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Mining and Brazil's Indigenous peoples

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Mining companies have 3481 requests pending with Brazil's National Mining Agency for permission to prospect in the country's Indigenous lands, even though it is currently illegal (1). The companies submitting the requests will gain priority for approval if mining in these areas is made legal in the future. The Bolsonaro presidential administration has curtailed inspections and greatly weakened protection of Indigenous lands against invasion (2). The frequency and scale of assaults on Indigenous land, especially from mining, has increased greatly (3). Urgent judicial action, or credible threats of judicial action, could stop this trend.

On 5 December 2021 investigative journalists discovered that Brazil's federal government had authorized seven gold-mining projects in the "Dog's Head" (*cabeça do cachorro*), an area inhabited by 23 Indigenous peoples in the northwestern corner of the country (4). Brazil's Federal Public Ministry initiated an investigation into the authorizations, and on 27 December the authorizations were cancelled (5). The prosecutors in the Federal Public Ministry believe that the mining authorizations in the Dog's Head were preparation for the opening of Indigenous lands throughout Amazonia to mining (6), a change that would become legal once the National Congress approves a bill that would open Indigenous land to mining, dams, and agribusiness (PL 191/2020) (7). President Bolsonaro, who submitted the bill, has requested special priority for it from the coalition of political parties that supports him and now controls both houses of congress (8).

More than 20,000 "wildcat" gold miners (*garimpeiros*) have invaded the Yanomami Indigenous land, located just northeast of the Dog's Head (9). Both the Yanomami Indigenous land and the Dog's Head are also under the threat of corporate mining based on the many pending requests for mining licenses. Both of these areas contain isolated Indigenous peoples that are not in contact with the majority of Brazilian society (7). Isolated peoples are in particular danger given the insufficiently protective policies of Brazil's agency for Indigenous affairs (10). On 8 December 2021, Brazil's Ministry of Women, Family, and Human Rights began a process to classify cattle ranchers and wildcat gold miners as "traditional peoples," which would allow them to legally remain in conservation units (protected areas for biodiversity) and, potentially, in Indigenous lands (11).

Brazil's Public Ministry must act quickly to obtain judicial orders revoking the mining clearances. Judicial orders will also be needed to induce the presidential administration to remove illegal miners from the Yanomami and many other Indigenous lands. The countless actions of the Bolsonaro presidential administration in violation of Indigenous rights can no longer be ignored by the International Criminal Court in The Hague, where multiple cases remain pending (12).

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