

October 9, 2023

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Your Excellency Mr. President:

The Society for the Anthropology of Lowland South America (SALSA), an international academic and professional organization comprised of professors, students and researchers, joins the voices of Indigenous people protesting against Bill No. 2,903/2023, which was approved by the Brazilian Congress in a vote that ignores the Superior Court's decision and violates the Constitution. **We ask you to maintain your commitment to the Indigenous Peoples of Brazil and not allow this legislation to become law. We therefore request that Your Excellency veto this Bill, due to the serious risks it presents to the rights of Brazil's Indigenous Peoples.**

The Temporal Framework (*Marco Temporal*) Thesis was overturned and declared unconstitutional on September 21st by a decisive majority in the Federal Supreme Court (STF): nine votes against versus two in favor. The Court's decision results primarily from Indigenous protests against the *Marco Temporal* throughout the country, from Brasília and other major cities to rural communities and Indigenous territories. Solidarity in opposition to *Marco Temporal* is especially impressive due to the various legal interpretations put forward during the litigation process. The Court's decision is a clear victory for Indigenous People's rights, and is also the result of efforts carried out by Brazil's newly-established Ministry of Indigenous Peoples, especially those of Minister Sônia Guajajara and Executive Secretary Luiz Eloy Terena, who met with several STF ministers to explain the importance of the matter. The decision by the STF arises from a process initiated by the Xokleng-Laklãno people of Southern Brazil, in their struggle for the demarcation of their Indigenous Territory. The first victory against the *Marco Temporal* thesis, in the form of the STF's firm decision, therefore, is theirs, and the images in the media allowed us to witness the excitement and relief of the Xokleng-Laklãno.

The *Marco Temporal* thesis, however, continues to be a live matter in the legislature, where Federal Deputy Célia Xakriabá has fought firmly and in the face of many threats including one that resulted in the loss of her mandate due to mobilization against her and other female representatives in retaliation for her innovative concept of “legalized genocide.” Despite the fact that the STF’s decision affirms the unconstitutionality of the *Marco Temporal*, Congressional voting continues to move forward and the *Marco Temporal* thesis could yet be implemented.

If any version of the Temporal Framework is upheld, it may prevent new demarcations of Indigenous Lands, since it aims to recognize only territories occupied by Indigenous Peoples in 1988, the year Brazil’s Constitution was signed. The *Marco Temporal* ignores the historical violence suffered by the nation’s Indigenous Peoples, including innumerable instances of forced displacements from traditional territories. Any version of the *Marco Temporal* may also lead to the revision and potential revocation of Indigenous Lands that have already been demarcated.

Thus, SALSA joins Brazil’s Indigenous movement in opposition to PL# 2,903/2023 and asks **Your Excellency, Mr. President Lula, to veto this legislation due to the serious risks it presents to the rights of Brazil’s Indigenous Peoples.** This law puts the lives, territory and hope of Indigenous Peoples at risk. It also threatens the very existence of the biomes in which they live and that they care for. As a scientific society, we are committed and available to debate, publicize, and support whatever is necessary in the future progress of this process to guarantee these hard-won rights.

Respectfully,



Laura R. Graham
President

cc.

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