

## Supplementary Material

### The first acts of Brazil's new president: Lula's new Amazon institutionalality

Rodrigo Machado Vilani<sup>1</sup>, Lucas Ferrante<sup>2</sup>, Philip M. Fearnside<sup>3</sup>

*1 Universidade Federal do Estado do Rio de Janeiro, 22290-240, Rio de Janeiro, RJ, Brazil, ORCID 0000-0002-8286-1677, rodrigo.vilani@unirio.br*

*2 Departamento de Biologia, Universidade Federal do Amazonas (UFAM), 69067-005 Manaus, AM, Brazil; ORCID 0000-0003-2636-5713, lucasferrante@hotmail.com*

*3 National Institute for Research in Amazonia (INPA), 69067-375 Manaus, AM, Brazil; ORCID 0000-0003-3672-9082, pmfearn@inpa.gov.br*

S1.) Lula's initial decrees.....	2
S2.) Contradictions within the Lula administration.....	3
S3.) Right-wing Amazonian state and local governments.....	3
S4.) The legacy of Bolsonaro.....	4
References.....	6

## **S1.) Lula's initial decrees**

The symbolic dimension of the new institutionality was represented by the the Administration Transition Cabinet (GTG 2022) in defining five priority axes for the revision of norms: (i) Deforestation control: fully repeal Decrees 10,142/2019, 10,239/2019 and 10,845/2021 that contributed to illegal deforestation in the Amazon; (ii) Impunity: revoke Decree 9760/2019 and, partially, Decree 10,086/2022, which made the administrative procedure for enforcing environmental regulations more difficult and, in practice, ended the collection of fines for violations; (iii) Illegal mining: revoke Decree 10,966/2022 that created a legal condition called “artisanal mining” that legitimized illegal mining in the Amazon (Fearnside 2022, Vilani et al. 2022); (iv) Amazon Fund: revoke Decrees 10,223/2020 and 10,144/2019 that resulted in the Amazon Fund being paralyzed; (v) National Council for the Environment (CONAMA): revise Decree 11,018/2022 in order to restructure CONAMA to fulfill its constitutional functions.

On 1 January 2023, the date of President Lula's inauguration, Decree 11,369/2023 revoked Decree 10,966/2022. Decree 10,142 of 28 November 2019, which had established the Executive Commission for the Control of Illegal Deforestation and Recovery of Native Vegetation, and 10,239 of 11 February 2020, provides for the National Council for the Legal Amazon, were revoked by Decree 11,367/2023. Thus, actions to combat deforestation will be resumed through the creation of the Permanent Interministerial Commission for the Prevention and Control of Deforestation and the reestablishment of the Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (PPCDAm). Another set of decrees was signed by President Lula on 1 January 2023 that will help promote protection of the Amazon by strengthening democratic institutions and insuring inclusion of members of Amazonia's diverse cultural groups. We highlight the revocation of FUNAI/IBAMA Joint Normative Instruction No. 12 of 31 October 2022, which aimed to legitimize the illegal exploitation of timber in indigenous lands.

Decree 11,373/2023 amended provisions regarding infractions and administrative sanctions to the environment in order to guarantee the publication of notices of infraction and to strengthen the National Environmental Fund (FNMA). Public investment, through the FNMA, was revised by Decree 11,372/2023, which restored social participation in the public agenda, including the inclusion of a representative of indigenous peoples and a representative of traditional peoples and communities in the Deliberative Council of the FNMA. Decree 11,368/2023 reestablished the governance of the Amazon Fund, which was dismantled during the Bolsonaro administration. In order to re-establish the participation of various sectors in federal collegiate bodies, Decree 11,371/2023 revoked Decree 9759, of April 11, 2019, which aimed to reduce and merge collegiate bodies in the environmental area and increase public participation in these bodies. As a way to combat violence, Decree 11,366/2023 suspends registration for the acquisition and transfer of weapons and ammunition for restricted use by hunters, collectors, sport shooters and private individuals, among other measures, until new rules are defined by a working group. Decrees 11,355/2023, 11,349/2023 and 11,338/2023 established, respectively, the structure of the Ministry of Indigenous Peoples, the Ministry of the Environment and Climate Change and the Ministry of Agrarian Development and Family Agriculture.

## S2.) Contradictions within the Lula administration

The presidential administrations of Lula's Workers' Party (2003-2016) were marked by two major setbacks in the environmental area. First, the Growth Acceleration Programs (PACs) of the Lula administrations, large investments were made in logistics, energy and mining projects that caused deterritorialization of indigenous peoples and that were carried out on the basis of gross underestimation of their social and environmental impacts, in addition to limiting the participation of affected communities (Machado & Vilani 2015, Fainguelernt 2016, Fearnside 2017a,b). Second, the gutting of Brazil's Forest Code in 2012, during the first Dilma Rousseff administration, was a process in which "landowners demonstrated their hegemony and eliminated legal impediments to perpetuating their social and environmental crimes" (Paulino 2014, p. 136). Note that the ministries of environment and agriculture were on opposite sides of the issue that in the case of gutting the Forest Code, and that President Dilma's own preference became clear when she subsequently appointed as her minister of science and technology the federal deputy who had drafted and sponsored the bill that gutted the code. The Chamber of Deputies, where representation is proportional to population, voted in a ratio of seven to one to gut the code, even though opinion polls at the time indicated over 85% of Brazil's population opposed to any change in the code, thereby demonstrating the enormous political power of the "ruralists" (large landholders and their representatives) that derives from the money generated by Brazil's agricultural exports (Fearnside 2018).

## S3.) Right-wing Amazonian state and local governments

Using data available in the Superior Electoral Court system (TSE 2022), we analysed the electoral platforms of eight of the nine governors elected in the states in Brazil's Legal Amazon Region (Table S1). Only the proposal from the elected governor of Mato Grosso was not available.

Table 1. Amazon governors' agendas and party ideologies

State	Party	Party Ideology	Indigenous agenda	Mining agenda	Fires and illegal deforestation
Acre	Progressistas	Right	XX	O	XX
Amapá	Solidariedade	Right	XX	XX	X
Amazonas	União Brasil	Extreme right	O	O	O
Maranhão	PSB	Center-left	XX	O	X
Mato Grosso	União Brasil	Extreme right	NA	NA	NA
Pará	MDB	Right	XX	X	XX
Rondônia	União Brasil	Extreme right	O	O	O
Roraima	Progressistas	Right	XX	O	O
Tocantins	Republicanos	Right	X	O	X

O - Not mentioned

X - Mentioned

XX - Specific actions listed

NA - Not available

Source: Bolognesi et al. (2023); Tribunal Superior Eleitoral (TSE 2022)

Anti-environmental agendas will be defended by right-wing senators elected for the 2023-2027 period. Twenty-two of the 27 senators from the Amazonian region belong to right-wing parties, one to a party centre of the political spectrum, three to centre-left and one to left-wing party. Only one is from Workers' Party (considered left-wing) and so with direct alignment with President Lula (Senado Federal 2023).

#### **S4.) The legacy of Bolsonaro**

When Bolsonaro became president in January 2019, he launched an agenda actively promoting the rhetoric of the occupation of these “unproductive spaces” (Milhorange 2022), and his supporters want this to continue. This agenda, which is composed of a set of laws, decrees and the gutting of inspection agencies, is known as the “death agenda” due to its impact on Brazil’s environment and traditional peoples (Ferrante & Fearnside 2019).

Bolsonaro strengthened the conservatives parties with the militarization of government agencies and the discourse of hate (Ferrante & Fearnside 2019, 2020a, 2021), and he tried on more than one occasion to organize a coup to perpetuate his time in power (Ferrante & Fearnside 2021). During Bolsonaro’s administration, the number of Brazilian neo-Nazi “cells” on the internet exploded to a total of over 1000, and the scale of the threat gained public attention when a rally in support of Bolsonaro featuring Nazi salutes was held in the state of Santa Catarina (Bechara 2022; Figure S2). Although most of those who voted for Bolsonaro in the 2022 election are not members of violent groups, these groups can cause significant harm. In the Amazon region the actions of these groups were facilitated by Bolsonaro’s dismantling of environmental and indigenist agencies leading to violence against indigenous peoples and environmentalists (Barbosa et al. 2021, Sauer et al. 2020, Wanderley et al. 2020, Ferrante & Fearnside 2021).



**Figure S2.** Neo-Nazis salute in a rally in support of Bolsonaro: “not an isolated case” (Bechara 2022).

Bolsonaro consistently defended the withdrawal of rights from indigenous peoples during the over 20 years that he was a back-bench federal deputy in the lower house of the Brazilian National Congress (Ferrante & Fearnside 2019). In an address to the congress on 16 April 1998, Bolsonaro said the following:

“It’s even worth an observation at this point: the Brazilian Cavalry was really very incompetent. Competent, indeed, was the North American Cavalry, which decimated its Indians in the past and nowadays this problem does not exist in their country”. (*DCD* 1998, p. 9,957).

During his presidency, Bolsonaro encouraged illegal mining through his discourse and he and his top officials held various friendly meetings with mining entrepreneurs who were organizing these activities, including those in the territory of the Yanomami people (e.g., Gabriel 2023, Sassine 2023). This resulted in more than 20,000 gold miners invading the Yanomami indigenous land (Ferrante & Fearnside 2022a). Bolsonaro made clear his support for illegal mining in indigenous lands, and inhibited Brazil’s environmental agencies from acting to remove illegal miners when he personally ordered the sacking of staff of the IBAMA who had carried out their duty to destroy mining equipment in indigenous land (Ferrante & Fearnside 2020a),

Human rights violations of traditional peoples in Brazil increased enormously during the COVID-19 pandemic as a result of actions by the Bolsonaro administration, including invasions of indigenous lands (Ferrante & Fearnside 2020a), expropriations and expulsion of traditional peoples from their lands (Coelho-Junior et al. 2020), lack of consultation indigenous peoples on large planned developments that impact them (Ferrante et al. 2020a, Ferrante & Fearnside 2020b) and even blocking government agencies from supplying drinking water and hospital beds to indigenous communities during the height of the COVID-19 pandemic (Ferrante et al. 2021b).

The actions of the Bolsonaro government resulted in a legacy of vulnerability for traditional communities in the Amazon, especially indigenous peoples who are a risk group for COVID-19 (Ferrante & Fearnside 2020c), and mortality from COVID-19 is much higher among indigenous people than non-indigenous people. A large contribution to this mortality was one of the legacies left by the Bolsonaro government (Sansone et al. 2022), and the loss of an elder to COVID-19 can represent the loss of an entire culture because the indigenous traditions are passed down orally by the elders (Ferrante et al. 2020b). Indigenous lands have a role beyond the protection of traditional peoples, also being fundamental for the protection of biodiversity and ecosystem services in the Amazon (Ferrante & Fearnside 2022b).

During Bolsonaro’s administration at least 570 Yanomami children died from preventable causes (Crescer & Agência Brasil 2023). In January 2023, the Lula administration’s Ministry of Health declared a Public Health Emergency of National Importance for the Yanomami territory in response to the condition of “children and elderly people in a serious state of health, with severe malnutrition, in addition to many cases of malaria, acute respiratory infection” (Ministério da Saúde 2023). Due to the seriousness of the situation, Decree No. 11,384 of 20 January 2023 created the National Coordination Committee to Combat Sanitary Lack of Assistance for Populations in Yanomami Territory. The inter-ministerial Committee will draw up an action plan to face the lack of health care for populations in Yanomami territory and the resulting social and health problems.

President Lula visited the Yanomami territory on 21 January 2023 and confirmed that the Yanomami people were in a “state of abandonment”. He removed 11 Ministry of Health district coordinators of indigenous health from their posts and 43 FUNAI staff including 13 who were military personnel (UOL 2023).

The Bolsonaro administration did not comply with Brazil’s constitutional provisions guaranteeing: (i) the dignity of the human person (art. 1, III), (ii) the right to an ecologically balanced environment (art. 225), and (iii) indigenous rights (art. 231). The Bolsonaro administration ignored six objectives established in the constitution: (i) to preserve and ensure essential ecological processes (art. 225, §1, I); (ii) preserve the diversity and integrity of the national genetic heritage (art. 225, §1, II); (iii) protect fauna and flora and their ecological function (art. 225, §1, VII); (iv) prevent the extinction of species (art. 225, §1, VII); (v) shelter, defend and value Brazil’s cultural heritage, such as sites with historical, scenic, ecological and scientific value (art. 216, V), and (vi) protect the social organization, customs, languages, beliefs and traditions, and the original rights of indigenous peoples (art. 231).

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