



Intimidation and corruption to silence indigenous communities, environmental activists and government regulators

In June 2012, members of the Movimento Xingu Vivo Para Sempre gathered in Altamira in the Brazilian Amazon for a week long protest for indigenous rights and environmental justice, and against the Belo Monte dam -- a massive dam project on the Xingu River. On June 12, Belo Monte's owner, Norte Energia, filed a judicial restraining order against the Movement and its coordinator Antonia Melo and other leaders, threatening them with a fine of US\$ 24,000 per day.¹ Shortly thereafter, Brazilian authorities issued a spurious arrest warrant against Antonia and ten other Movement leaders, citing property damage at the office of the dam construction company, Consórcio Construtor Belo Monte (CCBM).² The fine was never levied and the arrest warrant was never executed, but both still served to send a strong message to those who might try to oppose the dam.³

Conflicts between dam developers and local indigenous peoples began in the late 80s with Belo Monte's predecessor, the Kararaó dam.⁴ As indigenous leaders and advocates spoke out against the dam's anticipated impacts on their environment and on their livelihoods, so began the attempts to silence them. In 1988 the World Bank, which had been considering investing in dams in the Amazon, withdrew its interest after meeting with Kayapó indigenous leaders in Washington.⁵ A spokesman explained, "[w]e cannot lend money to the Brazil power sector and close our eyes to the guidelines for the environment and the Amerindians."⁶ Shortly thereafter, the Brazilian authorities brought charges for sedition against the American ethnobiologist who facilitated the Kayapó leaders' visit to Washington.⁷

Around 2002, the Kararaó project eventually re-emerged as Belo Monte, this time redesigned by Electronorte, a branch of the parastatal electric company Eletrobras, together with Brazil's largest construction companies.⁸ In 2005, the government of Lula da Silva secured fast-tracked approval of the dam in a three-day Senate consideration that bypassed

 Belo Monte Dam

 Brazil

 Hydro

 BNDES

hearings with local indigenous communities, in violation of constitutional requirements.⁹ The following year, Brazil's federal public prosecutor for the region filed a lawsuit against Eletronorte and the national environmental agency, alleging violation of the right to prior consultation of indigenous peoples.¹⁰

In 2008, indigenous and traditional riverine communities, together with environmental and social justice activists, founded the Movimento Xingu Vivo Para Sempre to fight the dam.¹¹ The protests, lawsuits and petitions launched by the Movement and others gained national attention and brought Brazilian President Lula da Silva to the dialogue table by July 2009. The President promised that "Belo Monte will not be shoved down anyone's throat."¹²



Indigenous peoples protest the Belo Monte Dam.



Yet in February 2010, the government issued the preliminary environmental license for the dam with 40 preconditions.¹³ Eletrobras soon established a public-private consortium, Norte Energia, to manage and operate the dam, contracting CCBM to handle construction.¹⁴

In December 2010, the World Bank disbursed the final tranche of an unprecedented US\$1.3 billion programmatic loan to the Brazilian government.¹⁵ While the stated objective of the loan was to strengthen environmental management, including the development of social and environmental standards at BNDES, an investigation revealed that the funds were instead channelled to BNDES' investment coffers.¹⁶ The investigation found “little discernible improvement” in BNDES' environmental management system, and anticipated standards for the hydro sector were never developed.¹⁷ A week following the disbursement, BNDES announced it would be financing Belo Monte, though the project had not yet been granted an installation license as required by law.¹⁸

Norte Energia was granted concession to more than 3,500 hectares of public land, home to over 20,000 people who had lived on and utilized the land for

decades.¹⁹ Some received meager compensation, but many were not recognized as legitimate landholders.²⁰ Tens of thousands were eventually resettled in the municipality of Altamira, forced to abandon their rural way of life and thrown into a mix of crime, poverty and violence as the city strained against the influx of not only the displaced persons, but nearly 30,000 construction workers as well as migrants who came seeking work, but remained unemployed.²¹ Altamira quickly became the country's most violent city, troubled with drug trafficking and organized crime.²² Civil society groups and Brazilian public servants continued to protest and petition the government to stop Belo Monte, pointing to grave social and environmental risks and glaring legal irregularities with the project.²³

In June 2011, Belo Monte's final installation license was approved with 32 preconditions and only after the previous environmental licensing director resigned in protest.²⁴ Public Prosecutor Felício Pontes characterized the license as “*totally illegal*,” and protests broke out in Brasília.²⁵ Human rights organizations reported acts of intimidation by Norte Energia against Pontes for his criticism of the project.²⁶ At the same time, the Inter-American Commission on Human Rights (IACHR)



Shock troops policing a peaceful protest in Alta Mira.

granted precautionary measures and requested the suspension of the project until requirements for consultations with indigenous peoples could be met.²⁷

Despite the investigations, irregularities, and widespread opposition, in June 2011, BNDES formally approved its first bridge loan to Norte Energia for approximately US\$292 million.²⁸ BNDES states that it took social and environmental considerations, including the licensing process, into account at every step of financing, and relied on the analysis and decisions of relevant national agencies.²⁹ As construction ramped up, hundreds of indigenous protesters occupied the dam site, and civil society groups around the country, joined by prominent Brazilian artists, again called on BNDES to heed the dam's likely devastating impacts on the environment and on indigenous and local populations.³⁰

In 2012, the harassment, threats, surveillance and attacks against indigenous leaders and other activists intensified. On February 7, BNDES approved a second bridge loan for more than US\$1 billion for the dam.³¹ Advocates have criticized BNDES' lack of basic transparency or robust social and environmental standards, and the absence of an effective independent accountability mechanism.³² In November, BNDES approved US\$11 billion for Belo Monte's construction, the largest loan in the bank's history, bringing its stake in the project to the maximum limit of 80 percent.³³ In December, advocates sent a letter criticizing BNDES' failure to comply with national law regarding risk assessment and monitoring, and urged the bank not to disburse the funds, citing devastating impacts, including the criminalization of human rights defenders.³⁴ BNDES did not respond to the letter.³⁵

In 2012 the Federal Regional Tribunal ordered the consultation of indigenous communities, but the order was suspended utilizing a legal instrument which allows preliminary judicial decisions to be unilaterally and arbitrarily reversed based on justifications of imminent "grave damage" to the national interest and the economy.³⁶ These *security suspensions*, which were created during the country's dictatorship, have been utilized at least six times in the case of Belo Monte.³⁷ As one civil society group concluded: "*Through the Security Suspension, ignoring illegalities has become a situation of 'institutional normality'. With the approval of the judiciary, the backers of megaprojects will only have to comply with the established rules where convenient.*"³⁸

As persons displaced by the dam came together to defend their rights, Norte Energia is reported to have engaged in espionage and judicial harassment.³⁹ In one incident in 2013, a resident of Altamira described being contracted by CCBM to infiltrate Xingu Vivo and Belo Monte workers to pass on information about movement and labor leaders to Norte Energia, and eventually to the Brazilian Intelligence Agency.⁴⁰ The Movement of those Affected by Dams (MAB), has had to defend against judicial restraining orders against ten of its members, similar to those levied against Antonia and Movimento Xingu Vivo in 2012. Under these *interdito proibitorios*, if the subject of the order enters a territory controlled by a company or engages in any sort of protest on the premises, they can be subjected to a substantial fine and possibly arrest.⁴¹ As MAB explains, the *interditos* are used by Belo Monte and other dam owners to "*prevent the exercise of the right of free association and expression, as well as with the intention of prosecuting human rights defenders.*"⁴² In March 2013, Norte Energia obtained a legal order that would automatically fine Xingu Vivo and MAB approximately US\$25,000 per day if any occupations of the

Belo Monte Dam construction 2013.



construction site were to occur.⁴³ In May, approximately 200 people from seven indigenous tribes occupied one of Belo Monte’s construction sites, demanding prior consultation and the suspension of dam-related policing operations.⁴⁴

Throughout Belo Monte’s history, the military police, including the Federal Police and the National Security Force, have been utilized as *de facto* private security for Norte Energia.⁴⁵ In January, 2014 Norte Energia provided more than US\$40 million to the Military Police with jurisdiction in the area of Belo Monte and Altamira to purchase equipment.⁴⁶ Altamira residents and civil society groups have reported that national and municipal forces can be seen wearing Norte Energia’s logo and utilizing company vehicles and that they employ harassment and excessive use of force against communities and activists protesting the dam.⁴⁷

In 2015, developers carried out another set of evictions with the demolition of Antonia Melo’s and her neighbors’ homes. The Public Prosecutor’s Office in Altamira brought forward a case against the government and Norte Energia for “*ethnocide*”, citing “*the destruction of the social organization, customs, languages and traditions*” of the indigenous groups affected by Belo Monte.⁴⁸ In November, Belo Monte’s operation license was approved.⁴⁹

In early May, 2016 president Dilma Rousseff presided over Belo Monte’s inauguration, touting its ability to produce “*clean, renewable and sustainable energy to ensure the economic and social development of the country*”.⁵⁰ Shortly thereafter, investigative journalists and regulators revealed that the most expensive construction project in the country’s history -- at least US\$15 billion -- was at the heart of a web of corruption and money laundering involving companies and politicians across the Amazon.⁵¹ According to executive confessions, Belo Monte construction companies allegedly colluded to inflate their bids for Belo Monte and paid more than US\$56 million in campaign contributions to Brazil’s two main political parties to secure the contracts.⁵² Federal Prosecutor Felício Pontes highlighted the culpability of BNDES, whose financing of millions of dollars in exclusive contracts was allegedly used to bribe public officials while at the same time causing grave social and environmental harms.⁵³ “*The bank has rules that regulate the loans it makes, but they were not followed or audited, only the money was delivered,*” stated Pontes.⁵⁴



Antonia Melo protesting.

Brent Millikan

With the breaking of the scandal, it was clear to activists and regulators why their complaints had been ignored. Over Belo Monte’s lifespan, the Brazilian Public Prosecutor’s office has filed 21 legal actions questioning anomalies in the dam’s licensing, the lack of prior consultation, and other irregularities.⁵⁵ For this effort, public prosecutors and regulators have experienced increasing pressure, threats and intimidation. In October of 2016, the killing of Luiz Alberto Araújo, Secretary of the Environment for Altamira signalled a new level of risk for environmental defenders in the Amazon.⁵⁶

Despite the abuses, irregularities, and corruption, in February 2017 BNDES approved a US\$811 million loan to Belo Monte Energy Transmitter, controlled by the Chinese State Grid group in partnership with Eletrobras, for an expansive transmission network to distribute energy from the dam.⁵⁷ Today, Belo Monte’s main construction is completed and turbines are being activated. Approximately 40,000 people have been displaced.⁵⁸ Environmental defenders and human rights advocates continue to challenge the devastation of ecosystems, livelihoods, and democratic institutions left in the dam’s wake, and they continue to be attacked for their brave efforts.⁵⁹

Endnotes

- 1 R\$ 50,000. Interdito Proibitório 0002538-55.2012.8.14.0005 (Tribunal de Justiça do Estado do Pará, 2012), on file with authors.
- 2 Inter-American Association for Environmental Defense, “Lawful Belo Monte Protestors Threatened with Imprisonment,” June 27, 2012, [Press Release], available at <https://www.internationalrivers.org/resources/lawful-belo-monte-protestors-threatened-with-imprisonment-7542>; “ONGs denunciam à ONU perseguição da polícia a manifestantes contra Belo Monte” [“NGOs denounce police persecution of demonstrators against Belo Monte”], Reporter Brazil, June 28, 2012, <http://reporterbrasil.org.br/2012/06/ongs-denunciam-a-onu-perseguiacao-da-policia-a-manifestantes-contr-belo-monte/>.
- 3 Interdito Proibitório 0002538-55.2012.8.14.0005 (Tribunal de Justiça do Estado do Pará, 2016), on file with authors.
- 4 Belo Monte Fact Sheet, Massive Dam Project Strikes at the Heart of the Amazon, International Rivers, May 2012, https://www.internationalrivers.org/sites/default/files/attached-files/belo_monte_factsheet_may2012.pdf; Parecer Técnico nº 21, Análise do Componente Indígena dos Estudos de Impacto Ambiental [Technical Report, Analysis of the Indigenous Component of Environmental Impact Studies], September 30, 2009, available at https://www.socioambiental.org/banco_imagens/pdfs/BeloMonteFUNAI.pdf.
- 5 Apratim Guatam et. al., Brazil’s Belo Monte: A Cost-Benefit Analysis, The Franke Institute, 2014, <http://franke.uchicago.edu/bigproblems/BPRO29000-2014/Team09-EnergyPolicyPaperBeloMonte.pdf>.
- 6 Marlise Simmons, “Brazil Accuses Scholar Of Aiding Indian Protest,” The New York Times, August 14, 1988, <https://www.nytimes.com/1988/08/14/world/brazil-accuses-scholar-of-aiding-indian-protest.html>.
- 7 The anthropologist was not imprisoned, but was later forced to leave Brazil due to harassment. Michael McRae, “Ethnobiologist Forced from Brazil after Harassment by Authorities,” The Scientist, September 18, 1989, <https://www.the-scientist.com/news/ethnobiologist-forced-from-brazil-after-harassment-by-authorities-61820>.
- 8 Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], Derecho Ambiente y Recursos Naturales, February 24, 2014, <https://bit.ly/2xrhVag>.
- 9 Philip M. Fearnside, “Brazil’s Belo Monte Dam: Lessons of an Amazonian resource struggle,” Die Erde, Vol. 148, No. 2-3, September 27, 2017, http://philip.inpa.gov.br/publ_livres/2017/B-Belo_Monte_resistance-Die_Erde.pdf.
- 10 Ilegalidade Do Decreto Legislativo 788/2005, Ausência de Consultas Indígenas [Illegality of Legislative Decree 788/2005, Absence of Indigenous Consultation], No. 2006.39.03.000711-8 (Tribunal Regional Federal da Primeira Região, 2006), <https://processual.trf1.jus.br/consultaProcessual/processo.php?secao=TRF1&proc=7098820064013903&pg=1>.
- 11 Xingu Vivo, “Histórico”, Xingu Vivo, October 14, 2010, <http://www.xinguvivo.org.br/2010/10/14/historico/>.
- 12 “Letter to President Lula from 140 international organizations on Belo Monte Dam,” March 10, 2010, https://www.internationalrivers.org/sites/default/files/attached-files/appeal_letter_english.pdf.
- 13 Licença Prévia 342 [“Preliminary license 342”], Ibama, 2010, available at <http://www.prpa.mpf.mp.br/news/2011/arquivos/LP342-2010-Belo-Monte.pdf>.
- 14 CCBM ownership: Andrade Gutierrez (18%), Odebrecht (16%), Camargo Corrêa (16%), OAS (11.5%), Queiroz Galvão (11.5%). Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in [Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], Derecho Ambiente y Recursos Naturales, February 24, 2014, <https://bit.ly/2xrhVag>; “Composição Acionária,” [“Stock ownership”], Norte Energia S.A., 2018, <https://www.norteenergiasa.com.br/pt-br/ri/composicao-acionaria>.
- 15 World Bank Project Performance Assessment Report, Brazil: First Programmatic Development Policy Loan for Sustainable Environmental Management (IBRD-7660), Independent Evaluation Group, February 19, 2015, <http://ieg.worldbankgroup.org/sites/default/files/Data/reports/brazil-sem-dpl-ppar.pdf>.
- 16 See also the response of the Brazilian Ministry of Finance to the World Bank evaluation, referencing program results and how its institutional framework on social and environmental issues evolved during 2009–2014. World Bank Project Performance Assessment Report, Brazil: First Programmatic Development Policy Loan for Sustainable Environmental Management (IBRD-7660) Annex J, Part B, Independent Evaluation Group, February 19, 2015, <http://ieg.worldbankgroup.org/sites/default/files/Data/reports/brazil-sem-dpl-ppar.pdf>; IEG Learning product, Managing Environmental and Social Risks in Development Policy Financing, World Bank Group et al., July 27, 2015, https://ieg.worldbankgroup.org/sites/default/files/Data/reports/Managing_ES_Risks_in_DPF.Sept18.2015.pdf.
- 17 World Bank Project Performance Assessment Report, Brazil: First Programmatic Development Policy Loan for Sustainable Environmental Management (IBRD-7660), Independent Evaluation Group, February 19, 2015, <http://ieg.worldbankgroup.org/sites/default/files/Data/reports/brazil-sem-dpl-ppar.pdf>.

18 World Bank Project Performance Assessment Report, Brazil: First Programmatic Development Policy Loan for Sustainable Environmental Management (IBRD-7660), Independent Evaluation Group, February 19, 2015, <http://ieg.worldbankgroup.org/sites/default/files/Data/reports/brazil-sem-dpl-ppar.pdf>.

19 “ANEEL declares the public utility of 3.5 thousand hectares for Belo Monte works,” Agência Nacional de Energia Elétrica, May 4, 2011, http://www2.aneel.gov.br/aplicacoes/noticias_area/arquivo.cfm?tipo=PDF&idNoticia=3928&idAreaNoticia=347.

20 Eliane Brum, “They owned an island, now they are urban poor: the tragedy of Altamira,” The Guardian, February 6, 2018, <https://www.theguardian.com/cities/2018/feb/06/urban-poor-tragedy-altamira-belo-monte-brazil>.

21 Ibid.

22 Ibid; “Norte Energia deverá reassentar moradores de bairro alagado em Altamira (PA)” [“Norte Energia must resettle residents of flooded neighborhoods in Altamira (PA)”], Ibama, March 13, 2018, <http://www.ibama.gov.br/noticias/436-2018/1387-norte-energia-devera-reassentar-moradores-de-bairro-alagado-em-altamira-pa>.

23 International Rivers and Amazon Watch, “The Kayapo Continue Blockades in Protest of the Belo Monte Dam,” International Rivers, May 21, 2010, <https://www.internationalrivers.org/resources/the-kayapo-continue-blockades-in-protest-of-the-belo-monte-dam-3757>; “Letter to President Lula from 140 international organizations on Belo Monte Dam,” March 10, 2010, available at https://www.internationalrivers.org/sites/default/files/attached-files/appeal_letter_english.pdf; Open letter from 22 civil society organizations to BNDES president Luciano Coutinho, March 22, 2010, available at, https://www.socioambiental.org/banco_imagens/pdfs/notificacao_BNDES_%20assinaturas.pdf.

24 A partial license was first approved on January 26, 2011. Licença de Instalação 770 [“Installation license 770”], Ibama, January 26, 2011, available at <http://www.inesc.org.br/biblioteca/textos/Licenca%20Instalacao%20No.%20770%2C%2026.01.2011.pdf>; Followed by a full license on June 01, 2011. Licença de Instalação 795 [“Installation license 795”], Ibama, June 01, 2011, available at https://site-antigo.socioambiental.org/banco_imagens/pdfs/LICENCA_DE_INSTALACAO_N_795-2011.pdf; Aline Ribeiro, “Presidente do Ibama pede demissão” [“President of Ibama resigns”], January 12, 2011, Época, <http://colunas.revistaepoca.globo.com/planeta/2011/01/12/presidente-do-ibama-pede-demissao/>.

25 Karina Miotto, “Norte Energia inicia obras de Belo Monte” [“Norte Energia starts work on Belo Monte”], March 9, 2011, ((o)eco, <https://www.oeco.org.br/noticias/24867-norte-energia-inicia-obras-de-belo-monte/>.

26 Alex Rodrigues, “ONU recebe denúncia sobre intimidação para consórcio responsável por Belo Monte” [“The UN receives complaint about intimidation for consortium responsible for Belo Monte”], Sul 21, May 23, 2011, <https://bit.ly/2QLtr8D>.

27 Letter to the “Sociedade Paraense de Direitos Humanos” from the

Executive Secretary of IACHR, April 1, 2011, available at https://www.internationalrivers.org/sites/default/files/attached-files/iachr_letter_belo_monte_eng_040111.pdf; Ficha Informativa de la Comisión Interamericana de Derechos Humanos, MC 382/10 - Comunidades Indígenas de la Cuenca del Río Xingu [Information Sheet of the Inter-American Commission on Human Rights, MC 382/10 - Indigenous Communities of the Xingu River Basin], IACHR, 2014, available at <https://redjusticiaambientalcolombia.files.wordpress.com/2014/04/medidas-cautelares-belo-monte-brasil.pdf>; Florencia Hortuzar et. al., “BNDES Investments in Belo Monte and Hidroituango Lessons Learned for Responsible Financing”, Interamerican Association for Environmental Defense, 2018, <https://aida-americas.org/en/behind-dams-bndes-investments-belo-monte-and-hidroituango>.

28 Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], Derecho Ambiente y Recursos Naturales, February 24, 2014, <https://bit.ly/2xrhVag>.

29 BNDES Response to request for comment, October 19, 2018, on file with authors.

30 Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], Derecho Ambiente y Recursos Naturales, February 24, 2014, <https://bit.ly/2xrhVag>; “Brazil Amazon campaigners occupy Belo Monte dam,” BBC, October 28, 2011, <https://www.bbc.com/news/world-latin-america-15487852>; “Artistas se reúnem em vídeo contra a construção da usina de Belo Monte” [“Artists gather on video against the construction of the Belo Monte dam”], Globo G1, November 17, 2011, <http://g1.globo.com/natureza/noticia/2011/11/artistas-se-reunem-em-video-contrucao-da-usina-de-belo-monte.html>.

31 R\$ 1,8 billion. Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], Derecho Ambiente y Recursos Naturales, February 24, 2014, <https://bit.ly/2xrhVag>.

32 Caio Borges, “Desenvolvimento para as pessoas? O Financiamento do BNDES e os Direitos Humanos” [“Development for people? BNDES Financing and Human Rights”], Conectas Direitos Humanos, August 8, 2014, <https://www.conectas.org/publicacoes/download/financiamento-bndes-e-direitos-humanos>.

33 R\$ 22,5 billion. Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América [Paradigmatic Cases of Investment of the National Bank of

Economic and Social Development of Brazil (BNDES) in South America], *Derecho Ambiente y Recursos Naturales*, February 24, 2014, <https://bit.ly/2xrhVag>; “BNDES aprova financiamento de R\$ 22,5 bilhões para Belo Monte” [“BNDES approves R\$ 22.5 billion in financing for Belo Monte”], BNDES, November 26, 2012, https://www.bndes.gov.br/wps/portal/site/home/imprensa/noticias/conteudo/20121126_belomonte.

34 Letter from Antônia M. Silva, Coordinator of Movimento Xingu Vivo Para Sempre to Luciano Coutinho, President of BNDES, “Carta Aberta ao Presidente do BNDES sobre o financiamento de Belo Monte” [“Open Letter to the President of BNDES on the financing of Belo Monte”], December 4, 2012, http://www.xinguvivo.org.br/wp-content/uploads/2012/12/Carta-Aberta_BNDES_Belo-Monte_Final_04dez2012.pdf.

35 Biviany Rojas and Brent Millikan, “El BNDES y el complejo hidroeléctrico Belo Monte” [“BNDES and the Belo Monte hydroelectric complex”] in *Casos Paradigmaticos de inversión del Banco Nacional de Desarrollo Económico y Social de Brasil (BNDES) en Sur América* [Paradigmatic Cases of Investment of the National Bank of Economic and Social Development of Brazil (BNDES) in South America], *Derecho Ambiente y Recursos Naturales*, February 24, 2014, <https://bit.ly/2xrhVag>.

36 Philip M. Fearnside, “Brazil’s Belo Monte Dam: Lessons of an Amazonian resource struggle,” *Die Erde*, Vol. 148, No. 2-3, September 27, 2017, http://philip.inpa.gov.br/publ_livres/2017/B-Belo_Monte_resistance-Die_Erde.pdf; Luiz Vicente de Medeiros Queiroz Neto, “Suspensão de segurança – uma análise à luz da doutrina e da jurisprudência” [“Security Suspensions - an analysis in the light of doctrine and jurisprudence”], *Revista Fundação Escola Superior do Ministério Público do Distrito Federal e Territórios (FESMPDFT)*, 10th Year, Vol 19, January/June 2002, http://www.escolamp.org.br/arquivos/19_06.pdf.

37 Biviany Rojas and Raul Telles do Valle, “Suspensão de Segurança: Porque a Justiça não consegue decidir sobre o caso de Belo Monte” [“Security Suspension: Because the courts are not allowed to decide on the case of Belo Monte”], *JusDh*, November 21, 2013, <http://www.jusdh.org.br/2013/11/21/suspensao-de-seguranca-porque-a-justica-nao-consegue-decidir-sobre-o-caso-de-belo-monte/>; Flávia Silva Scabin et al., “Judicialização de grandes empreendimentos no brasil: uma visão sobre os impactos da instalação de usinas hidrelétricas em populações locais na amazônia” [“Judicialization of large enterprises in Brazil: a view on the impacts of the installation of hydroelectric plants on local populations in the Amazon”], *Revista Pós Ciências Sociais*, December 2014, <http://www.periodicoseletronicos.ufma.br/index.php/rpcsoc/article/view/3418/1469>; *Processos Caso Belo Monte* [Actions in the Belo Monte case], Ministério Público Federal, 2014, http://www.prpa.mpf.mp.br/news/2014/arquivos/Tabela_de_acompanhamento_atualizada_Mar_2014_adendo_junho_2014.pdf/.

38 Translation by author. Biviany Rojas and Raul Telles do Valle, “Suspensão de Segurança: Porque a Justiça não consegue decidir sobre o caso de Belo Monte” [“Security Suspension: Because Justice cannot decide on the case of Belo Monte”], *JusDh*, November 21, 2013, <http://www.jusdh.org.br/2013/11/21/suspensao-de-seguranca-porque-a-justica-nao-consegue-decidir-sobre-o-caso-de-belo-monte/>.

39 “Carta Aberta sobre o Movimento Xingu Vivo para Sempre e seus parceiros e que o projeto de Belo Monte respeite os direitos

humanos” [“Open letter on the Movimento Xingu Vivo para Sempre and its partners and that the Belo Monte project respect human rights”], March 7, 2013, available at <https://bit.ly/2PomUc3>.

40 “MPF deve apurar caso de espionagem em Belo Monte” [“MPF to investigate espionage case in Belo Monte”], *Carta Capital*, February 26, 2013, <https://www.cartacapital.com.br/politica/mpf-apura-caso-de-espionagem-em-belo-monte>.

41 Juliana Benício Xavier and Larissa Pirchiner de Oliveira Vieira, “Interdito proibitório: instrumento de perseguição e isolamento da lutas populares” [“Interdito proibitório: an instrument of persecution and isolation of popular struggles”], *Caderno Eletrônico de Ciências Sociais*, <https://doi.org/10.24305/cadecs.v5i1.2017.17775>.

42 Translation by author. Aline Dias, “Consórcio de Belo Monte proíbe atingidos de se manifestarem” [“Consortium of Belo Monte prohibits affected people from protesting”], *Justiça Global*, March 21, 2013, <http://www.global.org.br/blog/consorcio-de-belo-monte-proibe-atingidos-de-se-manifestarem/>; “MAB denuncia criminalização dos atingidos por Belo Monte” [“MAB denounces criminalization of those affected by Belo Monte”], *Terra de Direitos*, March 2, 2015, <http://terradedireitos.org.br/noticias/noticias/mab-denuncia-criminalizacao-dos-atingidos-por-belo-monte/16843>.

43 The fine has not been levied. Dossiê Belo Monte - Não há condições para a licença de operação [Belo Monte Dossier - There are no conditions for the operating license], ISA, June 2015, https://documentacao.socioambiental.org/noticias/anexo_noticia/31046_20150701_170921.pdf; “Consórcio de Belo Monte proíbe atingidos de se manifestarem” [“Consortium of Belo Monte prohibits affected people from protesting”], MAB, March 18, 2013, <http://www.mabnacional.org.br/noticia/consorcio-belo-monte-pro-be-atingidos-se-manifestarem-0>.

44 International Rivers et al., “Indigenous Peoples Launch New Occupation on Belo Monte Dam Site,” *International Rivers*, May 3, 2013, <https://www.internationalrivers.org/resources/indigenous-peoples-launch-new-occupation-on-belo-monte-dam-site-7953>.

45 “ONGs denunciam à ONU perseguição da polícia a manifestantes contra Belo Monte” [“NGOs denounce police persecution of demonstrators against Belo Monte”], *Reporter Brazil*, June 28, 2012, <http://reporterbrasil.org.br/2012/06/ongs-denunciam-a-onu-perseguiacao-da-policia-a-manifestantes-contrabelo-monte/>.

46 Publicação Mensal da Norte Energia S.A. [Monthly Publication of Norte Energia S.A.], UHE Belo Monte, December 2014, <http://restrito.norteenergiasa.com.br/site/wp-content/uploads/2015/01/PAPER-BELO-MONTE-DEZEMBRO.pdf>; “Norte Energia diz que investe em segurança no Pará” [“Norte Energia says it invests in security in Pará”], *G1*, August 16, 2013, <http://g1.globo.com/pa/para/noticia/2013/08/norte-energia-diz-que-investe-em-seguranca-no-para.html>; “ONGs denunciam à ONU perseguição da polícia a manifestantes contra Belo Monte” [“NGOs denounce to UN police persecution of Belo Monte protesters”], *Amazônia*, June 28, 2012, <http://amazonia.org.br/2012/06/ongs-denunciam-%C3%A0-onu-persegui%C3%A7%C3%A3o-da-pol%C3%ADcia-a-manifestantes-contrabelo-monte/>.

47 “ONGs denunciam à ONU perseguição da polícia a manifestantes contra Belo Monte” [“NGOs denounce to UN police persecution of Belo Monte protesters”], Amazônia, June 28, 2012, <http://amazonia.org.br/2012/06/ong-denunciam-%C3%A0-onu-persegui%C3%A7%C3%A3o-da-pol%C3%ADcia-a-manifestantes-contra-belo-monte/>; Dossiê Belo Monte - Não há condições para a licença de operação [Belo Monte Dossier - There are not adequate conditions for the operating license], ISA, June 2015, https://documentacao.socioambiental.org/noticias/anexo_noticia/31046_20150701_170921.pdf.

48 Translation by author. Eliane Brum, “O dia em que a casa foi expulsa de casa” [“The day the house was expelled from home”], El País, September 14, 2015, https://brasil.elpais.com/brasil/2015/09/14/opinion/1442235958_647873.html; “MPF/PA denuncia ação etnócida e pede intervenção judicial em Belo Monte” [“MPF/PA denounces ethnocide actions and calls for judicial intervention in Belo Monte”], December 10, 2015, <http://www.mpf.mp.br/pa/sala-de-imprensa/noticias-pa/mpf-denuncia-acao-etnocida-e-pede-intervencao-judicial-em-belo-monte>.

49 Licença de operação 1317 [“Operation license 1317”], Ibama, 2015, available at https://ox.socioambiental.org/sites/default/files/ficha-tecnica//node/202/edit/2018-06/LO_Belo_Monte.pdf.

50 Translation by author. “Dilma inaugura usina hidrelétrica de Belo Monte” [“Dilma inaugurates Belo Monte hydroelectric plant”], Governo do Brasil, May 5, 2016, <http://www.brasil.gov.br/governo/2016/05/dilma-inaugura-usina-hidreletrica-de-belo-monte>.

51 Bruno Fonseca and Jessica Mota, “BNDES na Amazônia: 17 dos 20 maiores investimentos têm ações de MPs” [“BNDES in the Amazon: 17 of the 20 largest investments have MP shares”] *Publica*, October 24, 2013, <https://apublica.org/2013/10/bndes-na-amazonia-17-dos-20-maiores-investimentos-tem-acoes-ministerio-publico/>.

52 Valdo Cruz et al., “Propina de Belo Monte foi de R\$ 150 milhões, diz Andrade Gutierrez” [“Belo Monte’s tip was R\$ 150 million, says Andrade Gutierrez”], *Folha de S. Paulo*, April 4, 2016, <https://www1.folha.uol.com.br/poder/2016/04/1758468-propina-de-belo-monte-foi-de-r-150-milhoes-diz-andrade-gutierrez.shtml>. Office of Federal Public Prosecutor of Paraná, “Fase 49ª da Lava Jato apura ilícitos na construção da Usina Hidrelétrica de Belo Monte” [“Phase 49 of Car Wash investigates illegalities in the construction of Belo Monte”]. March 9, 2018, <http://www.mpf.mp.br/pr/sala-de-imprensa/noticias-pr/49a-fase-da-lava-jato-apura-ilicitos-na-construcao-da-usina-hidreletrica-de-belo-monte>. Norte Energia’s own balance sheets corroborate the existence of corruption in the dam’s construction. Demonstrações Financeiras Intermediárias [Financial Intermediaries Statements], Norte Energia S.A., June 30, 2018, available at https://s3-sa-east-1.amazonaws.com/tcm-assets/norteenergia-pt-br/media/documents/attachments/source/20180823161836003-DF%20Norte%20Energia%20-%2030%2006%202018_%20ITR18%20final.pdf.

53 Elizabeth Salazar Vega, “Fiscalía de Brasil: El BNDES no puede evadir responsabilidad en caso Lava Jato” [“Brazilian Prosecutor’s Office: The BNDES can not evade responsibility in Lava Jato case”], *Ojo Público*, January 30, 2017, <http://ojo-publico.com/349/fiscalia-de-brasil-el-bndes-no-puede-evadir-responsabilidad-en-caso-lavajato>.

54 Translation by author. *Ibid.*

55 Processos Caso Belo Monte [Actions in the Belo Monte Case], Ministério Público Federal, 2014, http://www.prpa.mpf.mp.br/news/2014/arquivos/Tabela_de_acompanhamento_atualizada_Mar_2014_adendo_junho_2014.pdf; Caio Borges, “Desenvolvimento para as pessoas? O Financiamento do BNDES e os Direitos Humanos” [“Development for people? BNDES Financing and Human Rights”], *Conectas Direitos Humanos*, August 8, 2014, <https://www.conectas.org/publicacoes/download/financiamento-bndes-e-direitos-humanos>.

56 Araújo carried out investigations against megaprojects, deforestation, mining, and agroindustrial operations, including Belo Monte. While there is no allegation of involvement of Norte Energia in the killing, Araújo’s death was a product of the land pressures and deforestation which intensified with Belo Monte’s construction. Matt Sandy, “Murder of Brazil official marks new low in war on Amazon environmentalists,” *The Guardian*, October 24, 2016, <https://www.theguardian.com/world/2016/oct/24/brazil-amazon-environmentalist-murder-luiz-alberto-araujo>.

57 R\$ 2.56 billion. “BNDES aprova R\$ 2,56 bilhões para sistema de transmissão da Usina Hidrelétrica Belo Monte” [“BNDES approves R\$ 2.56 billion for Belo Monte Hydroelectric Plant transmission system”], BNDES, February 20, 2017, <https://www.bndes.gov.br/wps/portal/site/home/imprensa/noticias/conteudo/bndes-aprova-2-bi-para-belo-monte>.

58 Eliane Brum, “They owned an island, now they are urban poor: the tragedy of Altamira,” *The Guardian*, February 6, 2018, <https://www.theguardian.com/cities/2018/feb/06/urban-poor-tragedy-altamira-belo-monte-brazil>; Relatório da SBPC - A Expulsão de Ribeirinhos em Belo Monte [SBPC Report - The Expulsion of Ribeirinhos in Belo Monte], Sociedade Brasileira para o Progresso da Ciência - SBPC, 2017, <http://portal.sbpnet.org.br/livro/belomonte.pdf>.

59 See Isabel Harari, “Belo Monte pode deixar comunidades, animais e plantas do Xingu sem água para sobreviver” [“Belo Monte could leave communities, animals and plants of the Xingu without water to survive”], Instituto Socioambiental, September 20, 2018, https://www.socioambiental.org/pt-br/blog/blog-do-xingu/belo-monte-pode-deixar-comunidades-animais-e-plantas-do-xingu-sem-agua-para-sobreviver?utm_source=isa&utm_medium=&utm_campaign=. See Moisés Sarraf, “Livro da acusação de assédio sexual, Justiça do Pará mantém padre Amaro preso” [“Free from prosecution of sexual harassment, Pará Justice keeps Father Amaro in prison”], *Amazonia Real*, May 5, 2018, <http://amazoniareal.com.br/livre-da-acusacao-de-assedio-sexual-justica-do-para-mantem-padre-amaro-presos/>; Nota de Missão ao Xingu [Xingu Mission Report], Justiça global & REPAM, June 14, 2018, http://www.global.org.br/wp-content/uploads/2018/06/Relat%C3%B3rio-sobre-a-situa%C3%A7%C3%A3o-das-defensoras-e-defensores-de-direitos-humanos-em-Anapu-e-Altamira_REPAM.pdf.