



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

Nº 317/2025

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 3/2025, dated April 29th 2025.

The Permanent Mission would like to submit the attached information from the Government of Brazil regarding alleged threats to persons from the Ka'apor indigenous community, in the State of Maranhão, Brazil.

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, June 27th 2025.



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



FEDERATIVE REPUBLIC OF BRAZIL

HUMAN RIGHTS COUNCIL

AL BRA 3/2025

**INDIGENOUS PEOPLES KA'APOR (MA) AND CARBON CREDIT PROJECT
PROPOSED ON INDIGENOUS LAND.**

INFORMATIONS

JUNE 2025

1. The Division of Special Procedures of the Office of the United Nations High Commissioner for Human Rights (OHCHR) transmitted a joint communication (AL BRA 3/2025), dated April 29, 2025, signed by three mandate holders of the special procedures of the Human Rights Council.
2. The letter requests information about alleged threats and attempts to intimidate two human rights defenders from the Ka'apor indigenous community (Maranhão), due to their opposition to a carbon credit project on the Alto Turiaçu indigenous land, proposed by the American company "Wildlife Works Carbon".

3. Furthermore, the text presents a summary of the conditions faced by Itahu Ka`apor and Mariuza Ka`apor, who claim to be members of the representative authority of the Ka`apor community (Tuxa Ta Pame). It is reported that this community is being overlooked by the company "Wildlife Works Carbon" in the process of obtaining informed prior consent, in favor of an association that allegedly does not represent the peoples of the Alto Turiagu indigenous land.

4. Following the filing of a lawsuit on October 30, 2024, against the Brazilian Government, FUNAI, and the company 'Wildlife Works Carbon' - with the aim of suspending - the activities of the mentioned company in the region, Itahu Ka'apor and Mariuza Ka'apor claim to have been victims of an attempted intimidation on February 10, 2025, by two Ka'apor indigenous individuals who support the carbon credit project in question.

5. The Special Procedures of the United Nations Human Rights Council has requested the State to submit any relevant observations by June 27, 2025.

6. Accordingly, the Brazilian State presents the following observations, which could be built upon in the future, should the question develop.

Information from the State Secretariat for Human Rights and Popular Participation of Maranhão – Subsecretariat of Human Rights

7. Initially, the State of Maranhão highlights the measures adopted by its internal bodies to protect the rights of the Ka`apor Indigenous people in the region.

8. The Deputy Secretariat for Indigenous Peoples (SADPI) clarified, in response to the public statement regarding the alleged institutional participation in a meeting held with the company Wildlife Works Brasil, that there was no formal involvement with the said company. The participation of Deputy Secretary Rosilene Guajajara was limited to presenting the institutional work of SADPI, without any support or interference in the negotiations in question. Furthermore, SADPI maintains active listening with Ka'apor representatives and works to protect threatened indigenous leaders through the State Program for the Protection of Human Rights Defenders.

9. The Deputy Secretariat for the Valuation and Promotion of Afro-diasporic Peoples (SAVPA) facilitated the inclusion of Ka'apor leaders in the State Program for the Protection of Human Rights Defenders (PEDDH), ensuring institutional support for the reported threats.

10. The State Council for the Defense of Human Rights (CEDDH) issued a recommendation in response to the complaints presented by the Ka'apor representatives, which included homicides, illegal invasions, land grabbing, abusive use of alcohol, and the absence of effective public policies. The CEDDH's actions aim to reinforce protective measures and promote inter-institutional coordination.

11. Finally, on March 14 2025, a meeting was convened to address the challenges faced by the Ka'apor people. This meeting led to the identification of specific measures in the areas of security, health, and education. These measures included the follow-up of the Ka'apor Pedagogical Project, which was approved by the State Education Council.

Information from the Ministry of Justice and Public Security - MJSP

12. The Federal Police's role in protecting human rights has been a fundamental pillar in the fight against rights violations, especially concerning vulnerable populations such as Indigenous communities. In the present case, two human rights defenders from the Ka'apor Indigenous community in Maranhão have reportedly been targeted with threats and intimidation, raising concerns about their safety and the continuation of their work to preserve the territorial and cultural rights of the Ka'apor people

13. The threats and acts of intimidation against the human rights defenders of the Ka'apor community, as reported, are part of a broader context of conflicts involving indigenous territories, land grabbing, and illegal activities in the region. These situations often involve economic interests, such as the illegal exploitation of natural resources, which come into conflict with the constitutional rights of indigenous populations and with the legislation that ensures the protection of human rights. The Federal Police has been

doing its utmost to avoid a deterioration of the situation regarding these threats, and has been conducting a thorough investigation into the allegations. This includes:

- **Investigation of Threats:** The Federal Police has launched investigations to identify those responsible for the threats and intimidations, seeking elements that would allow for criminal accountability. The investigation is ongoing, but at this moment it has not found sufficient evidence of authorship and materiality capable of providing just cause for the initiation of police proceedings.
- **Institutional Partnerships:** The Federal Police has been working together with FUNAI, the Federal Public Prosecutor's Office (MPF), and other human rights entities to strengthen the institutional response to the threats faced by defenders;
- **Actions Against Environmental Crimes:** The Federal Police has been working to combat crimes such as illegal deforestation, land grabbing, and illegal exploitation of resources, activities that are often associated with threats against indigenous leaders.

14. The Federal Police reaffirms its commitment to the protection of human rights in Brazil, especially regarding indigenous populations. The Federal Police follows the principles of ILO Convention 169, which establishes that indigenous communities must be consulted on issues that affect their lands and cultures and also commits to investigating allegations of human rights violations promptly and impartially.

15. In the specific case of the Ka'apor community, the Federal Police is attentive to the social and political implications of the threats to the defenders, and is treating the incident with the utmost priority. The Federal Police's commitment to ensuring the safety of the defenders reflects a firm stance aligned with Brazil's international commitments to human rights."

16. The Federal Police, aware of the seriousness of the alleged threats and intimidation against the human rights defenders of the Ka'apor community, has taken all necessary measures to investigate the case and ensure the protection of those involved. Furthermore, the Federal Police remains committed to the preservation and promotion of the rights of indigenous peoples, with due observance of national and international human rights standards.

17. At the time of the alleged threats, the Ministerial Ordinance No. 835 was in force. It is understood that the norm authorized the deployment of the National Public Security Force (Força Nacional) to support the National Foundation for Indigenous Peoples (Funai), in the Awá, Caru, and Alto Turiaçu Indigenous Lands, in the State of Maranhão, from December 20, 2024, to March 19, 2025, in activities agreed upon with Funai, in response to the demands presented.

18. It is important to note that, as this is a program of federative cooperation, under Law No. 11,473 of 2007, the deployment of the National Force occurs by determination of the Minister of State for Justice and Public Security, according to Article 4 of Decree No. 5,289 of 2004, and it does not have official duties to initiate public security actions. Its actions are of a subsidiary nature, addressing the specific demands of the supported agencies.

Conclusion

19. The information above reflects the current status of the matter in response to the new request from the Office of the United Nations High Commissioner for Human Rights (OHCHR) under communication AL BRA 3/2025, dated April 29, 2025.

20. Finally, the Brazilian State reiterates all the information that has already been presented in September 2024.

Brasília, June 2025.