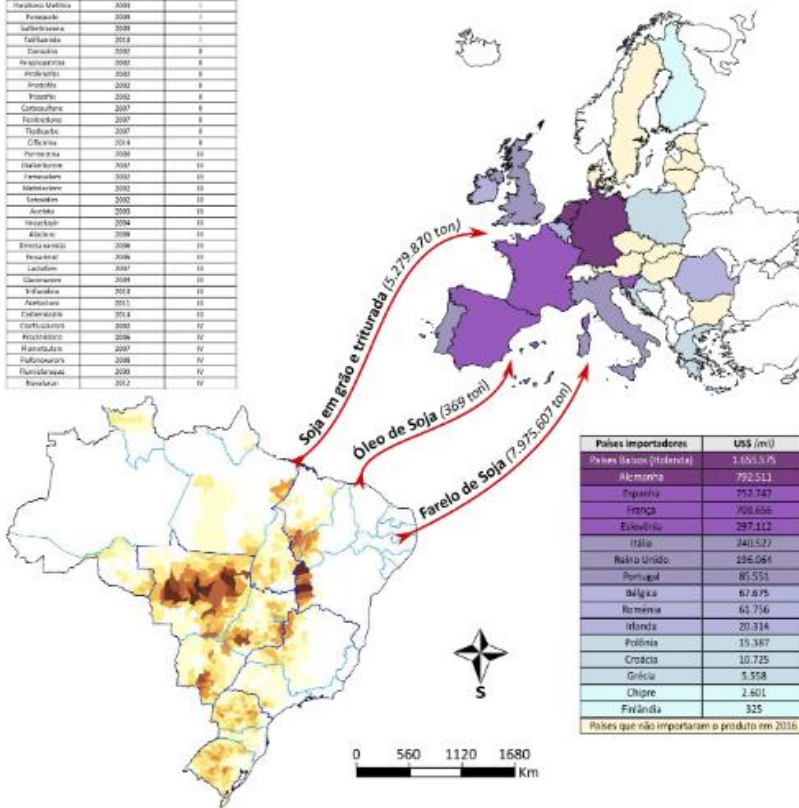
In Brazil, its use is increasing strong. The lobby to get rid of stocks of a substance considered as posing even greater risks – paraquat – was also successful in the country, after the health agency excluded it from the list of authorized substances. Aprosoja was a major player in that lobby.¹³² It can be assumed that underreporting of problems with pesticides among indigenous peoples exceeds the general average, estimated at 98% (50 to 1). Indigenous health care was never a top priority, and it has been in even worse in recent years. In January and May 2021, demonstrators occupied administrative buildings of the Special Indigenous Sanitary District (DSEI-MS) to demand a change in management and reappointment of trusted public servants and measures to contain the coronavirus, among other agendas.¹³³

¹³² <https://www.canalrural.com.br/programas/informacao/direto-ao-ponto/soja-pode-ter-prejuizo-de-r-500-mi-ao-ano-sem-o-paraquat-diz-aprosoja>

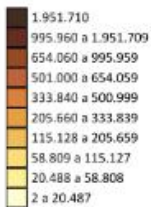
¹³³ <https://www.campograndenews.com.br/cidades/interior/governo-cede-afasta-chefe-local-e-indios-deixam-polo-base-depois-de-8-dias>

Exportações brasileiras (2016)

Atividade	Ano Realizado na UF	Cidade	Paralelos
Arquitetura	2002	1	
Arquitetura	2003	1	
Arquitetura	2008	1	
Arquitetura	2009	1	
Arquitetura	2012	1	
Arquitetura	2013	1	
Arquitetura	2002	6	
Arquitetura	2003	6	
Arquitetura	2005	6	
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Arquitetura	2008	13	
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Arquitetura	2100	13	



Municípios produtores de soja em 2015
(em toneladas)



- Dos 150 agrotóxicos autorizados para o cultivo da soja brasileira, 35 são de uso proibido na União Europeia.

Programa de Pós-Graduação em Geografia Humana - USP

Laboratório de Geografia Agrária

Elaboração: Prof^a Dr^a Larissa Mies Bombardi

Fonte dos dados: MDIC; AGROFIT (2017); GONÇALVES (2016); IBGE/PAM

Software cartográfico: Philcarto / Base cartográfica: IBGE

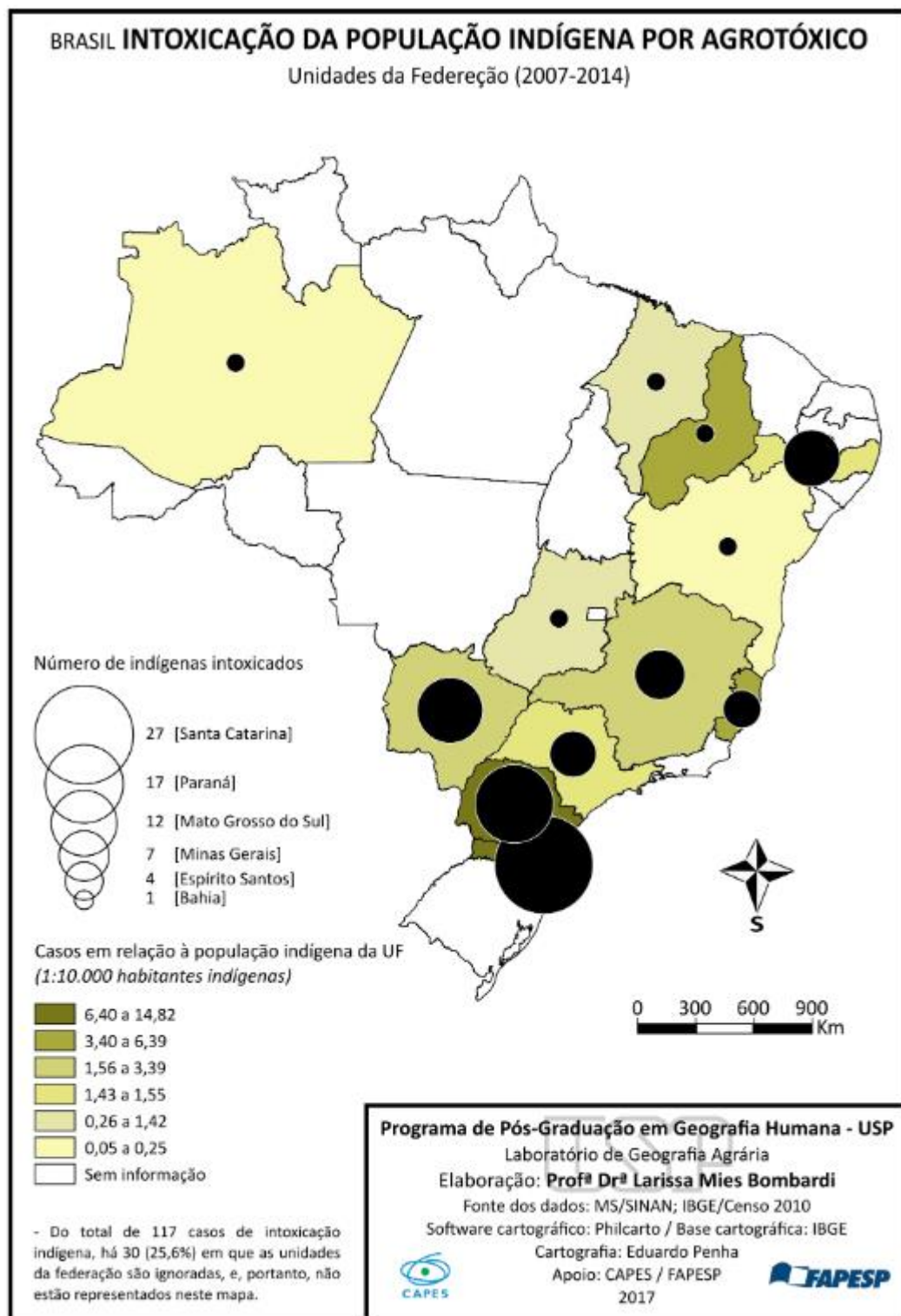
Cartografia: Eduardo Penha

Apoio: CAPES / FAPESP

2017

2017

2017



3.2.13 Political dispute

The future sub judice

As mentioned, the situation in Mato Grosso do Sul and the living conditions of the Guarani and Kaiowá depend heavily on the decision about the so-called timeframe thesis by the Federal Supreme Court (STF).

The STF will decide on a repossession claim filed by the government of Santa Catarina, in Brazil's South Region, against the Xokleng people who live in the Ibirama-Laklãnõ Indigenous Land (IL).¹³⁴ The case has widespread consequences, which means that it will set jurisprudence for other conflicts involving traditional territories in the country.

According to the view advocated by ruralists and conservative jurists, indigenous populations would only be entitled to areas that were in their possession or under legal dispute by October 5, 1988 – when the current Constitution was enacted.

The criterion was applied by the Supreme Court in 2009 to approve the specific demarcation of the Raposa Serra do Sol Indigenous Land, in Roraima. In several subsequent decisions, the Court's Justices rejected the idea that such a timeframe would automatically apply to other disputes. However, judges in lower courts throughout Brazil started to adopt the rule to decide on ongoing cases. The Temer administration made it official as a benchmark by publishing Opinion 1/2017 of the Federal Attorney General (AGU).¹³⁵ Based on it, during the Bolsonaro government, the Ministry of Justice returned more than 20 demarcation processes to Funai.

The current UN Special Rapporteur on the rights of indigenous peoples, Francisco Cali Tzay, has publicly called for the proposal to be rejected. "The court's decision will not only determine the future of these issues in Brazil for years to come, it will also signal whether the country intends to live up to its international human rights obligations and whether it will respect indigenous communities who were not allowed to participate in legal proceedings that revoked their land rights," Tzay said.¹³⁶

Indigenous struggle have won some victories at the Supreme Court, such as health care priority in the context of the pandemic and the reestablishment of Funai's responsibility for demarcating indigenous lands, which President Bolsonaro's administrative reform had transferred to the Secretariat of Land Regularization of the Ministry of Justice, led by the strongest ruralist representative in the government, Nabhan Garcia (*see below*).

This includes a (partial) victory of the Guyraroká community in April. The 11 judges unanimously decided to hear the action for relief from judgement filed by that community. They challenged the annulment of the demarcation of their territory by the Second Panel of the Court in 2014, without hearing the population – not complying with Article 232 of the Federal Constitution and based on the timeframe thesis.¹³⁷

Attack in Congress

In Congress, the scenario is largely unfavourable. The many propositions include:¹³⁸

- Bill 490/2007, which regulates demarcation of indigenous lands under the timeframe;
- Bill 191/2020, which facilitates mining, oil and gas production, and electricity generation in these areas;

¹³⁴ <https://www.brasildefato.com.br/2021/06/11/tese-do-marco-temporal-entra-em-julgamento-no-supremo-nesta-sexta-11>

¹³⁵ <https://antigo.agu.gov.br/page/atos/detalhe/idato/1552758>

¹³⁶ <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/noticias/relator-da-onu-pede-que-stf-rejeite-marco-temporal>

¹³⁷ <http://frenteparlamentarindigena.com.br/vitoria-stf-abre-caminho-para-reverter-decisao-que-anulou-demarcacao-da-terra-indigena-guyraroka/>

¹³⁸ <https://www.camara.leg.br/noticias/793009-funai-defende-producao-em-terras-indigenas-oposicao-denuncia-politica-anti-indigenista-do-orgao/>
<https://www.camara.leg.br/noticias/634893-projeto-do-governo-viabiliza-exploracao-de-minerios-em-terras-indigenas/>
<https://www.camara.leg.br/noticias/750935-indigenas-discordam-sobre-regulamentacao-de-atividades-economicas-em-suas-terras/>

- Constitution Amendment Proposal 215/00, which conditions demarcation of indigenous lands to Congress approval;
- And Bill 823/2020, which takes priority away from the indigenous – and quilombola – people as suppliers to the National School Meals Program (Pnae), a core public policy for family farming, with an annual budget of R\$ 4 billion.

Observers think that the Supreme Court may wait for Congress to vote on the matter before deciding on the constitutionality of that vote. Bill 490, which is already 13 years old, was approved in June by the Chamber of Deputies' Constitution, Justice and Citizenship (CCJ) committee. While the number of elected "relatives" – as indigenous people call each other – increased in the last municipal election, their sole representative in Congress is Joênia Wapichana (Rede-RO), the only indigenous congress member elected since Xavante chief Mário Juruna left the House in 1987. The so-called "Cattle Caucus," in contrast, has almost half of the 594 seats in the Chamber and the Senate.

A report from *O Joio e o Trigo* website showed that Pensar Agro Institute (IPA), associated with the Parliamentary Agriculture Front (FPA), has a committee focused on property rights *versus* minorities, led by its Mato Grosso do Sul Chapter of the National Association of Soy Producers (Aprosoja).¹³⁹

An ally at Funai

The current president of the National Indian Foundation (Funai) is an ally of the ruralist caucus. After an evangelist pastor and a military officer who headed it in recent years, the agency – which has never had an indigenous president – is now presided over by a Federal Police (FP) marshal, Marcelo Xavier. At the FP, he had been investigated and removed from an operation in an indigenous land after being mentioned as an ally by farmers in telephone wiretappings that were part of the investigation to remove them from the Marãiwatsédé IL.¹⁴⁰

In an official Funai note upon taking office in July 2019, he said that "the model carried out so far has not been effective" and that the priorities of his administration would be to improve the living conditions of indigenous people and "give them autonomy to decide." He has been outspoken in favour of bills like 191 and 490.

Months earlier, he was appointed to an office – which he never took – in cattle rancher Nabhan Garcia's staff at the Ministry of Agriculture (Mapa). The former president of the Ruralist Democratic Union (UDR), the organization that led the pro-weapons campaign in rural areas, is responsible for the Bolsonaro administration's land policy. Xavier's predecessor under Bolsonaro was a retired army general of Indian descent, who was dismissed after six months. In his farewell speech, he stated that the president was poorly advised on the issue by Nabhan Garcia, who "spits out hatred for the indigenous people."

The previous and the current Brazilian administrations were the only ones with no official approval of indigenous lands since redemocratization in 1985.¹⁴¹ Two Indigenous Lands were demarcated under former President Michel Temer, but one of them was reversed in court. Under Bolsonaro, not a single one. While Dilma Rousseff did not reach the level of her successors in the area, she left Funai 20 months with provisional management and made her two main official approvals when her impeachment process was at an advanced stage, and one of them was reversed by her vice-president, who took her seat after she was impeached.

During the Temer (MDB) administration, Xavier was an ombudsman at Funai for a few months and an advisor on land matters to Minister Carlos Marun – another ruralist with a political trajectory in

¹³⁹ <https://ojoioetotriga.com.br/2021/09/sojeiros-comandam-articulacao-de-ruralistas-contradireitos-de-indigenas-e-quilombolas/>

¹⁴⁰ <https://deolhonosruralistas.com.br/2020/07/29/esplanada-da-morte-ii-chefe-da-funai-foi-aliado-de-invasores-de-terra-indigena-no-mt>

¹⁴¹ <https://www.metropoles.com/brasil/politica-brasil/desde-1985-somente-temer-e-bolsonaro-nao-demarcaram-terras-indigenas>

Mato Grosso do Sul – at the Government Secretariat. In 2016, he worked on the Parliamentary Inquiry Commission (CPI) on Funai and Incra, at the invitation of ruralist lawmakers. Putting the indigenous agency in the spotlight at federal level for the first time, the commission asked for the indictment of former Justice Minister José Eduardo Cardozo, 15 anthropologists, two Federal Prosecutors and former directors of Funai and the National Institute of Colonization and Agrarian Reform (Incra), as well as directors and employees of organizations such as the Missionary Indian Council (Cimi) and the Indigenous Work Centre (CTI). It also recommended reviewing indigenous land demarcations in five states – including Mato Grosso do Sul – and changes in the two agencies.¹⁴²

Demonstrations in Brasília

In September, the territorial dispute in Mato Grosso do Sul was transferred to Brasília as a result of the presence of representatives of the conflicting interests. The six months from April until then saw unprecedented movement by indigenous peoples.

Indigenous April – an agenda of struggles consolidated a few years ago to replace the folkloric “Indian Day” – was added of Rising for the Land, in June, and The Struggle for Life Camp, in August and September. The organizations claim it was the biggest demonstration ever organized by those ethnic groups. During those months, they faced violent repression by Federal District military (state) police and threats from armed Bolsonaro supporters.

The Guarani and Kaiowá chartered buses to Brasília, and Kuñangue Aty Guasu members held their ninth annual assembly there and took part in the March of Indigenous Women, whose participants were estimated at 5,000.

On the same days, rural producers and ruralist leaders attended the demonstrations in support of President Jair Bolsonaro, who cancelled, in an unprecedented manner, Brazil’s traditional military parade on September 7 to make room for the demonstrations to support him. Federal Supreme Court Justice Alexandre de Moraes ordered the freezing of Aprosoja’s bank account for allegedly financing violent acts at the time.

Speech at the UN

In the opening address to the 76th UN General Assembly on September 21, Bolsonaro did not explicitly advocate the timeframe as he had promised days earlier but said he saw no reason for further land demarcations. “Fourteen percent of the national territory, that is, more than 110 million hectares – an area equivalent to Germany and France together – is allocated to indigenous reserves. In these regions, 600,000 Indians live in freedom and they increasingly want to use their lands for agriculture and other activities,” he claimed, also advocating mining in these areas. In the previous speech, he stated that this surface could double, which would have to be avoided “for the good of Brazil and for the good of the world as well” – signalling the threat of food insecurity.¹⁴³

As of the closing date of this report, one Supreme Court Justice had voted for the timeframe thesis and one had voted against it – respectively, Justices Edson Facchin, the rapporteur, and Kassio Nunes Marques, the closest Justice to the President. After 25 days with Justice Alexandre de Moraes, who asked for more time to analyse the new arguments, the lawsuit now depends on a new date for discussion in plenary session to be set by the Court’s President Luiz Fux.

¹⁴² <https://www.camara.leg.br/noticias/515289-CPI-DA-FUNAI-2-APROVA-RELATORIO-COM-96-PEDIDOS-DE-INDICIAMENTO>
<https://deolhonosruralistas.com.br/2017/05/03/ms-tem-o-maior-numero-de-pessoas-indiciadas-pela-cpi-da-funai-e-incra/>

¹⁴³ <https://www.correiobraziliense.com.br/politica/2021/09/4950702-bolsonaro-recua-em-discurso-de-abertura-e-nao-cita-debate-do-marco-temporal.html>

“We don’t know what will happen after the 28th,” says Leila Rocha, 58, from the Yvy Katu Indigenous Land, referring to one of the sessions in which the Court is scheduled to decide on the case at the end of August. “Are we going to be evicted? No. And it will depend on the Supreme Court, right? It is the Supreme Court that will decide what will become of us.”

Recommendations

- Updating the Soy Moratorium and expanding it to the Cerrado, for certification purposes also.
- Pushing for the adoption of certifications that combat deforestation by both Brazil’s domestic market and the largest importers, especially China.
- Protecting the collective territorial rights of indigenous, quilombola and other communities and traditional peoples.
- Demanding enforcement of strict socio-environmental parameters by funders like the World Bank.
- Supporting the increase in organic farming accompanied by certifications that protect workers.
- Monitoring the debate on environmental and land legislation in Congress, which now has one of its chambers chaired by a ruralist congressman.
- Monitoring conflicts between the “rational” and “fundamentalist” wings of agribusiness.
- Pressuring German and European agrochemical manufacturers in general to respect their extraterritorial obligations by not marketing active principles forbidden in European territory – or lobbying for their legalization – in developing countries.
- Exposing “responsible” European funds involved in land deals.
- Demanding agility from the Brazilian State in prosecuting those charged with the Caarapó Massacre as well as reviewing the case against Leonardo de Souza – an indigenous father of the fatal victim of the aforementioned crime. If that does not happen, supporting actions to take the case to the international system for the protection of human rights, including the Inter-American Court of Human Rights, of which Brazil is a member.
- Proposing the inclusion of a criterion in all sustainability and socio-environmental responsibility certifications to ensure that commodities are not produced at or sourced from areas with land conflicts, especially with indigenous peoples and traditional populations, and working to promote wide adoption of this type of practice, even by large traders and agro-industrial cooperatives.
- Demanding transparency from Coamo in its “sustainable production protocol” in order to disclose important information regarding compliance with environmental legislation throughout its supply chain, guarantee traceability, and inform the presence or absence of genetically modified grains modified in the soy they sell.
- Demand that Fefac (the European Feed Manufacturers’ Federation) ensure that the suppliers it recognizes as “sustainable” – such as Coamo – comply with social and environmental legislation, giving transparency to the information it receives, including those published in all editions of the European Soy Monitor.
- Including representatives of indigenous peoples, traditional peoples and communities, rural workers and other segments in the instances that approve the protocols and monitor extraterritorial activities of European companies.

Other references

3.3 Bibliographic references

CUNHA, T. C. "Do oculto ao visível: terra-água-trabalho e o conglomerado territorial do agrohídronegócio no oeste da Bahia." 2017. PhD Thesis in Geography – Faculdade de Ciências e Tecnologia, Universidade Estadual Paulista, Presidente Prudente, 2017. Available at: <http://hdl.handle.net/11449/149818>.

DOMINGUES, M. S.; BERMANN, C. O arco de desflorestamento na Amazônia: da pecuária à soja. *Ambiente & Sociedade*, São Paulo, v. 15, no. 2, May/Aug. 2012. Available at: <http://dx.doi.org/10.1590/S1414-753X2012000200002>.

MARTINS, J. S. O tempo da fronteira. Retorno à controvérsia sobre o tempo histórico da frente de expansão e da frente pioneira. *Tempo Social*, São Paulo, v. 8, no. 1, 1986. Available at: <https://doi.org/10.1590/ts.v8i1.86141>.

PAULINO, E. T. Dinâmicas territoriais e desenvolvimento brasileiro em questão. *Geografia*, Rio Claro, v. 44, no. 1, Jan./June 2019. Available at: <https://www.periodicos.rc.biblioteca.unesp.br/index.php/ageteo/article/view/14958>.

PRIETO, G. Nacional por usurpação: a grilagem de terras como fundamento da formação territorial brasileira. In: OLIVEIRA, A. U. (ed.). *A grilagem de terras na formação territorial brasileira*. São Paulo: FFLCH/USP, 2020.

3.4 Interviews and consultations

5.2.1 Phase I

- Ariovaldo Umbelino de Oliveira – University of São Paulo (USP)
- Carlos Eduardo Chaves Silva – National Confederation of Waged Rural Workers (Contar)
- Claudio Angelo – Observatório do Clima (OC)
- Djoni Roos – State University of Western Paraná (Unioeste)
- Eliane Tomiasi Paulino – Londrina State University (UEL)
- Felipe Bley Folly – FIAN International
- Gabriel Bezerra Santos – National Confederation of Waged Rural Workers (Contar)
- Marcio Alberto Challio – Gebana
- Marcos Rosa – Mapbiomas
- Tássio Barreto Cunha – Brasília Federal Institute (IFB)
- Ulisses Dias de Carvalho – Public Prosecution Service (MPT)
- Wanderlei Pignati – Federal University of Mato Grosso (UFMT)

5.2.2 Phase II

- Anastácio Peralta, elementary school teacher, resident of TI Panambizinho, in Dourados
- Anderson dos Santos, former Coamo employee in Quarto Centenário (PR)
- Daniele Osório, Federal Public Defender in Mato Grosso do Sul
- Eliel Benites, professor at the Indigenous Intercultural College (Faind/UFGD), Aty Guasu assembly member, resident at Te'yi kuê
- Elizeu Lopes, Aty Guasu assembly member, resident of TI Kurusu Amba
- Elson Carneiro, tractor operator, resident of Tey'i kuê Village
- Erileyde Domingues – member of Retomada Aty Jovem, resident of TI Guyraroká
- Fabiana Fernandes, documentary filmmaker, resident of the Panambizinho IL
- Felipe Johnson, anthropologist, UFGD
- Flávio Machado, Indigenous Missionary Council (Cimi) staff
- I., indigenous resident of the Panambizinho IL, who asked that her identity be preserved
- João Gonçalves, leader of Retomada Nhu Verá, in Dourados
- Jaqueline Gonçalves Porto (Kunã Aranduhá), Kuñangue Aty Guasu assembly member
- J., Kaiowá, former employee of Coamo in Caarapó
- Leila Rocha, counsellor of Kuñangue Aty Guasu, resident of Retomada Yvy Katu, in Japorã
- Marco Antonio Delfino, Federal Prosecutor in Dourados

- Nayara Côrtes, FIAN Brasil staff
- Otoniel Ricardo, professor, Aty Guasu assembly member, resident of TI Pirajuí, in Paranhos
- Raoni Azerêdo, Professor at Ufopa
- Rosyh Kaiowá, member of Retomada Aty Jovem
- Sandra Procópio, Professor at the Federal University of Grande Dourados (UFGD)
- Simão Kunumi, Aty Guasu assembly member, resident at Te'yi kuê
- Spensy Pimentel, Anthropology Professor at UFSB
- Former Coamo employee in Quarto Centenário, PR, who asked that his identity be preserved