



*Permanent Mission of Brazil to the United Nations Office in Geneva
Chemin Louis Dunant, 15 – 1202 – Genève*

**EMRIP
12th session**

ITEM 8. UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES.

- Brazil appreciates the acknowledgment of our good practices on the rights of indigenous peoples by the experts of this Mechanism.
- As stated in the report, "the Brazilian Constitution recognizes indigenous peoples` rights to their social organization, customs, languages, creeds, and traditions, as well as their original right to the lands they traditionally occupy".
- Furthermore, the report also mentions that "article 210 of the Constitution and secondary laws provide that minimum curricula for elementary schools must ensure a common basic education and respect for national and regional cultural and artistic values and that in elementary education indigenous peoples may use their native languages and their own learning methods".
- As you know, the Brazilian indigenous population has been consistently growing since the middle of the last century. As you are also aware, there are in Brazil 305 ethnic groups that speak 247 different languages. We

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believe these facts need to be emphasized, especially considering that 2019 is the International Year of Indigenous Languages.

- We understand that these references acknowledge the good practices we have adopted.

- We were, however, appalled to see that the report also mentions that "these rights are currently under threat in Brazil".

- If the EMRIP is affirming that indigenous peoples' rights to their social organization, customs, languages, creeds, traditions, and lands are under threat in our country, the least we can say is that this statement by the Mechanism is of a speculative nature.

- It is in fact a serious accusation made by the EMRIP without the support of any credible sources and with no concrete facts to back it up. - Nothing has changed in the Brazilian domestic legal framework regarding the rights of indigenous peoples. All the provisions cited by the report remain unchanged and there is no intention to modify them.

- We are of the view that it is irresponsible of the EMRIP to make this sort of statement. We express our disagreement with it and request the deletion of this sentence from the report.

- We also want to thank the Mechanism for mentioning other good practices of Brazil, such as the final report of the National Commission of Truth, which dedicated a chapter to past violations against indigenous peoples.

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- Or the fact that a Brazilian Federal Court is currently considering a claim from an indigenous people for reparations due to past violations. It clearly demonstrates that the indigenous peoples of Brazil have full access to justice. It also shows that the Brazilian state recognizes their rights, like those of any other citizen, in accordance with its international obligations.

