



*Permanent Mission of Brazil to the United Nations Office in Geneva
Chemin Camille-Vidart, 15 – 1202 - Genève*

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The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to refer to the joint communication AL BRA 2/2022, dated February 18th 2022.

The Permanent Mission would like to forward the attached comments from the Government of Brazil regarding the case of Ms Alessandra Korap Munduruku with information provided by the Brazilian Federal Prosecution Office (Public Ministry).

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, April 19th 2022.

To the
Office of the United Nations High Commissioner for Human Rights
(OHCHR), Special Procedures Branch
ohchr-registry@un.org; sylvain.lidome@un.org

ANNEX
REPLY REGARDING THE JOINT COMMUNICATION AL BRA
2/2022, DATED FEBRUARY 18th 2022.

With regard to the joint communication AL BRA 2/2022, dated February 18th 2022, about Ms Alessandra Korap Munduruku, the Brazilian Government has the honor to convey the following information.

Ms. Alessandra Munduruku is well-known nationally and internationally, having been the first woman to preside over the Pariri Indigenous Association, which represents more than ten indigenous people`s villages around the Tapajós River. In this context, the indigenous leader has been the victim of threats and acts of violence.

The region in which Alessandra Munduruku operates has been experiencing tensions in recent years. On the one hand, the majority of the indigenous people of the Munduruku ethnic group and almost the entirety of their representative associations are opposed to mining and logging activities within the indigenous territory; on the other hand, a group – made of indigenous and non-indigenous people - has acted to promote such activities.

The Federal Prosecution Office (Public Ministry) promoted the establishment of specific procedures, requested the establishment of police investigations and has been conducting intense coordination with associations and representatives that report threats.

Regarding the measures adopted specifically to protect Alessandra Munduruku, the competent authorities maintain permanent and frequent contact with the leadership and the representative institutions. In addition, a police enquiry was initiated, with the objective of investigating the possible occurrence of the crime set forth in article 155, § 4, I, of the Criminal Code, as well as others that may be found in the course of the investigation, as a result of the fact reported by the indigenous woman. The basis for the investigation refers to the theft that took place at her residence, [REDACTED], allegedly in retaliation for her actions in defense of the Munduruku indigenous people.

This is a joint investigation between the Federal Prosecution Office (Public Ministry) in Santarém/Pará and the Federal Police station in that

city. The Federal Prosecution Office has exercised external control of police activity and urged the speedy conclusion of the enquiry.

At this point of the criminal investigation the procedures are classified as “Secret”, for investigative reasons, which makes it legally impossible, at this time, to share further information.

As for the measures adopted by the Federal Prosecution Office (Public Ministry) in the municipality of Itaituba with a view to ensuring that human rights defenders in the state of Pará can operate in a favorable environment, the Government of Brazil informs that the role of the Federal Prosecution Office (Public Ministry) in these cases normally involves:

i) determination to initiate an investigation and follow-up of police investigations when the threat or violence is reported, which will result in criminal prosecution against the alleged perpetrators, if supporting evidence is found;

ii) establishment of frequent and immediate contacts with victims and civil society institutions that represent their interests, by various means, including by telephone and scheduled meetings, in order to adopt the necessary measures to guarantee their safety, which include issuing recommendations to public authorities and filing public civil actions; and

iii) establishment of extrajudicial procedures, such as administrative procedures and civil enquiries, with the aim of investigating or monitoring the security of threatened leaders, including the Program for the Protection of Human Rights Defenders.

In this context, extrajudicial procedures are being processed at the Federal Prosecution Office (Public Ministry) in Itaituba with a view to investigating the practice of crimes and protecting the freedom to exercise their work by human rights defenders in the state of Pará, as described below.

a) Preparatory Procedure [REDACTED] investigates the current situation of human rights defenders who were victims of the attack on the headquarters of the Wakoborun Women's Association in the municipality of Jacareacanga, state of Pará. These facts also resulted in the initiation of a police investigation.

b) Follow-up Procedure [REDACTED] its purpose is to monitor the Public Civil Action originated from Civil Inquiry [REDACTED] (file [REDACTED]), which deals with the situation of human rights defenders residing in settlement projects located in the municipality of Trairão, state of Pará, related to the Program for the Protection of Human Rights Defenders, made possible by the Secretariat for Human Rights; and

c) Administrative Follow-up Procedure [REDACTED], initiated from a copy of procedure [REDACTED], in order to monitor the progress of the request of addition of [REDACTED] to the Program for the Protection of Human Rights Defenders. Criminal Investigative Procedure [REDACTED] was established from Official Letter [REDACTED] [REDACTED], in which the Program for the Protection of Human Rights Defenders provided information transmitted by local defender, regarding the deforestation action and the presence of machinery for illegal logging on the side road within the “Terra Nossa” (“Our Land”) Sustainable Development Project.

Finally, as informed, there are police enquiries initiated by order of the Federal Prosecution Office (Public Ministry) to investigate these facts, the details of which remain classified as per Brazilian criminal procedural law with a view to allowing the due investigation of the facts.