



Movimento dos Atingidos por Barragens - MAB

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CIRCULAR: JOURNEY OF STRUGGLES OF THOSE AFFECTED BY DAMS IN THE DOCE RIVER BASIN

São Paulo, October 28, 2020.

Dear comrades and colleagues,

November 5, 2020 marks 5 years since the rupture of the iron ore tailings dam in Mariana/MG which destroyed the entire Doce River basin, reaching the coast in the state of Espírito Santo, which is one of the greatest socio-environmental crimes of the history of Brazil. Even after so many years, the company Samarco, a joint venture between Vale and BHP Billiton, was not duly held responsible by the Brazilian State. In fact, the states and federal governments, together with the judiciary, have been complicit in all the human rights violations that occurred on that sad November 5th, which are getting deeper and more complex every day.

After 5 years, none of the four communities that were entirely destroyed have been resettled. The companies involved were not criminally charged for the deaths of the 19 victims, but are currently involved in prosecutions for minor crimes that it tends to prescribe. To date, the exact number of people affected and the extent of the socio-environmental damage caused are not known. No study on contamination has been concluded and the people continue to consume the water, presenting physical and mental illnesses, in addition to the uncertainty and anxiety about the recognition as affected.

With the arrival of the coronavirus pandemic in a scenario of food insecurity triggered by the crime, many families count on MAB's solidarity and support through the distribution of basic food baskets to feed themselves. Meanwhile, the companies are taking advantage of the health crisis, and the consequent suspension of mobilizations and activities that generate agglomerations, putting in place a plan to reverse the rights conquered by the communities. In March of this year, they announced that they would not pay for the Independent Technical Advisory Services (ATIs) determined by the judge who handles the case. The ATIs were built to enable the diagnosis of the damages and the informed and qualified participation of the affected population in this process, aiming at the construction of a repair plan consistent with their concrete needs. The companies also acted intending to put pressure on communities to ask for the closure of the process of registration of affected people, that is, limiting the universe of people considered affected, even if there are still no studies that prove the real dimension of the damage. They also announced a significant cut in the value and beneficiaries of the emergency financial aid, an action that was fortunately reversed thanks to the struggle of the affected people collectively organized. Another action taken was the attempt to remove the fishing ban on the coast, claiming that there was no contamination, and more recently they



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presented studies for the non-recognition of coastal areas as affected by the mud coming from the dam.

In all these years, MAB has been fighting and carrying out emblematic activities in the annual crime milestone, in 2020 it could not be different. On October 5, MAB launched yet another Journey of Struggles: “Vale with injustice in its hands, 5 years without reparation in the Doce River basin”. Several activities are being organized and MAB invites you, partners and allies of the affected people, to join in some actions:

- 1) Participate in the virtual activities included in the schedule that is attached. It is very important that those affected by dams feel embraced and renew their hopes with solidarity.
- 2) Collaborate creating pressure on the Brazilian judiciary, which acts from a class perspective, and has been an obstacle to the realization of the rights of the affected populations, denying, above all, their participation. Attached are a model letter and the email address for sending the correspondence to the court responsible. The goal is to pressure the judge of the case to be attentive and guarantee the rights of those affected. Feel free to make contributions to the document, the model has only essential basic information.
- 3) Communication materials are being prepared and they must be shared by you on your websites and social networks. We at MAB also ask you to send us videos with expressions of solidarity that will be used in our online broadcasts and in the dissemination of the Journey (attached we send technical instructions).
- 4) For those who can, it would be important to send photos with signs with the motto of this year's Journey: “Vale with injustice in its hand, 5 years without reparation in the Doce River basin” and with the left fist raised, identifying your name, city, and organization. The photos will carry the message of solidarity to those affected.
- 5) Finally, on November 5, MAB will carry out projections on buildings and streets with demonstrations against the companies and the injustices that permeate the crime. We invite you to also join in this action. Please send us photos and information.

MAB is already grateful for the solidarity in our struggle against impunity and indifference to this crime that victimized and continues to victimize many families and communities. We will keep struggling!

"Profit is not worth life"

Solidarity greetings,

MAB's National Coordination.



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ATTACHMENTS

I. Information for communication:

To access materials and link your publications to MAB, use our social networks:

Website: mab.org.br

Twitter: @MAB_Brasil

Facebook: @mabbrasil

Youtube: mabcomunicacao

II. For more information or questions, please contact the person of reference or send an email to secr.mab@riseup.net.

III. Template of the letter to the Judge responsible for the Doce River case to be sent to the email 12vara.mg@trf1.jus.br:

Honorable Judge Dr. Mario de Paula Franco Júnior,

We are approaching November 5, 2020, a date that will mark the five years of the Fundão dam rupture in the city of Mariana / MG. Given this important milestone, we, as a civil society organization, have come to express our concern with ensuring and effective access to justice for the affected communities.

The complex legal and political situation established with this case, constituted by a whole governance architecture and agreements still very weak in its effectiveness. The formation of agreements without the adequate and informed participation of those affected creates an impasse in which the procedural reality is very distant from the practical reality of the affected communities.

Unfortunately, we reach five years without any resettlement delivered, without the recognition and full reparation for the affected populations. This is because the clauses agreed in the Term of Transaction and Adjustment of Conduct (TTAC in the acronym in Portuguese) have not been complied with, as the governance structure itself recognizes. On the other hand, the renegotiation process conducted by the Federal Prosecution Service was also unsuccessful, including recently the resumption of the legal action.

This whole scenario is well known by the Court. The right to Independent Technical Advisory, one of the most interesting legal innovations for the realization of full reparation, has not been realized for all territories. It's more than three years of endless negotiations with the companies. The delay in implementing the agreement and the war of reports promoted by the companies creates more pain



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and suffering for the communities.

Today, disinformation hangs over the entire territory of the Doce River. Affected people have been victims of bad faith by several actors interested in accessing the compensation values. This letter is intended to make the Magistrate aware of the seriousness of the case in your hands, asking for it to be tried considering the primacy of the human rights of communities.

The rupture of the dam, but also the remedy process that has been conducted, has caused even more suffering and pain for the families. The feeling of injustice and the lack of capacity to face these big companies are terrifying. We know that many of the damages caused are irreparable. We also know that time is no longer returning. We just want to reaffirm so that the process is continued, giving priority to the claims of the communities with the maximum possible procedural speed for the construction of integral reparation, especially the realization of the right to Technical Advisory. The reparation must be made in good faith, centered on human dignity and due process.

Sincerely,

(Full name and organization).

IV. Technical guidelines for videos, photos, and publications:

VIDEOS

- Videos must be recorded HORIZONTALLY;
- Pay attention to lighting. Preferably record during the day in a place with good lighting that will illuminate the entire face of the person who will be speaking. Please check that the video is not dark, but not too bright, that is, that there is no overexposure to light;
- The maximum length of the video must be 2 minutes;
- When possible, use a headset to ensure good sound recording. They work like microphones. But try first, so you can also identify sounds in the environment that can be disruptive;
- When submitting the video, please include the information: Name, organization, and region/country.

PHOTOS

- If possible, explore the functions of your camera, so you can take advantage of these to have a photo with quality and that favors the message;
- Photos can be horizontal or vertical, however, horizontal photos are best for publication on social networks;



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- Pay attention to lighting, photos in well-lit environments, preferably with natural lighting, and that clearly show the environment and people;
- If the camera is dirty, the photo will be blurry, so make sure your camera is clean and well-positioned to show people, spaces, and the message;
- Focus is important, so wait for your phone to focus before taking the picture, support it somewhere, or ask someone else for help to stabilize the phone;
- Use the horizon line, or furniture, to align the photo before clicking;
- Be attentive to the background of the photo, who will see it will not pay attention only to the scenery/people in the photo, the entire photo is a message;
- In this pandemic scenario, it is important that the photo shows people's physical distance and that ALL are wearing masks. We want to convey our message safely and ensuring that the target audience also understands that care remains;
- Think and prepare the photo, thinking about the scenery, background, and the position of people. You can also use your creativity!

PUBLICATIONS

- Think about the message that the photo and / or publication will transmit in a way that conveys the struggle and denunciation. Please use the motto of the Journey (“Vale with injustice in its hands, 5 years without reparation in the Doce River basin”) in your publications and for the photo in solidarity (can be written by hand, with a strong pen/marker, or printed);
- Link MAB's social media in your publications and, when possible, identify links to more information, such as the MAB website.