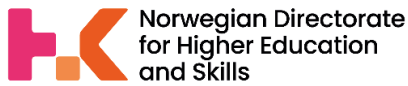




We are grateful to the pupils of the indigenous school of Nossa Senhora Aparecida, Osbi, for the illustrations of the story.

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**GIULIA PAROLA
MARGHERITA PAOLA POTO**

TARUMÃ, WATERS THAT SPEAK

**A LEGAL DESIGN AND VISUAL LAW PROJECT, CO-CREATED
BY LAW STUDENTS AND THE CHIQUITANO PEOPLE:
THE POLLUTION OF THE TARUMÃ RIVER
AND ITS CONSEQUENCES FOR THE CHIQUITANO PEOPLE**





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INTRODUCTION⁽¹⁾

This book is the result of the project on *Legal Design and Visual Law in Environmental Law: Application in the Case of Pollution of the Tarumã River and the Reflections on the Chiquitano People*, developed as a part of the digital workshop (Tromsø, 2021) *A conversation between the river Tarumã (No–su–ruch maku–numã) Mato Grosso, Brazil, and the river Tana, Finnmark, Sápmi*. The research was co–funded by the Norwegian Directorate for Higher Education and Skills (HKDIR Utforsk 2020) through the project *An Exchange Program on Empathy, Compassion, and Care in Water Governance, from the Perspective of Integral Ecology – (ECO_CARE, HKDIR UTF n. 2020/10084)*⁽²⁾, the Faculty of Law UiT The Arctic University of Norway (Strategiske Midler 2021), as well as by the UiT Library Funds for Open Access scientific publications (2022).

Coordinated by Giulia Parola and Margherita Paola Poto, with the help of Loyuá Ribeiro Fernandes Moreira da Costa, this project shows the importance of co–creation for responsible research and innovation in the fields of environmental and indigenous law.

This book includes a scientific rationale concerning the research and methodology which stemmed from a novel, innovative process of co–creation (PART I). A co–created illustrated story (PART II) is the result

(1) Both authors contributed equally to the design, writing and editing of the Introduction.

(2) Official website: <https://en.uit.no/project/ecocare> last access September 2022.

of a groundbreaking collaborative research effort between ECO_CARE team members, law students of UNIRIO (Brazil), representatives of Chiquitano People of Mato Grosso (researchers, teachers and community members), as well as school pupils from the Chiquitano school of the village Nossa Senhora Aparecida “Osbi”, in Mato Grosso, Brazil.

PART I explores the main pillars of the ECO_CARE project, elaborating on the foundational ethics of its methodology, committed to decolonizing research and education. This process of decolonizing research and education has taken shape through the collaboration of researchers, students and community members and the application of creative techniques to legal reasoning. Within this context, researchers, educators and community members have been applying a participatory methodology that focuses on the co-creation of illustrated storytelling based on legal documents through a constant process of dialogue, validation and implementation of the project results. Such methodology is considered essential to developing a conceptual framework for participatory water governance. As will be further elaborated in the sections that follow, the method we used to inquiry legal issues connected to water governance consisted of four main phases: (1) co-initiation, involving education activities developed between the project coordinators, law students, and community members, to investigate the research gap, community needs and the possible actions that address the identified problems; (2) co-design, focusing on decisions and collective activity on the adaptation of the methodology and process to the reference context (in our case, we used the framework of cocreation in research-practice to analyze the problem related to the pollution of the river Tarumã); (3) co-implementation, where the design was enacted and the participatory processes facilitated; and (4) co-evaluation, involving a collective evaluation of the project results.

PART II is the tangible result of the co-creation, and has three direct outcomes (1) It can be read and approached as a children’s story, by teachers and anyone interested in sensitizing children towards environmental issues⁽³⁾; (2) With a rich record of legal provisions, com-

(3) In addition to the original version in Portuguese and English, the story has already been translated into Ukrainian and adopted as a learning material for a series of classes on environmental consciousness to children from Ukraine. See more in detail the project PolarRES <https://polarres.eu/> last access September 2022, as well as the open access ECO_CARE portal under the section Education: <https://en.uit.no/project/ecocare/education> last access September 2022.

mentaries, and documented stories, it contains the first legal recollection of previously unpublished phases of the struggle of the river and its peoples for the defense of nature and human rights⁽⁴⁾; (3) It provides a frame of reference for university courses in Legal Design, LD, Visual Law VL⁽⁵⁾, as well as environmental and indigenous law, helpful for lecturers to design their classroom activities and for students to develop their creative group and individual projects⁽⁶⁾.

The study followed the ethical guidelines for research from the host and partner institutions⁽⁷⁾, establishing voluntary consent from teachers, students, and community members with the right to withdraw at any time. With regard to open science, the project followed the EU Open Science Policy on data collection, handling, transfer, protection, and specific security strategy⁽⁸⁾, whilst ensuring a sound base for a powerful, sustainable, and valued data system. With specific regard to open access, the project supports the cOAlition-S initiative⁽⁹⁾ and is dedicated to contributing to its development by publishing this research as a fully open access resource, and disseminating and communicating its results to the relevant communities via key international conferences, workshops, social media and outreach activities.

Finally, throughout this project, we have been drawing on an inclusive and co-created legal methodology to create possibilities for participation, plurality and open spaces for transformative engagements in research. Consequently, as we continue engaging in an innovative research and education methodology for academic audiences and community members, we strengthen our commitment to empathy, compassion and care for the people and natural environment with whom we research.

GIULIA PAROLA

MARGHERITA PAOLA POTO

(4) For a rich list of video resources, scan the QR code on the inside of the cover.

(5) On the definition of these concepts and their application to university courses and research, see more in detail PART I.

(6) For a list of courses where LD and VL have been already integrated into University curricula, see the ECO-CARE educational platform: <https://en.uit.no/project/ecocare/education>.

(7) See https://en.uit.no/research/ethics/art?p_document_id=723908 last access September 2022.

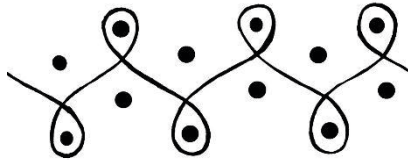
(8) https://research-and-innovation.ec.europa.eu/strategy/strategy-2020-2024/our-digital-future/open-science_en last access September 2022.

(9) <https://www.scienceeurope.org/coalition-s/> last access September 2022.

PART I

**PROJECTS ON LEGAL DESIGN AND VISUAL LAW
AND THE CO-CREATION OF THE STORY**

GIULIA PAROLA, MARGHERITA PAOLA POTO^(*)



(*) Giulia Parola wrote Chapters II and III; the author thanks Cecília Silva Campos for the reports of the online meetings with the Chiquitano representatives. Margherita Paola Poto wrote Chapter I. Both authors contributed to the research, editing and supervision of the final version of PART I.

CHAPTER I

THE FOUNDATIONS: ECO_CARE AND THE CONVERSATION BETWEEN TĀRUMĀ AND TANA

The project's vision is to develop a collaborative governance model that protects water and communities as legal living entities. Water is the most essential element for life to flourish in our environment, acting as a powerful medium for living beings and places. Thus, an ecologically integrated approach to water sustainability and management models, that puts participation at the forefront, is paramount. Water governance cannot solely rely on a top-down approach from government officials, corporations, and world leaders, as they have failed to meet any of the global environmental goals set in the last decade (i.e. Paris agreement⁽¹⁾, Agenda 2030⁽²⁾). This concern forms the basic premise of the project: water governance must ensure that we are responsibly and collectively contributing to a functioning and healthy water system. Yet, we are increasingly faced with water-related challenges that impede such premise: scarcity, contamination, and inequitable distribution.

As a result, we observe detrimental environmental stress, leaving communities and biodiversity in a vulnerable state, hindering their respective rights and reciprocal obligations towards one another. Given the alarming scenario at hand, the project recognizes the importance of re-evaluating the legal response of water governance from

(1) Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015, T.I.A.S. No. 16-1104.

(2) UN Resolution, AG, A/Res/70/1 published on the official website: <https://sdgs.un.org/2030agenda>, last access September 2022.

a water-centered perspective. This response is rooted in the field of environmental law, as a means of conceptualizing and constructing a water-centric system that addresses the challenges through new legal environmental foundations (Philippopoulos–Mihalopoulos, 2011). A water-centric system can be achieved by recognizing the value of water, its interconnectedness to all of life, and the importance of orienting our actions towards protecting it (Pope Francis, 2015).

The conceptual framework for the project's methodological approach is predicated on legal research (Friedland and Napoleon, 2015), which provides the grounds for rethinking, reinterpreting, and modeling water governance through the ecological ethics of empathy, compassion, and care (Moriggi, Soini, Franklin and Roep, 2020). Such an approach establishes thoughtful relations within ecological communities (human and non-human), by empowering them to care for themselves and each other. This goal is achieved by humans developing greater compassion and empathy within the overarching ecological community (Bandes, 2017).

The first project step toward remodeling water governance through the aforementioned critical legal approach began with an assessment of the expansion of participatory environmental rights from merely procedural to substantive positions. This shift in conceptualizing participatory rights as a substantive right consequently gave a platform and increased legitimacy to the voices of nature defenders and ultimately to nature itself.

The need for new participants in decision-making was first recognized in environmental law and then expanded to administrative law. This expansion was catalyzed by the legal recognition of environmental access rights (structured into the three pillars: the right to access documents, to participate in decision-making processes, and to access justice), enshrined in Principle 10 of the Rio Declaration⁽³⁾. Such a recognition facilitated the entry of procedural rights holders and contributed to a shift away from a centralized model in environmental decision-making in which the States held significant power. The 1998 Århus Convention (ÅC) (Parola, 2013)⁽⁴⁾, the first international treaty imple-

(3) 1992 Rio Declaration on Environment and Development, UN Doc. A/CONF.151/26 (vol. I), 31 ILM 874 (1992).

(4) United Nations Economic Commission for Europe (UNECE), *The Århus Convention: An Implementation Guide* (2nd ed. 2014) available at <http://www.unece.org/fileadmin/>

menting Principle 10, marks the recognition of environmental rights for non-state actors. Widely enforced in the EU, although limited in content and regional extent, the ÅC paved the way for the expansion of participatory rights to vulnerable groups, including Indigenous Peoples, by creating space for the approval of the 2018 Escazú Agreement (EA) for Latin America and the Caribbean⁽⁵⁾. The EA carried forward the ÅC legacy⁽⁶⁾, expanding the environmental decision-making to new actors and their views on nature. By doing so, the EA broadened the horizons of rights from merely participatory to substantive. Passing the baton of environmental decision-making to the carriers of nature-centred views, the EA opened perspectives for the gradual recognition of the rights of nature also at the global level (López-Cubillos *et al.*, 2021).

Replicating the three-pillar structure adopted in Principle 10 and ÅC, the EA expands the discourse beyond Euro-centric views, broadening the spectrum of participants to the carriers of nature-centered views. Article 9 clearly qualifies such participants as human rights defenders in environmental matters, «whose safe and enabling environment is to be guaranteed so that they are able to act free from threat, restriction and insecurity»⁽⁷⁾. Thus, the EA brings forward the discourse

DAM/env/pp/Publications/Aarhus_Implementation_Guide_interactive_eng.pdf last access September 2022.

(5) Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, 4 March 2020, available at <https://treaties.un.org/doc/Treaties/2018/03/20180312%2003-04%20PM/CTC-XXVII-18.pdf>, last access September 2022. For updates on signature and ratification status see: <https://observatoriop10.cepal.org/en/treaties/regional-agreement-access-information-public-participation-and-justice-environmental> last access September 2022.

(6) Moreover, as expressly mentioned in the Foreword of the EA, the year of approval marks the 20th Anniversary of the Declaration of Human Rights Defenders: https://repositorio.cepal.org/bitstream/handle/11362/43583/1/S1800428_en.pdf, last access September 2022.

(7) See Art. 9 EA: «1. Each Party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity. 2. Each Party shall take adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights, taking into account its international obligations in the field of human rights, its constitutional principles and the basic concepts of its legal system. 3. Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement».

on actors involved in environmental decision-making⁽⁸⁾. Its beneficiaries are the populations of the concerned regions — the most vulnerable groups and communities in particular — recognized as human rights defenders that contribute to strengthening democracy, access rights, and sustainable development. EA gives voice to environmental defenders (Art. 9), whether Indigenous Peoples or local communities, whose survival depends on nature and is threatened by large-scale projects of resource extraction, industrialization, and development⁽⁹⁾. Both the AC and the EA led to international legal recognition of effective participation for the environment, preparing the terrain for the discourse of nature substantive rights, also applicable to water. They apply to the environment as a whole (including human and non-human beings) and pave the way also for nature and therefore water-centred voices.

Starting from the theoretical framework, and intending to model a collaborative water governance system, ECO_CARE suggests a re-reading of these environmental rights by integrating indigenous perspectives with the suggestions of students engaged in environmental learning, and the creative help of school communities.

To achieve this objective, the project team adopts a methodological integrated approach, through (i) critical legal research; and (ii) empirical legal and anthropological research embracing, and adapting principles and techniques of knowledge co-creation, LD and VL, visual communication and illustrated storytelling. This integrated approach is an effective tool for investigating complex systems, such as environmental governance, which simultaneously promotes the advancement of diverse knowledge diversity.

(8) Prior to the EA, several initiatives — not all of them binding, however — have been conducted in Latin America to promote and protect participatory rights for nature and rights of nature: here we may note the Peoples' World Conference on Climate Change and the Rights of Mother Earth, hosted by the Plurinational State of Bolivia in Cochabamba, 20–22 April 2010, followed by the Universal Declaration of the Rights of Mother Earth. See UNGA Resolution 73/235, https://www.un.org/pgal/73/wp-content/uploads/sites/53/2019/04/A.RES._73.235.pdf, last access September 2022.

(9) See UNDP (2018). What does it mean to leave no one behind? A UNDP discussion paper and framework for implementation, available at https://www.undp.org/content/dam/undp/library/Sustainable%20Development/2030%20Agenda/Discussion_Paper_LNOB_EN_Ires.pdf last access September 2022.

The first step was the creation of a visual identity for the team members, through the illustration of the project logo, representing the blue planet Earth, embracing continents, waters, persons and emotions (represented by a heart hugged by the Planet) in a continuum flow. The logo contributed to creating a cohesive visual aesthetic that not only unifies the project team, rationale and activities visually, but also lays the groundwork for an environment that encourages creativity and spirited collaboration among the project members.



Figure 1. Logo of the project realized by Valentina Russo, Mucho Amor (Instagram: @mucho_amor), 2021.

Co-creation of visual results has been continually pursued and resulted in the publication of two comics books for law students and practitioners (Parola, Poto, 2021a and 2021b), and a composite learning toolkit formed of an illustrated book, a handbook, and prototypes of touch book and finger puppets (Porrone, Poto, Russo, 2021a; Porrone, Poto, Russo, 2021b).

In the first project year, another multistep collaborative project was developed, and co-created storytelling, illustrations, and other visual communication techniques were integrated as the result of the cooperation between the indigenous communities of the Chiquitano People

living near the Tarumã River and the Sámi People of the Tana River. The project comprised of three steps.

Step 1 was dedicated to the preparation of a collaborative questionnaire for the two target audiences (i.e. the two indigenous communities living along the mentioned rivers) in Portuguese and English. The use of this questionnaire was intended to respectively build trust with the Chiquitano teachers involved in the project in Mato Grosso and to gain an understanding of the relationship between the Sámi People and the Tana River. In Step 2, surveys and semi-structured interviews were conducted with representatives of the two groups, to give voice to their struggle and build up a comparative understanding of the challenges faced by water communities. Step 3 involved the students from the course of Legal Design and Visual Law at UNIRIO (2021): based on the studies and research conducted on the two rivers, Matheus Goulart, one of the law students, designed the project's cover, where the two rivers and their elements are engaged in an imaginary conversation.

The visual representation of the conversation prompted important cooperation between indigenous and non-indigenous researchers, students, and indigenous co-researchers, holding great promise for indigenous and water knowledge promotion in academia and communities.

All the aforementioned steps contributed to improving the team spirit and reinforcing the international team members' conviction of the potential of co-creation to meaningfully contribute to research processes and to build knowledge that is relevant and reusable both within and outside the research and local communities.

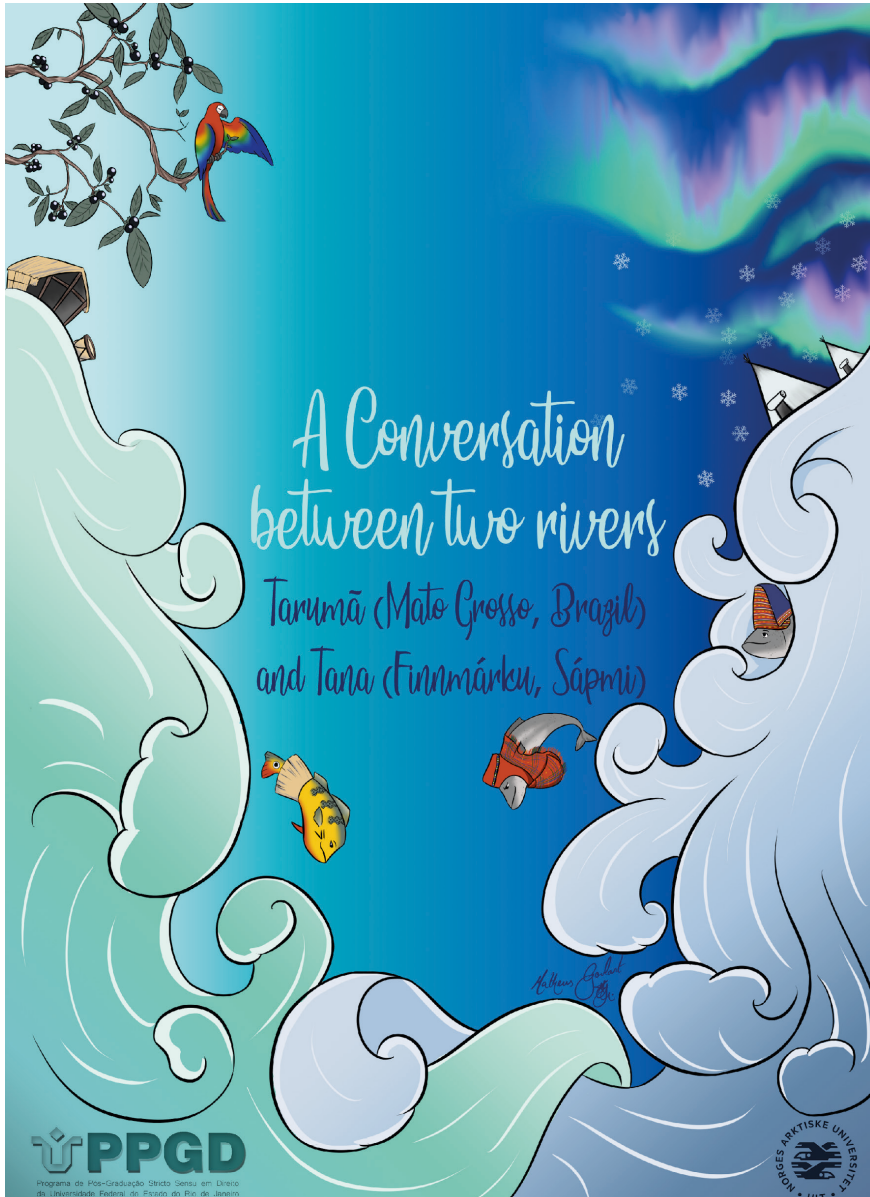


Figure 2. Project cover created by Matheus Goulart, 2021.

CHAPTER II

LEGAL DESIGN AND VISUAL LAW: THE ROADMAP

2.1. Definition of Legal Design and Visual Law

Before describing the process of story co-creation, an overview of the concepts of Legal Design (LD) and Visual Law (VL) will be provided, as they are both quite unknown among legal scholars.

Ignorance or limited knowledge about rights, particularly socio-environmental rights, are one of the most unfortunate realities within contemporary society. For this reason, legal scholars and researchers need to find new ways to increase the public's understanding of the law, especially for those who are most vulnerable and historically marginalized.

LD and VL are two instruments that can be creatively used to make headway towards achieving this goal. They demonstrate how creativity can be used to assist in elaborating on clearer and more transparent, and adequate legal solutions for the law recipients, the legal entities, and society at large.

LD was created through an initiative of the Stanford Law School that brought together three areas of design, technology, and law to simplify the legal language⁽¹⁾. As defined by Margaret Hagan, creator of the concept and author of the book *Law by Design* (2021), this

(1) Giulia Parola received a training in LD and VL by the team of Legal Creatives (<https://www.legalcreatives.com/> last access December 2022). Legal Creatives' target is mainly the law firm industry; Parola developed this methodology and adapted for academic and research purposes.

instrument is: «the way we evaluate and design legal business in a simple, functional, attractive and usable way»⁽²⁾.

LD, borrowing from the domain of design thinking⁽³⁾, is centered on people and their needs. It shifts the focus from the professional viewpoint (mainly of lawyers and judges) to the recipients of the legal document, such as common citizens, private and public individuals, organizations and communities. The aim is to create effective solutions following feedback obtained from interactions with the final recipients. Such feedback is continuously mapped and collected, from the inception of the project until the implementation phase. In other words, in working with LD, the legal world can empathetically examine how to meet the needs of the law recipients and legal entities, by effectively listening to their needs.

While LD focuses on helping the legal community develop effective communication at the service of the law beneficiaries and creating the foundations for creative legal reasoning, VL is the visual manifestation of this concept thinking. This distinction can be visualized through the imagery of an iceberg⁽⁴⁾, with LD representing the hidden bottom of an iceberg and VL representing the exposed top that can be tangibly observed and experienced. Essentially, the VL is the external manifestation of the LD and serves to put into practice and make legal documents more explanatory, through a non-conventional format. VL can be developed through features that include, but are not limited to, images, illustrations, videos, infographics, graphics, timelines, QR codes, flowcharts, bullet points, pictograms, comics, storytelling, maps, story mapping, links, music, gamification, and podcasts.

While LD and VL have their origin in the world of law firms, as tools to help clients understand the legal processes that affect them,

(2) <http://www.lawbydesign.co/en/home/>, last access September 2022.

(3) Design thinking is an approach that brings together tools, techniques and knowledge mobilized to fragment a complex problem in stages and design innovative ideas to forward your solution. The idea is that the process is carried out collectively and collaboratively, in order to gather as many different perspectives as possible. In this way, design thinking is based on the ability to be intuitive, recognize patterns, develop ideas that have an emotional meaning beyond the functional and express ourselves in media beyond words or symbols (Brown, 2009). Design Thinking is divided into four stages: immersion (understanding); ideation (creation); prototyping (testing); development (application).

(4) <https://www.legalhack.com.br/> last access September 2022.

they have been progressively adapted to achieve other goals (Hagan, 2018, 2019, 2020).

First, as will be further elaborated in the next sections, LD and VL can be developed as legal education resources to help stimulate the mindsets of future legal scholars toward understanding community needs.

Second, in legal research, the outcomes from LD and VL can be used as practical tools to effectively disseminate and communicate project results. An example of effective dissemination of ECO_CARE research results enhanced by LD and VL tools comes from the experience of the Escazú Agreement (EA) transformed into comic books (Parola, Poto, 2021a and 2021b). The books were co-created by LD and VL students, based on a script that members of the Indigenous community of the Chiquitano People created using their unique understanding of the EA. Accordingly, the legal provisions on participation of the EA, written in technical legal language, were translated into an easily accessible dialogue, understandable to everyone. Each sentence in the comic dialogue was paired with an illustrated description from the village, representing places that different individuals could recognize and relate to within the story. The illustrations were translated into cartoons by students and community members and accompanied by corresponding speech bubbles. The final work consisted of two versions, in Portuguese and English, and demonstrated the co-created visual storytelling of the community's understanding and interpretation of environmental participation. The books were disseminated to the Chiquitano community through a workshop that contributed to building understanding and consensus on the importance of these tools to strengthen community bonds and critically, knowledge of environmental rights and duties⁽⁵⁾.

Third, these instruments are innovative strategic tools that can empower society to overcome the challenging process of standing up for their rights.

Finally, these tools can be applied to support the decolonization of legal mindsets and law (Poto, 2022). This is accomplished, by involving research participants typically outside of the dominant Western legal

(5) For a report of the restitution journey see <https://en.uit.no/project/ecocare/blogg> last access September 2022.

doctrine of environmental law and further developing techniques for knowledge co-creation. Hereinafter, the expressions West, Western-centric and Eurocentric are used interchangeably to denote those epistemologies founded on the coloniality of knowledge (Fonseca, 2019; Quijano, 2000). Coloniality of knowledge is defined as the epistemic violence perpetrated by the settlers at the “encounter” with the “other”. This practice is based on the invisibility, denial, silencing, expropriation, and extraction of non-Western knowledge remains the dominant rationality of Western value-sets (de Sousa Santos, 2010).

Through knowledge co-creation supported by collaborative use of LD and VL tools, it is possible to contribute to the re-emergence of indigenous perspectives and cosmovisions, weaving them into the scientific method (Saida, 2022). Unfortunately, indigenous knowledge, value-sets, and legal orders are historically considered inferior to the dogma of “universalization of law” (Colaço, Damázio, 2017), which supports a single and universal way to build legal rights and obligations.

Ultimately, the objective of using LD and VL is to facilitate effective participation of all parties involved in environmental matters, by making all parties effective co-participants in environmental legal research. This explains the choice of the expression “recipient/participant”, hereinafter to define the protagonists of our LD and VL co-created legal methodology.

2.2. Stages of Legal Design and Visual Law

This section illustrates the steps that put LD into practice by applying the techniques of VL. The following section will delineate how these steps have been applied to the co-creation of the illustrated story of the Tarumá River.

2.2.1. Selection of the Recipient/Participant

As explained above, the first step in LD and VL is to choose the creative project’s target audience. The target audience, as in the specific case developed within the ECO_CARE methodology, acts as co-participants in

the research journey. Hence, the innovative term “recipient/participant” refers to the active role that all parties play in the process of co-creation. Defining the target audience of recipients/participants is a fundamental step that ensures accuracy in the research steps, as well as project results tailored to the needs. This way, process and results represent community-specific value-sets, and contribute to overcoming Western centrism in research and law (Qujano, 2000). The fact that projects results are tailored to the needs of the target audience does not affect the reuse of data, as it allows researchers to analyze and publish findings based on the same data, as well as greatly contribute to the emerging body of literature through generating new discussion and publications on the results.

2.2.2. *Study of the Needs of the Recipient/Participant – Empathy*

The study of the recipient/participant target audience marks the second stage of the process. The second stage of the project comprises an in-depth assessment and subsequent analysis of the targeted community’s characteristics (demographics) and needs ((which include cultural legacy, legal values, language, educational system, and access to digital technologies). Such an assessment and analysis process is more typical of health care studies, however, this process provides significant insights and serves as an innovative tool for legal scholars and researchers.

The process is quite consolidated in health care studies, while it presents innovative traits for legal scholars and researchers (Di Lallo *et al.*, 2019). The community needs assessment and analysis are fundamental to demarcate the study field. Building a field of study through dialogues and meaningful interactions with participants can help to develop a sense of collective purpose and advance levels of active participation. When the study in question takes shape as a collective endeavor, this structure can contribute to ingratiating empathy in education and research activities (Berardi 2020). According to widely cited research, even though empathy is an innate quality (Sofronieva 2012, Hoffmann, 2000)⁽⁶⁾, it can be developed by practicing positive social behaviors⁽⁷⁾. In LD and VL,

(6) <https://www.sciencedaily.com/releases/2019/07/190729111225.htm>, last access September 2022.

(7) <https://psyarxiv.com/es6wm/>, last access September 2022.

the process of promoting and strengthening empathy unfolds via two steps: first, a unilateral understanding of the needs of the project recipients must be established; second, in tandem with the elaboration of recipients/participants' needs, effective involvement of the recipients in the co-creation process must be facilitated and strengthened. place.

In both steps, reflexivity and empathetic thinking are practiced and developed by all project participants (be they students, researchers, or community members). Such an approach, while commonplace in healthcare studies and criminal justice (Hoffman, 2000), is innovative in the field of environmental law research. In our case, the mutual connections and exchange helped grow empathy among the participants by fostering trust, friendship, and compassion.

2.2.3. *Study of the Legal Issue*

In the third phase, two questions are posed to all the participants: (1) What is the problem and/or need that must be solved? (2) What is the legal problem that the recipient/participant must deal with? Having identified the legal problem, the creation phase can start, with the help of the recipients/participants.

2.2.4. *Ideation and Options*

Two techniques are adopted in this stage: brainstorming and reverse brainstorming. Brainstorming is well known in the field of design thinking (Thoring K., Müller R.M. 2011)⁽⁸⁾. As for the first technique, according to the Interaction Design Foundation,

Brainstorming is a method design teams use to generate ideas to solve clearly defined design problems. In controlled conditions and a free-thinking environment, teams approach a problem by such means as “How Might We” questions. They produce a vast array of ideas and draw links between them to find potential solutions.⁽⁹⁾

(8) <https://www.legalcreatives.com/>, last access December 2022.

(9) Definition from The Interaction Design Foundation, <https://www.interaction-design.org/literature/topics/brainstorming>, last access September 2022.

In this phase, there is no assessment of good and bad ideas, but rather a discussion of all ideas presented and considered by all participants. In the following stage, the initial ideas will be filtered and refined. Every idea is written down on a physical or virtual sticky note. This technique is meant to encourage the development of unorthodox and unachievable ideas.

The second technique requires foresight, specifically, mapping out potential risks and challenges that may undermine the plans of action (Evans 2012). The aim is to unlock the participants' creative thinking, as it is often easier to criticize and identify gaps than to outline a strategy for success. As Hagen *et al.* put it:

Using reverse-brainstorming as an idea generation tool, participants often find that identifying negative elements is easier than identifying positive elements [...], creating an exercise that is cognitively stimulating, interesting, and even somewhat silly [...]. After negative elements are identified, [...] instructors can turn the question into a positive, asking students to use the negative elements to provide a clearer solution to the problem, thereby engaging multiple levels of cognition and increasing creativity and idea generation. [I]nstructors may find that using reverse-brainstorming as a tool will engage students in deeper discussions that challenge them to generate ideas and turn those into workable, classroom — and content—appropriate solutions. Because students may find it easier and more engaging to identify negative elements, classroom collaboration and communication can improve. (Hagen *et al.*, 2016)

Once the group has finished compiling the list of bad ideas, they are asked to turn negative ideas into positive ones, by looking into the failed suggestions and coming up with ways to achieve the opposite effect. In essence, the group seeks to reverse engineer the ideas to find novel solutions⁽¹⁰⁾.

To conclude this phase, the group chooses the best idea based on a set of collaboratively produced implementation criteria. Implementation criteria can include considerations regarding logical consistency and

(10) Reverse Brainstorming, A Different Approach to Brainstorming, at https://www.mindtools.com/pages/article/newCT_96.htm, last access September 2022.

plausibility, generalizability, simplicity, efficiency, effectiveness and accessibility. As stated above, in the original LD process (Hagan, 2020), the group does not include the recipients of the final project results. In our approach, since recipients co-participate in all the steps of the co-creation process and therefore are recipients/participants, they provide constant feedback and effectively contribute to every step. Notably, in the case of the ECO_CARE project, an indigenous representative of the Chiquitano People worked back to back with the LD and VL students, to help select the most appropriate and implementable project idea.

2.2.5. *Prototyping*

After the selection of the most promising and executable idea, the group starts developing the project prototype (Meinel, Leifer, 2012). Prototyping helps the process move forward efficiently. As Olsen puts it:

Prototyping moves the Design Thinking project forward. By building simple models or drawings sketches before knowing the answer, prototyping helps the innovators to think. The goal of rapid prototyping is to make mistakes as fast as possible. By making multiple simple models of unsolved problems, the idea is that surprising discoveries will be encountered. (Olsen, 2015)

At this stage, the recipients/participants are active co-creators, contributing to the development of the project prototype and therefore transforming the process of LD into a tangible VL final product.

CHAPTER III

STAGES OF THE STORY CO-CREATION

3.1. Applying Legal Design and Visual Law to the Case Study

Before starting the process of co-creation, all project participants received training on LD and VL techniques. Moreover, a state-of-the-art literature review on environmental participation, indigenous law and rights, formed the knowledge base for the students engaged in the co-creation process (the main reference documents can be found in the section References).

3.1.1. *Selection of the Recipients/Participants: the Chiquitano People*

The Chiquitano People from Mato Grosso (Brazil) were chosen by the working group as project recipients/participants for two reasons: (1) to support the empowerment of the indigenous Chiquitano People and (2) to strengthen the relationship between them and the researchers involved in ECO_CARE.

The need to support them (1) was justified by the fact that the Chiquitano territory is not fully demarcated and consequently, the Chiquitano People are facing serious environmental threats and suffering from gross human rights violations by state-sponsored actors (mainly landowners who occupied their territory). As reported by Silvano Chue Muquissai and Loyuá Ribeiro F.M. da Costa (Parola, Poto, Costa, 2021, p. 304):

Many villages are currently delimited by farms [...] and therefore it is impossible to build school buildings, hospitals, and other infrastructures that could enhance their quality of life. In addition, many indigenous people depend on work and daily allowances on farm owners as their contractors, committing, often informally, to clear the pasture on farms and other services.⁽¹⁾

In addition to these pressing socio-ecological challenges, there are also specific issues regarding water rights, (access to water, water resources, sanitation and water allocation problems), that threaten their cultural and survival knowledge systems.

The group came to the conclusion that the need for urgent action to ensure the protection of the Chiquitano People from the state of Mato Grosso requires could not be addressed through a single action. Nevertheless, the group aspired to work with and for these people, through a process of affirmation and emancipation, co-creating legal material to give voice to the struggles the Chiquitano People have been facing since colonization.

The Chiquitano People were chosen as the recipients/participants of the project to strengthen the relationship between them and the ECO_CARE team (2). Cooperation with the Chiquitano People began in 2020, through the first LD and VL project applied to International Environmental Law. This project was developed during a University course of the Postgraduate Program in Law at UNIRIO and culminated with the above-mentioned co-created comics on the Escazú Agreement (EA). The cooperation continued with the rounds of interviews and semi-structured questionnaires conducted during the multistep collaborative project mentioned in section 1 (the Conversation between Tarumã and Tana was carried on during the academic year 2021) aiming to establish an understanding of the connection between river communities and the water they depended on.

(1) The original quote in Portuguese is translated by the authors.

3.1.2. *Study of the Chiquitano People and their Needs*

As previously stated, one of the milestones of the creative process is the development of empathy among the project participants, through the study, assessments and conversations regarding the needs of the recipients/participants. This study helped the working group to understand the others' perspectives, focusing on an empathetic approach to law. To reiterate, before delving into empirical research, the group consulted the primary and secondary legal resources to understand the Chiquitano origins and understand the Chiquitano knowledge system. Further insights into the Chiquitano People's value-sets, cosmovisions and legal principles were gained through an ongoing conversation with Silvano, which took place via videoconference. Silvano provided essential information on the Chiquitano People by guiding talks and conversations, and his participation in the course lectures. He thoroughly explained why and how the lack of access to indigenous territories threatens the Chiquitano culture and knowledge system. As he puts it «Even today, some members of the Chiquitano People do not recognize their identity, because only then they can access jobs in the farms surrounding their land»⁽²⁾. Ultimately, the lack of access is threatening the community's economic livelihood as well. Without secure access to land, and thus secure access to water and raw materials needed for wellbeing critically including health, food security and food safety, the Chiquitano People's self-determination is jeopardized. Hence, as highlighted by the Chiquitano representatives participating in the videoconferences led by Silvano, the community's main need was to gain visibility. The consequence of visibility is that public authorities that often collude with farmers are bound to act in defense of the rights of the Chiquitano People.

As highlighted above, the study of the Chiquitano People's pressing need for visibility contributed to developing sentiments of accountability, cultural awareness, and mutual respect.

(2) Interview during the first online meeting, 18 November 2021. Translation by the authors.

3.1.3. *Study of the Socio-environmental Conflict Related to the Pollution of the Tarumã River*

The project aimed to produce research materials easily accessible to everyone, summarizing the story of the Tarumã River, located in the indigenous territory of the Chiquitano People, in the state of Mato Grosso, Brazil.

In 2021 evidence showed that the waters of the Tarumã River were severely polluted as a consequence of the activities carried out by landowners and farmers in the Chiquitano territories⁽³⁾. This problem was aggravated by the spread of the Covid-19 pandemic, which had particularly severe consequences in areas with scarce access to clean water and sanitation, as in the case of the population living along the Tarumã River⁽⁴⁾. Additionally, the Chiquitano People of the Acorizal village, in the Chiquitano land Portal do Encantado, Porto Esperidião, reported that the water in the Tarumã River was exceptionally muddy. According to the observers, the heavy mud had been caused by the dam built near the river's spring, as well as by the illegal deforestation on the banks of the river. In addition to the lack of clean water, the Chiquitano People noticed a progressive decrease in the water level since 2020⁽⁵⁾. Consequently, the river could not be used for the community needs, resulting in increased water and food insecurity, poor sanitation and hygiene, and threats to fisheries and agriculture.

Solicited by the worried population, the Military Police for Environmental Protection answered the first complaint in early 2021 and confirmed the ongoing process of deforestation of the native vegetation in the an “Área de Preservação Permanente (APP)”⁽⁶⁾. As a conse-

(3) FIBRA – Frente Internacional Brasileira (Brazilian International Front) Video: *Tarumã River Urgency: the Chiquitano people launch a warning cry to echo around the world*, at <https://www.youtube.com/c/FIBRAFrenteinternacional/about>, last access September 2022.

(4) *Ibidem*.

(5) <http://www.mpf.mp.br/mt/sala-de-imprensa/noticias-mpf-garante-na-justica-adocao-de-medidas-para-cessar-a-poluicao-de-waters-that-irrigate-indigenous-land-in-mt>, last access September 2022.

(6) According to Law n. n. 12.651/2012, the APP are protected areas covered by native vegetation with the function to protect rivers, hydrogeological landscapes, the local biodiversity and the human population living in the area (Tagliani *et al.* 2020).

quence, the responsible landowner was sanctioned for lack of environmental license on the land⁽⁷⁾.

These findings highlighted the severe exploitation and degradation of the banks and headwaters of the Tarumã River. This discovery mobilized a network of more than 70 socio-environmental and human rights organizations, that, through the Human Rights Centre Dom Maximo Biennès, filed a complaint to the public prosecutor, and the Environment Department. The document was accompanied by a letter written by indigenous representatives from the affected villages. The Chiquitano People's complaint, together with investigations of the Environmental Federal Police, resulted in a lawsuit against the landowners⁽⁸⁾. After this communication, the public prosecutor filed a public civil action (*ação civil pública*)⁽⁹⁾, and a request for preventive detention against those responsible for the irregular construction of the dam⁽¹⁰⁾. However, the litigation process is very slow. Ultimately, the court could not find the landowners. Thus, the judge ruled that no indigenous rights had been violated, and therefore no urgent preventive measure was necessary. On another front, though, the landowners have been fined more than a million reais by the state of Mato Grosso for the damages caused to the environment⁽¹¹⁾.

(7) <https://g1.globo.com/mt/mato-grosso/noticia/2021/01/20/povo-chiquitano-denuncia-crime-ambiental-em-area-de-preservacao-permanente-em-mt.ghtml>, last access September 2022. In Brazilian law, the environmental permit.

(8) <https://www.campanhacerrado.org.br/noticias/239-povo-chiquitano-denuncia-crime-ambiental-em-area-de-preservacao-permanente>, last access September 2022.

(9) In Brazilian law, public civil actions are endorsed by Article 129, III of the Federal Constitution of 1988 and have become one of the Federal Prosecution Officer's (MP) institutional functions, regulated by Law No. 7347 / 85. Public civil actions target diffuse, collective, and homogeneous individual rights, aiming to prevent and prosecute violations to collective interests such as the environment, consumers, historical or cultural heritage, including administrative impropriety, economic order, urban order. See <https://www.lickslegal.com/post/new-directions-for-public-civil-action-in-brazil> last access September 2022.

(10) <http://www.mpf.mp.br/mt/sala-de-imprensa/noticias-mpf-ajuiza-acao-civil-e-pede-prisao-preventiva-de-acusado-de-crime-ambiental-in-indigenous-land-chiquitana-in-mp>, last access September 2022.

(11) TRF1. Public Civil Action 1000437-85.2021.4.01.3601. <https://portal.trf1.jus.br/sjmt/pagina-inicial.htm>, last access September 2022.

3.1.4. *Creating the Proposal*

After studying the socio-environmental conflict concerning the Tarumá River, the next step was to brainstorm ideas to create a legal outcome that could support the Chiquitano struggle, in particular in the conflict surrounding the Tarumá River.

The law students from UNIRIO involved in the project were challenged to develop a new skillset, quite different from what they were used to in their law courses. First, each student was assigned the task to brainstorm and reverse brainstorming innovative legal ideas. The students' ideas were written down and all suggestions were assessed so as to come to a consensus that sought to include elements of everyone's ideas. The ideas were then listed from the most reasonable to most difficult to execute.

Among the proposed solutions, the group put forward the idea of a short film on the Chiquitano People. This idea could not come to fruition due to the ongoing pandemic and the difficulty to operationalize in-person interactions. The possibility of a face-to-face presentation with the use of a flip-chart was also unable to go forward because of the health risks. The group also considered the possibility of recording a podcast with the Chiquitano People on the Tarumá River. Again, this idea could not go ahead, largely due to uncertainty regarding access to technology and electronic devices.

Finally, the decision was to create an illustrated story, that would have allowed the recollection of historical and legal data by means of visual creativity and storytelling. Utilizing a story presented the advantage to include and take into account other people's perspectives: this way, semi-fiction was considered the optimal médium for exercising empathic skills⁽¹²⁾.

(12) There are studies that demonstrate a strong connection between reading fiction and improved performances: <https://www.discovermagazine.com/mind/how-reading-fiction-increases-empathy-and-encourages-understanding>, last access September 2022.

3.1.5. *The Creation of the Story*

After reaching a consensus on the format of a co-created illustrated story, the group began mapping legal documents and data while keeping in mind how to best develop an illustrated version of the story⁽¹³⁾.

One major consideration was the challenge of tailoring the story around the target audience's needs: it was decided that the story had to be understood by the wider public, which includes students and school pupils, thus the language used and content had to be adapted to the audience's needs.

The first step in the process of story co-creation consisted of establishing an accessible format to share the research conducted on the Chiquitano legal battle. Among the students, Magna developed the storyboard and storyline, while Cecilia and Ana Luísa mapped, synthesized, and provided a final analysis of the legal and anthropological sources. Part of the legal knowledge was included in the story, and critical information and terms were developed into a glossary (see section Glossary of the Story). This stage lasted a semester. The biggest challenge in LD in general and experienced by the students was the need to explain complex legal and socioeconomic issues in clear, simple wording. Further, this critical need to simplify was also one of the biggest challenges in the realization of the illustrated story, which was constantly changed and adapted to achieve the objective of an accessible legal learning and research outcome. The midterm results were assessed in a group setting, through periodical videoconferences.

Once the first draft of the text was finalized, it was submitted to the Chiquitano representatives, including students' questions on cultural and social key aspects that needed to be resolved. Additional meetings via videoconference were organized to advance all participants' level of understanding. These meetings were culturally enriching as the Chiquitano voice was heard and the Community's perspectives and concerns greatly contributed to the improvement of the story's plotline and its reflection of the Chiquitano reality. Silvano, Feliciano, Maria Siria, Laucino, and Jozair participated in the meetings.

(13) It is noteworthy that the process of the story validation was carried out on the Portuguese version of the story. The publication in Portuguese is in press (Parola G., Poto M. P., 2022).

3.1.5.1. *First Meeting*

In the first meeting, the representatives of the Chiquitano People provided the first round of commentary on the story. The parties declared that they were moved by the story, felt understood and that it was a positive step towards the healing and reconciliation process. For example, Silvano said: «In many of the passages I saw myself represented. In certain parts, it looked as if I were the one who was speaking. In addition, the story contains relevant information and the language is easy to understand»⁽¹⁴⁾.

Laucino brought the story to the pupils of the indigenous school, Nossa Senhora Aparecida, to teach them the story of the Tarumã River as many pupils were unfamiliar with the context. The pupils were so excited about the story that they suggested visiting the River. It is important to note that not all the Chiquitano villages are close to the Tarumã River, but everyone knows about its existence and importance, as it provides water and food to all of the villages⁽¹⁵⁾. Laucino stated that «The Tarumã River is part of the school discipline of the children of the village [...] and it is important for the children to understand the history of this River and know that it was not always as polluted as it is today»; and added that «the story strengthens the importance of the Tarumã River»⁽¹⁶⁾.

Feliciana found that the story reflected the «experience and the co-existence of the Chiquitanos with the River and nature»⁽¹⁷⁾. She added that «In the past, it was common to go to the River to hear what the River had to say, today it is a bit unusual, but the story somehow restores that old custom»⁽¹⁸⁾. Feliciana sent the story to Cacique Sebastião in Jardim Aeroporto who really enjoyed the story and subsequently

(14) Online meeting, 18 November 2021. Original version in Portuguese, translated into English by the authors. All the opinions reported here refer to the version of the story written in Portuguese.

(15) Only Jozair, from Aldeia Acorizal (which is not got participate online but sent comments), from the Indigenous Land (TI) Portal do Encantado, lives in a village near the Tarumã River.

(16) Online meeting, 18 November 2021. Original version in Portuguese, translated into English by the authors.

(17) *Ibidem*.

(18) *Ibidem*.

asked to mention his organization (OCA—Organização Chiquitana Aeroporto)⁽¹⁹⁾. Continuing her testimony, she said: «The story is important to document the reality of the Chiquitano People. There are many stories about us, but none of them shows the actuality of the problems and the violations that the Chiquitano People are experiencing. The story offers a new horizon, a new path that gives visibility to the Chiquitano People, their history and reality by teaching how to respect both native peoples and nature»⁽²⁰⁾. Maria Siria added that «At the beginning, the story reminded me of the “Canto do Cágado”, a song that my mother used to sing about an Indigenous hunter that stumbling finds herself in front of the river, sits on the edge of it and starts talking to it»⁽²¹⁾. Concerning the text, Maria Siria said that «the beginning has a more simple language (accessible for pupils of the elementary school), but during reading it gets more complicated (legal part)». She added that, despite this, «it will be interesting to be used as teaching material in class because it focuses on the interpretation of Chiquitano culture, its legal foundations, and the importance of nature»⁽²²⁾. Maria Siria added that: «The beginning of the text is beautiful, poetic, and melodic, and the end should carry a hopeful message with the same tone. The story has an abrupt ending at the moment [...]»⁽²³⁾. A suggestion to a softer end could be developed in this way: «the boy could get up from the riverbank and have a vision, an imagination of Tarumã». About this subject, Feliciano stated that «when a person is sad, going to the riverbank and talking to nature makes them wake up lighter»⁽²⁴⁾.

Loyuá's favourite part was Chapter 3: «It's too beautiful»⁽²⁵⁾. As for Chapter 4 (the legal part), she mentioned that «it is possible to write it in a more simple language, and this would make the story a tool of knowledge, a weapon. Since childhood, indigenous people could be working with this book, and growing up by knowing about their

(19) www.icaracol.org.br/2019/03/25/indigenas-chiquitano-de-vila-bela-enfrentam-situacao-de-extrema-precaridade/, last access September 2022.

(20) Online meeting 18 November 2021. Original version in Portuguese, translated into English by the authors.

(21) *Ibidem.*

(22) *Ibidem.*

(23) In particular, the Epilogue was not part of the first draft of the story.

(24) *Ibidem.*

(25) *Ibidem.*

rights»⁽²⁶⁾. She also suggested incorporating other villages in the story: «The Tarumã River bathes other villages, this book will constitute teaching material, for example, for Laucino’s school, which is outside the demarcation area. Tarumã passes through villages that are in the demarcated territory (even though the case is currently suspended by the court, this has already been affirmed by the judges) and some villages are outside the demarcation. So, to reinforce the idea of the struggle developed at the end of Chapter 3, I suggest perhaps mentioning other villages or rivers from other villages, in short, something that will bring those other people who are going to read this book. There are other villages where the chiefs do not participate in the meetings because they have to hide. Villages where people find it difficult to declare themselves as indigenous in the social, political, and agrarian context of the region. Feliciano, for example, is teaching in Palmarito which is in a serious situation, and she works with children who sometimes have difficulties declaring themselves as indigenous, and suffer from this process of silencing»⁽²⁷⁾.

Having concluded gathering the general comments on the story, the participants/ recipients started discussions concerning the protagonist who, until that moment, had neither a name nor a gender.

Concerning the gender of the protagonist, the participants agreed that it had to be a boy, Loyuá also reinforced that, according to her, it was a good choice stating that «recently an indigenous person died in a village and we are suspicious because he had already been attacked for declaring himself indigenous. I don’t want to influence choices, but in his honor, it would be nice to opt for a boy»⁽²⁸⁾.

This opened a debate about the most appropriate name. Silvano first proposed the name “Sami” — which in Tupi⁽²⁹⁾ means protector of na-

(26) *Ibidem.*

(27) *Ibidem.*

(28) *Ibidem.*

(29) Tupi Language: The Tupi-Guarani linguistic family is one of the most important in South America, encompassing several indigenous languages. Most of the native peoples who inhabited the Brazilian coast, when the Portuguese arrived in Brazil in 1500, spoke languages belonging to this family. REVISTA SUPERINTERESSANTE, A língua do Brasil, São Paulo, 31 de out. de 2016. Available at: <https://super.abril.com.br/cultura/a-lingua-do-brasil/>, last access September 2022 INSTITUTO SOCIOAMBIENTAL – ISA; Povos Indígenas no Brasil Mirim. Troncos e famílias linguísticas. Available at: <https://mirim.org/pt-br/linguas-indigenas/>

ture or warrior. However, the other Chiquitanos did not agree with this suggestion, because they wanted a Chiquitano name.

Maria Siria proposed the name “Suru”, that in Chiquitano means “thunder”. She stated that: «It’s a name related to nature and has a lot to do with the story. When the child is born, is offered to the sun, the moon... Suru is the thunder that, according to the traditional history of the Chiquitano People, indicates the war chant, the beat of drums. The drums also refer to the rituals of Curusé⁽³⁰⁾ when you beat the drums and get up to dance, be born and die. On the seventh day after the death of an important person in our village, the drum is played. The thunder represents, for the Chiquitano People, the sound of the caixa, the instrument used in our rituals of celebration and fight and our departure to the mundo encantado»⁽³¹⁾. Maria Siria also added that, «the snare drum also represents an important meeting in the community. It is not always played, but [is played] when there is a meeting, some important ritual or a party (depends on the rhythm of the play)»⁽³²⁾.

Feliciano also liked the name Suru, because «it is part of the culture of the Chiquitano People»⁽³³⁾. She affirmed that «our grandparents, in the past, used to tell us a lot of stories about the thunder. The issue of drums touched me, as a form of respect for our tradition, and our culture. This is very important for us. It is our culture. It really touches our hearts»⁽³⁴⁾.

troncos-familias last access September 2022; FUNDAÇÃO NACIONAL DO ÍNDIO – FUNAI. Projeto de Documentação de Línguas Indígenas. Available at: <http://prodoclin.museudoindio.gov.br/>, last access September 2022.

(30) Curusé Ritual: The Curusé is understood as a social practice in which the recognition of a Chiquitano indigenous origin and cultural identity is guaranteed. The ritual brings families together and established dialogues with the Brazilian and Catholic cultures, expressing the historical and cultural processes in which they have participated for a long time across national borders (Grando, Queiroz, 2013). The name can be considered a metonymy, since it is the name given to a specific type of music and dance (Silva, 2007). The cultural practice of Curusé is held once a year, during the Carnival week. The festival is described by the anthropologist Elias Januário (2017).

(31) The afterlife realm, in Portuguese. On line meeting cit.

(32) *Ibidem.*

(33) *Ibidem.*

(34) *Ibidem.*

Laucino added that «Thunder is all about environmental law and the issues told by our People. It summarizes the belief and respect for nature. It's more connected to the story plot»⁽³⁵⁾.

In the end, the name *Suru* was unanimously approved.

Following the approval of the name, some doubts were raised about the legal language adopted in the story. Everybody agreed to simplify the language. Therefore, soon after the first meeting, the group of students and researchers gathered to integrate the different comments into the story, which included: 1) the need to simplify the legal language; 2) the need to provide a more hopeful ending (using the poetic form of the beginning of the song); 3) the need to include other villages. After the edits and changes, a second meeting was called to receive feedback from the recipients/participants.

3.1.5.2. *Second Meeting*

In this second meeting, Jozair joined the group formed by Silvano and Feliciano. Jozair couldn't participate in the synchronous session, due to connectivity problems, but he sent his feedback afterwards. Laucino and Maria Siria were not able to participate in the meeting, but they approved the final version by sending their consensus via phone.

The main objective of the second meeting was to get feedback on the accessibility of the legal language. Following revisions, the recipients/participants declared that the work was lighter and easier to understand for non-legal readers. It was reported that the community was very happy with the visibility that the work could generate for the Chiquitano People, in particular, how the story clearly and compassionately portrayed their complex, upsetting, reality in connection to their water and human rights.

Feliciano stated that it was a «real story that is happening at the moment also with us here»⁽³⁶⁾. In addition, Feliciano informed the group that she presented the work to the chief of her village and that «He

(35) *Ibidem*.

(36) Online meeting, 16 December 2021. Original version in Portuguese, translated into English by the authors.

liked it too. He is very happy, although he said he does not know you, he is happy. It offers visibility for us and we are glad for that»⁽³⁷⁾.

Also Jozair liked the work and found it very important because it spoke about the «reality of the Chiquitano People, what we lived in the past and that we are still living [...]. It has not been easy, the struggle continues and the story goes on»⁽³⁸⁾. He also said that some points highlighted in the story were significant: «Nature is asking for help, but many people ignore it; I noticed that the story says that the Chiquitano People take very good care of nature and, in fact, not only the Chiquitano People but all the indigenous people»⁽³⁹⁾. Finally, Jozair concluded: «I found the work very interesting because it reflects the reality of the Chiquitano People»⁽⁴⁰⁾.

At the end of the meeting, a few minor adjustments were made to the text and a greater focus was given to the illustrations that accompany the story.

3.1.6. *The Illustrations*

The prototypes of illustrations were created by Matheus. Here below is the representation of the River, in the eyes of the law students.

Suggestions and remarks were provided during the first mentioned meeting⁽⁴¹⁾.

In particular, regarding the personification of the Tarumá River as an indigenous woman, many comments were raised. Maria Siria explained that «the river does not have a fixed formation, it can be an animal or a human being. It depends on the person who is going to get in touch with nature». For example, according to Maria Siria, the River could be represented as «a beautiful young man, a very beautiful male person. The owners of the rivers, depending on the region, assume the forms of various animals»⁽⁴²⁾.

(37) *Ibidem.*

(38) *Ibidem.*

(39) *Ibidem.*

(40) *Ibidem.*

(41) Online meeting, 18 November 2021 cit.

(42) *Ibidem.*



Figure 3. First visual creation of the Tatumá River, illustrated by Matheus Goulart.

Feliciano stated that she has never seen the guardian of the water, but that she knew a legend told by her parents about Baía do Padre, a bay very well known to the Chiquitano People: «Baía do Padre has a passing point. A priest died there, hence the name. When people went to the bay to fish, a very strong wind came. My grandfather saw a man all in white, his father just the strong wind. Nature responds to everyone differently. Everyone has their way of connecting with nature. It could just be a voice. According to your connection with your divinity, it will respond to you in a way. In the story, it can be the presence of a man, a woman, or even a spirit in the form of an animal. I cannot tell you that it is right or wrong because it is very difficult. We have to think of nature as much wiser than we are and therefore it can represent many forms for each person according to their connection with it, and their divinity»⁽⁴³⁾.

Laucino, in turn, stated that the river «can be seen as a mother because the river provides everything (bathing, hunting) and has animals that can be seen on the banks of the Tarumá — fish, snakes, paca, alligator, capybara, jaguars»⁽⁴⁴⁾.

Maria Siria commented that: «The representation cannot be a person known to the boy. It cannot represent any kinship because then it is a bad omen. It means death. She could be smiling, at the moment she looks very sad. Apparitions are always joyful. When the brothers and father saw it, they saw a white woman, with green eyes (water color) and long hair. The tiara is wrong. The correct thing is that it is tied to the forehead. Feathers are used only at the end of the tiara string. Flowers are not used. About the painting: the arrowhead should be pointed upwards, pointing towards the nose. It would be interesting to include a necklace: black and red — the colors of Chiquitano People»⁽⁴⁵⁾.

These were some comments on the prototype. In general, the group realized that the notion of seeing the Tarumá River as a woman reflected Western visions, and did not correspond to the representation of the River for the Chiquitano People. Therefore, the group decided that it was necessary to develop a co-creation visual representation of the

(43) *Ibidem.*

(44) *Ibidem.*

(45) *Ibidem.*

story. For this reason, the illustrations were then created by the pupils of the Chiquitano schools.

The project of the story illustrations was then coordinated by Laucino Costa Leite Mendes and Adelaide Aparecida Chue Urupe. The illustrations were created by the children of the Chiquitano school of Nossa Senhora Aparecida, village “Osbi”⁽⁴⁶⁾, with the help of Adriele Cassupá de Almeida. These illustrations reflect the Chiquitano vision of the story, as reflected by the children’s imagination. In order not to influence the children’s drawings, the prototypes already produced in the previous discussion were not shown to them.

The teachers brought together the families of the village, presented the project, and organized a workshop. Then, they distributed several copies of the story and read it to the participants. The following pupils were asked to choose and draw a part of the story they most identified with. The pupils involved in the project from Year 2 Middle School: Renato Rodrigues Arroio and Wesley Verdécio Tomichá, and among the Primary School kids, Natali Rodrigues Arroio – Year 9, Samuel Verdécio Tomichá – Year 8, Adeilson Rodrigues Cassupá, Jhonata Verdécio Tomichá – Year 5, and Denis Verdécio Tomichá, Year 4.

Once the illustrations were created, a layout was created by Caroline Bouchat, under the supervision of the project coordinators, combining texts and illustrations.

The illustrations mainly focused on the first two Chapters of the story, while the legal aspect of the story was not illustrated. Despite the effort to simplify legal language, the translation of abstract legal concepts into images, including demarcation, rights, duties, and violations) proved to be a difficult process for everyone.

Here is the result of more than a year of work: we hope that you enjoy the story and its beautiful illustrations.

(46) Village name in the Chiquitano language.

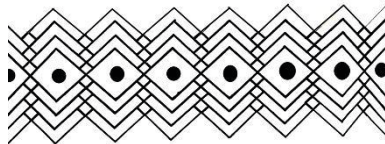
PART II

THE STORY: TARUMÃ, WATERS THAT SPEAK

MÁGNA SUYANNE DE LIMA COSTA

in collaboration with

**ANA LUÍSA FERNANDES FANGUEIRO; CECÍLIA SILVA CAMPOS;
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LAUCINO COSTA LEITE MENDES; MARGHERITA PAOLA POTO;
LOYUÁ RIBEIRO FERNANDES MOREIRA DA COSTA; MARIA SIRIA RUPE;
MATHEUS GOULART DE CARVALHO; SILVANO CHUE MUQUISSAI**



CHAPTER I

THE ENCOUNTER WITH THE RIVER

It was a beautiful sunny day, the perfect one for Suru to fulfill the task he had in mind.

For Suru, the path to the Tarumá River was like an old acquaintance. Over the years, he had walked it countless times, sometimes playing with his friends, other times while attending ceremonies with the adults, and even for learning. But not today. Today was a special day. He was to have a special conversation, a task not to be taken lightly.

As he traveled the path, Suru walked barefoot to feel the welcomed sensation of damp soil between his toes. He knew that during his journey he would have heard the familiar sounds he had grown with. The cry of the monkeys, the paca, and birds, while geckos and *cutias* dashed across his eye-line. He heard the rustling of the wind with the plants dancing softly in response, all while the sun crept through the branches of the trees to reach the ground.



As he arrived at the riverbank, he sat down on the ground and gazed in admiration. His father used to say that it is easy to understand the Tarumã River, and that each person had their own unique way of doing it.

As Suru sat at the river's edge, he focused on the sound of the flowing water and closed his eyes. He didn't know how long he had remained in that peaceful and contemplative state. Was it seconds, minutes, or hours? Suru could not say, but step by step, he began to feel that same water flowing through his veins. It was part of his being. It fed his life.

So, holding close to the hope that he would be answered, Suru opened his eyes and said:

«Tarumã, my father said to me that one day I would take on my role as a Chiquitano and nature's protector, because, without nature, the

Chiquitano People cannot exist. I know that this is going to be a big job and it's going to take a lot of time to learn. So, it is better to start soon. I have already spoken to many people in the village, but I have never stopped to understand the rivers, winds, plants, and animals. Because of this, I have come to meet you and to speak to you».

Tarumã wondered what person could have come to claim its attention and break the silence. Upon perceiving Suru, the River felt elated to see that it was a child. Hardly anyone so young and committed had paid a visit, and Tarumã suspected that the child was coming with a heavy heart. For this reason, Tarumã decided to appear. Tarumã used to transform itself to manifest to people. It used to shape its spirit according to the person's feelings and connect to those who could see it, a strategy that allowed it to talk to people's minds. Sometimes, it took the shape of a bird, sometimes a jaguar. Other times, it would take the shape of a handsome boy or a gorgeous girl.



There were countless possibilities and after so many years, Tarumá could no longer remember all the various appearances it took during its long life. The idea was to take on a special friendly appearance for the people who could see it. To be able to speak to that child, in particular, Tarumá took the shape of a beautiful girl with long dark hair.

«Hello, boy. I am happy you came to talk to me. I am curious to know why, among so many options, you decide to begin with me?», said Tarumá.

Suru could not imagine such a spectacle. It was exciting that Tarumá was talking to him! At that moment he understood what was happening. He did not know why, but he understood. Words could not describe the intimate connection that was instantly made between him and Tarumá.

That look of hers was so kind and loving, like a mother's. It was also so beautiful. Suru was scared. His parents already told him tales about how the river appeared to them in different guises. However, even though he felt no fear, the appearance was such a surprise that he almost forgot to answer the question.

«You already know me from the fishing trips, the games, baths, and rituals. I know that things are not so easy for you. I would like to know you better to help you and protect my people. I am twelve, I am already a man and I know I can help».

«That's true my dear Suru, I have known you for a long time».



Suru was very surprised to hear that, despite having failed to introduce himself, Tatumā already knew his name.

«Yes, my name is Suru which means thunder. My mum told me that I can be as noisy as the war drums, although my grandma says I am like a storm running here and there».



Tarumá could not help herself and laugh a little. She sat down on a nearby stone and said:



«I can imagine. Now, going back to what you said, yes, it is true I am a bit troubled. Your intention is noble. You know, all people are born as part of nature. They can see it and listen to it. Unfortunately, many people become blind and deaf to nature's requests for help. They forget that they are part of a whole and that they depend on it. But, not the Chiquitano People. You all understand the relationship between humans and nature, and because of this, you take care of the environment. This is wonderful, very wonderful. As long as there are people as concerned about protecting the environment as the Chiquitano People, there will be hope for life. So, where would you like to start?».

«Can you start from the very beginning?», asked Suru.

Tarumã nodded and explained: «I was born magnificent, with a clear and lively body. I used to run following the course set by Nature, the wise mother of life. Many species that already existed before humans used to depend on me. When I met the Chiquitano People they first called me Nosururs. Then they called me Tarumã».

«Why Tarumã?».

«Ah, it's because of that dark berry over there that they make wine with, see?», it said as it pointed to the fruit on a tree next to its bank. «Nosururs is the word in the indigenous language Tupi Guaraní. Though, people used to call that Tarumã».

Suru nodded in response, «I have got it. I have a question. Many people from different villages talk about you. Are you so long?». The boy had long been curious to know the real extension of the Tarumã River.

«Yes, I am. I am 135 kilometers long, I flow through Mato Grosso, Rondonia (both Brazilian regions) and reach all the way through Bolivia. Everywhere I go, you Chiquitano treat me well».

«Oh dear! You are really long indeed. Without you, we wouldn't have fish to catch, bath to take, animals to breed, rituals to do neither».



«Yes it's true: countless animals and plants' lives depend on me as well as different Chiquitano villages».



After this, Suru asked her if she knew about the size of his People. Maybe she knew that they spread on different lands.

«You said that you are magnificent, and cross different lands, as do we», he said.

«I know it indeed. The essence of your People is to “cross borders”».

«“Cross” what?».

«Cross border means that you Chiquitano People have been living here for a long time. Since before there were cities, states and countries, you have been in just one place. In the 2000s, there were 2,400 members of the Chiquitano People in Brazil, while in Bolivia they were more than 80,000. The Chiquitano People occupies as many territories in Brazil as in Bolivia. In Brazil, the territories that the Chiquitano have been living in since time immemorial are in the state of Mato Grosso. Namely, the municipalities of Cáceres, Porto Esperidião, Pontes, Lacerda and Vila Bela de Santíssima Trindade. Do you know how many Chiquitano villages exist?», asked Tatumá.

«I do». In that moment, he was happy to have paid attention in class. He attended the local school and hoped it did not trick him.



«Something about 30, right? There are Vila Nova Barbecho, Acorizal, Fazendinha, Aroeira, There are...What are the others? I remember it! Nautukich Pisiórch, Paama Mastákama, there is Nossa Senhora Aparecida, Os Bi, Santa Luiza, Triunfo, Las Petas, Santa Mônica, Bocaina, Nova Fortuna, Cantão, Morrinhos, Palmarito and there is that one of Aeroporto OCA» exclaimed Suru.

«You know enough then. Congratulations! It's not easy to remember so many names», said Tarumá with a smile.

Suru felt so proud of himself.

«Thank you! My parents say that it is important to know our people, not only the village where I was born. And how about you, where were you born?».

The water of the shore trembled and the reflection turned into another view. Now, a lush green mountain took up the scene. Suru had never seen so much green before in his entire life. As each image appeared the boy sighed with emotion.

«My source is there, in the Serra Santa Barbara. It is a National Park in Mato Grosso. Part of the protected area is included in the Chiquitano territory of Portal Encantado, on the border between Brazil and Bolivia», said Tarumá.

«When did the Chiquitano People begin to use your waters?», asked Suru.

«It has been a long time, such a time ago that I can't even remember, I am not sure. But it was before the Jesuit Missions, between 1691 and 1760. These missions had a big impact on the Chiquitano People. Have you ever heard about this history?».

«No, can you please tell me?».

«Sure! I think it is very important for you to know the history of the fight of your People. It is a long story, and you need to relive some moments».

Tarumá raised her arms and hugged Suru. While her waters embraced him, Suru felt safe and at ease, just like when he did within his mother's arms. The story would be beautiful but sad, and he knew that as long as he stayed in Tarumá's embrace, the path would be less painful. The protection of the River was necessary.



CHAPTER II

CRY, PAIN, AND FIGHT

Wrapped in Tarumã's embrace, Suru entered a deep dream and was transported to experience the past.

He saw white men dressed in strange clothes that reached their feet. They kept Bibles in their hands and stood to the side of a big cross.



In the middle of the forest, they were speaking to the people with an authoritarian attitude, sometimes in Latin. Some persons seemed to be curious while others boasted the arrogance of those who claimed to be

bearers of truth. Though something drew Suru's attention, there were more natives than the whites.

«Do you recognize these men?», Tarumá pointed to those men who were not the indigenous ones: «They are the Jesuits. For more than 300 years the Jesuit Mission put together different groups of indigenous people, among them the Chiquitano People. But this came at a cost: the Catholic religion and white men's culture were imposed to weaken you. They tried to silence you all, to extinguish your culture and your worldview by means of physical and spiritual violence».

Suddenly, a new image appeared. There was a clearing in the middle of the forest where some members of the Chiquitano People were sitting on the ground. Meanwhile, a Jesuit was speaking and pointing out a statue of a Catholic saint, holding an open Bible. Tarumá explained that the speech intended to teach the native adults and children how to read the Bible and worship the Catholic saints and the catechism.

Suru then saw an indigenous person being thrown at the feet of a cross. The man was wounded and alone. He was still alive, but weak. He still had the traditional body paint and clothes.



«He is like me», Suru said, squeezing his own hands as strongly as his heart got squeezed. He sadly remembered the stories that the elders used to tell him about the suffering experienced by the Chiquitano People, who firmly resisted the white men who marked not only their bodies but also the environment. The more they invaded the lands the less forest there was.



«The elders of the village tell stories about it. They say that the Chiquitano People's suffering increased over time and with the destruction of nature».

«You are right, Suru», said Tatumã. «The environmental devastation intensified when the white men invaded the lands. I remember that they made a certain law of the lands, the Law of Lands. This law allowed more foreigners to occupy the Chiquitano People's lands on the border between Brazil and Bolivia building big farms around plantations, the fazendas. The owners exploited the indigenous' labour through forced services. This situation only got worse».

The anguish seized each inch of Suru's body. What he was seeing was frightening. Surely it was caused by the war. The Chiquitano People were fighting against foreigners. The villages were burning. There were bodies everywhere and the ground turned red with blood. The Chiquitano People resisted, but the pain would never be forgotten.

Now the image showed fallen trees, animals running away, and people losing their huts and even their lives. White men were forcing some indigenous, adults and children, to work on their farms. Those who were trying to escape were shot. If it were not for Tarumá holding him, maybe he would have passed out.



«How could all this get worse?», Suru asked while his tears were flowing down along the waters. Tarumá thought that it was safer to take Suru to a quiet place, going back to the place they were before.

In the end, she would not darken the kid's hopes. Once back in that calm place Tarumá spoke again, «I am taking you back to 1970 when the Institute of Colonisation and Agrarian Reform (INCRA) was established in Brazil and the agrarian reform started».

«How did this agrarian reform affect the Chiquitano People?».

«With the Reform, the Brazilian state started to register the landowners' titles of the lands as if they were the real owners, disregarding the indigenous' traditional tenure. This changed the traditional structure and features of the villages, separated families, and reduced the indigenous territory. It also increased the pressure on the Chiquitano People's culture and worldview. Sacred and important sites are in the possession of these fazendeiros».

«But we Chiquitano are strong, and we resisted!», Suru shouted fearlessly.

«Yes, you resisted», explained Tarumá. «But your people decreased in number due to the process of oppression perpetrated by large local landowners and local public power. Many of you have come to deny your indigenous origin».

«True. My grandma's brother did that to get a job. My grandma said that at that time my family was starving, and my great grandma was seriously ill. There was no money to buy food and medication».

«The fazendeiros who stole the Chiquitano People's lands and condemned them to misery took advantage of their misfortune. They only offered jobs to those who self-declared as not indigenous and spoke no

other language than Portuguese. The pay was low, and the work shift was intense».

«My grandma used to say her mother, my great grandma, was very proud of her indigenous origins and she died shortly after her son went to work on a farm. My grandmother said that she died from grief».

«Yes, so it is. Not only did your grandmother's brother deny his descent from the Chiquitano People. Unfortunately, this oppression continued without any intervention from the public power side. Until the 1990's many of us generally used to live in villages without acknowledging their Chiquitano origins. Even though not all of them self-defined themselves as indigenous they still used to observe their rituals».

«Like the Curusé?», asked Suru.

«Yes, exactly. What a beautiful ceremony», Tarumá said as she waved its waters to show him the cheerful party as a reward for such suffering showing that not all got lost. Despite all the oppression, it was time to show that the Chiquitano People's culture resisted indeed.

«Hey, wait! I remember about this Kurusé. I took part in it last year», Suru said as he remembered with happiness. «I had a lot of fun. My mum said that this year it is going to be even better. I can't understand how some Chiquitano could deny our culture. It is so rich and lovely. I am so proud to be a Chiquitano and I say this to everyone who wants to listen».

«Now my dear», said Tarumá as she put her hand to her mouth while laughing, this time a little bit louder. «You are right to be proud of your culture and of the strength of your People».



«You bet! But Tarumá, what do you think, is it possible? I mean, people are leaving and pretending to be like the white people».

Tarumá stayed in silence for a moment considering the boy's question.

«We can say that since the year 2000 we are living a transformation as the Chiquitano People are being “rediscovered” by the Brazilian government».

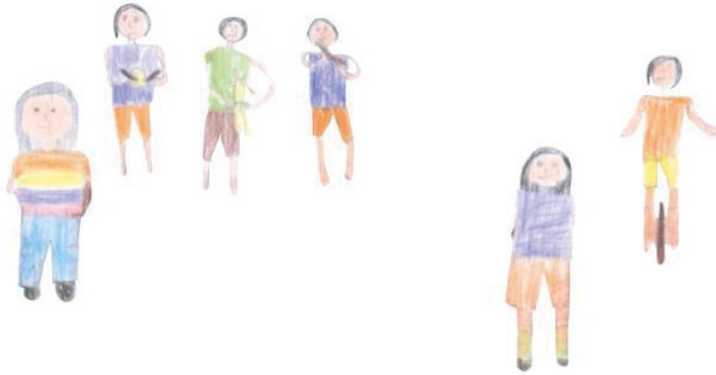
«“Rediscovered” how? What do you mean? We have been here for many years, haven't we?».

«It happened that they needed to build an international gas pipeline between Bolivia and Brazil so they had to study the region. Thus, they made an environmental impact study and they realized that there was an indigenous group living in that region. From that time many people identified themselves as Chiquitano People».

«Did the inhabitants of that region respect them?».

The conversation was getting on to a delicate issue, hard to deal with. Suru guessed that bad things were coming.

«Unfortunately no», said Tarumã. «The people who declared themselves as Chiquitano People had problems. They were threatened by the fazendeiros. Chiquitano People from Vila Nova Barbecho for example, could not go shopping in the near village because they feared suffering violence or even being murdered».



«It seems that to identify yourself as a Chiquitano is an act of bravery».

«It's true. Courage is and always will be an important element of the Chiquitano People».

Suru wondered how difficult this could have been for kids like him.



«That was not long ago, right? How were other Chiquitano children treated?».

«At that time there were no schools in the villages so the children had to leave their hometown to study in other places where the Chiquitano People's cosmovisions were not regarded as scientific and therefore not part of the school curriculum. In these schools the Chiquitano children suffered prejudice, they were called names ("bug" and "Indians": in particular, the word "Indian" is considered something bad and humiliating). It was at that time that the Chiquitano People together with the Municipal Department of Education of Mato Grosso started to fight to open schools in the villages so as to respect their culture».

«If it weren't for this, I wouldn't have a school to study, right?».

«Maybe you would have. But it is in another city, outside the village with no one that could teach you the things about your village or culture» explained Tarumã.

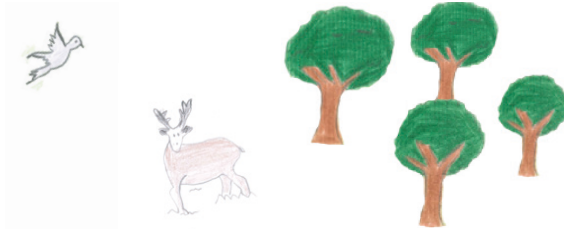
«Ah, good! I am happy that they took care of that. I like that school. My parents always tell me that education is very important».

«Yes indeed. But teaching must respect your culture. Unfortunately, we find ourselves now in the opposite situation of violence and cultural oppression».

«You are right. I learned that violence does not lead to anything good», said Suru.

«Yes, unfortunately not all people respect others and nature. Human rights violations are constant through explicit and tacit violence».

«Everyone in my village knows we have to respect others and nature. We depend on it and there will not be any more Chiquitanos if there is no healthy environment. But the landowners do not help, right?».



«Unfortunately, I agree with you, they don't. Actually, do you know they pollute the waters, the soil and the air?».

«Seriously?», yelled Suru in shock.

«Yes», said Tarumá. «They pollute everything using agrototoxic products which affect people's health in general, and in particular pregnant women who come into contact with those substances have many health problems».

«I can't understand why... Why can't they see they are hurting people and you? Is it so clear that they cannot see? How is it possible they don't see? It seems that this situation affects only the inhabitants of the village but if it is going to continue like it is, it's going to affect the world. I don't understand what these people think about!».

Tarumá was surprised to see that Suru, who was just a kid, was able to realize all the consequences of human actions.

«Exactly. I have to admit, that it is difficult for me as well, to understand it. I can't help you. I didn't understand either how something that I thought to be easy and logical can be ignored in this way», said Tarumá.

Suru, unable to understand how this could happen, asked «Why doesn't the government help? My dad says that they must help us».

«Yes. We can't forget that the Brazilian state has its faults».

«How?».

«Brazilian legislation guarantees indigenous' rights like the Chiquitano People's rights. I am talking about the Constitution of the Federal Republic of Brazil of 1988, of Brazilian laws and International Agreements of which Brazil is a state party».

«This looks so complicated and difficult to understand».

«It is indeed. Because of this, as I said, you don't need to know everything, but there are some things that you need to remember and that I can't leave to explain to you. So, please Suru, be patient», said Tarumá.



CHAPTER III

THE CHIQUITANO PEOPLE'S RIGHTS

«So, where can I start?», Tarumã pondered while looking at the trees. She seemed to be lost in her thoughts.

«Have you ever heard about the right to a healthy and balanced environment?».

«I don't think so», said Suru.

«According to this right, every human being must enjoy conditions of adequate life in a quality environment to be able to live in a dignified way and enjoy wellbeing. But it's not all about this. People must protect and improve the environment for everyone, even for those who are not yet born».



«Oh. So does that mean there is a law stating something that my People already know and do here in my village?».

«Yes exactly», said Tarumã, with a hint of a smile.

«Do the fazendeiros know about that law? If they did not know it would be something different but I am afraid they do it on purpose. It is not possible, because of the way they invade our land and destroy nature. The Brazilian state knows but it doesn't stop them. Why?».

«In fact, according to the right to a balanced and healthy environment, people and government should jointly act to protect nature, but they do not respect what they write. That's why you Chiquitano People and we, as nature's elements, are constantly attacked».



«My parents usually talk about a certain “demarcation of lands”. They say that it could help us and nature, but I don’t know what that is».

«True», said Taramã. «The right to the demarcation of lands, inhabited since time immemorial by indigenous people, is related to the protection of the environment. You care about nature because you depend on it to live as nature depends on you to exist. You are its protectors».

«Why hasn’t this been done yet? What is missing?», exclaimed Suru.

«Those who judge, the Judiciary, and those who execute, the Executive Power, are in endless disagreement. Things don’t go ahead due to the current situation. It seems to me that it is another strategy to exterminate and weaken your culture».



«Oh, it is a long process. Are there any demarcated lands?».

«Yes, there are. For example, the Indigenous Land Portal do Encantado. There are almost 43,000 hectares and a perimeter of 121 kilometers but only 5,000 hectares were demarcated. The rest of the land is occupied by fazendeiros».

«Seriously? It seems very... little», said Suru disappointedly. Even though he didn't have the exact notion of how much land that was, he knew that 43,000 was more than 5,000.

Tarumá nodded and then continued: «So, we can conclude that there is still a long way to go, which creates the perfect scenery for conflicts and environmental degradation».

«But still, I don't understand what the demarcation of lands is», stated Suru.

«Well, indigenous people are considered by the Constitution of the Federal Republic of Brazil (1988) the first and natural owners of territories and the government must demarcate all the lands which are "traditionally occupied" by indigenous peoples. So, the demarcation of lands is a way to guarantee the indigenous right to self-determination and land demarcation. When we talk about indigenous land it is necessary to consider the fundamental relationship between the people and the territory they inhabit. It's not merely about land but a cultural need».



«This seems important to me. Is it written somewhere?», said Suru.

«Yes indeed», explained Tarumã. «In the Constitution, the most important legal document in Brazil, article 231 says that indigenous peoples have fundamental rights on the land they inhabit».

«Wow!», exclaimed Suru. «So, it is enshrined in the Constitution, and they do not pay any attention to that?».

«Moreover, the process of demarcation is regulated in other legal provisions. There is also the Estatuto do Índio, literally: the Statute of the Indio, which says that any act of expropriation of the indigenous land is not valid and has no effect».

«Oh, dear! Is expropriation legal outside Brazil? Do all the other countries accept that?».

«Well, there are some international declarations about indigenous peoples' rights. Brazil signed some of them, agreeing to guarantee the protection of the rights. But actually, as you know, the situation is different: some indigenous people's lands have been demarcated but the majority of them have not yet», explained Tarumã.

«I understand. So, there are many legal provisions about it». Suru thought for a few seconds about what he just heard before, but something was not clear yet. «Wait a second!», he yelled. «So, if the State does not demarcate our territory, will we have any land? My People say we have the right to land even without that demarcation».

«You are right. The original right to land depends on the demarcation only because this already existed a long time ago as a “traditional occupation”. The demarcation is only a formal action, something to register

in a document, something that you already know: that the land is yours. It is no coincidence that the Constitution of the Federal Republic of Brazil states, in article 231 paragraph 4, that indigenous land cannot be sold or given to anyone. That is not all. The Chiquitano People's right to land doesn't have any expiry date, it is definitive, permanent and irrevocable, and it cannot be taken from you».

«The truth is that our territory is decreasing a lot lately because of the fazendeiros who are kicking us out».

«Yes. But still, even if you don't possess, better, even if you don't inhabit the lands, you don't lose your right and the land is still yours», said Tarumã.

«This is good news, isn't it? But how about nature? How about the animals and trees? If they are going to demarcate the lands, shall we have the peace to use it when we will need it?».

«By law, yes», explained Tarumã. «Article 231 of the Constitution of the Federal Republic of Brazil affirms that the lands that are traditionally inhabited by indigenous peoples are intended for their permanent possession with the exclusive use of the land and its natural resources like rivers and lakes which are there. This means that only your people have the right to use your own land and no one else. Meanwhile, the State can allow mineral and water resources supply as energy, research and resources exploitation. In these cases, the state must try to develop a dialogue with the local communities first. Also, you have the right to share all the profits generated from any activities».

«Ah, so our opinion matters. They do what they want without our consent. Even a boy like me can stop them!».

«Good!», said Tarumá, amused by the kid's enthusiasm.

«But Tarumá, I know I have already asked you twice, how does this demarcation process work? Can I go there straight away and ask them to come here right away? It's taking so long!».

«It is not so easy actually... The demarcation process is long and complicated. I am going to try to make it easy for you. Brazilian Federal Constitution, again article 231, states that in order to start the demarcation the lands must be permanently inhabited, they must be important for indigenous' activities and the area is vital for the preservation of natural resources which ensure its inhabitants' well-being. The area must be necessary for the human and cultural local communities' reproduction».

«I have got it», exclaimed Suru. «Is there anyone else who participates in that process besides us and the government?».

«Somehow. There are some governmental and non-governmental organizations involved in it», said Tarumá.

«Like the FUNAI? My father told me about it, but I don't know what it is».

«FUNAI is the National Indian Foundation that carries out policies for indigenous peoples in Brazil. When a process of demarcation starts it is responsible to develop various studies for the decision-makers about the law, culture, society, geography, environment, and other more related to the area. Afterward, it sends all the information to the Ministry of Justice. The latter decides about the process of demarcation, it can order the demarcation, it can ask FUNAI to take more actions, or disallow the recognition of the area. If the studies about the demarcation process are approved

by the Ministry of Justice, FUNAI initiates the process of physical land demarcation. Finally, the President of the Federative Republic of Brazil confirms the demarcation that has to be finalized within a deadline».

«When do we get into this? Or do we just have to wait?».

«No, absolutely not! Any indigenous group has the right to participate in each step of the process. The public prosecutor helps to uphold and protect indigenous rights. Different NGOs (Non–Governmental Organisations) have the same purpose, making pressure to conclude the process as soon as possible».

«There are many things. I don't know if I will remember all this!», said Suru.

«I know. It's not so exciting, but it is important».

«Yes... Tarumã, if there are many people involved in the research, making pressure and more, why is the demarcation taking so long to happen?».

«Because it is a very complex process that needs many people to work on it. Apart from this, even if there are set deadlines by law for each step of the demarcation process, it can take years to end. If the authorities do not respect the deadlines nothing will happen to them, unfortunately».

«But it happens to us instead! we are the ones suffering here!», said Suru.

«Yes indeed», Tarumã said in agreement. «Because of this, the social mobilisation and NGOs' pressure are fundamental in order to assure the achievement of the demarcation process».

«It's all so complicated, but I think I understand a good part of it».

Tarumá smiled at Suru's innocence because he was speaking as if he was certain he heard all there was about this complicated situation.

«There is more actually», explained Tarumá. «We can say that the right to indigenous' lands demarcation is related to other rights like the Chiquitano People's rights to life, freedom, safety and integrity; the right to live in a healthy environment; the right to practice their own religion and rituals; the right to preserve the health and wellbeing; the right to food security; the right to education; right of recognition of legal personality and civil rights; right to decent work; the right to protection of the Indigenous Cultural Heritage».

Tarumá was talking animatedly and paused, realizing that she may have gone into, perhaps, too much detail. «Well, all this means that if the demarcation does not happen all those rights will be violated».

«Life really is not easy, but we are strong and will continue to fight! It's our fight. We are the resistance!», exclaimed Suru.



«This is my hope. I can live forever as long as people take care of me and the environment. If my situation doesn't get better I will lose my life

soon, disappearing and taking with me plants and animals' life as well as the Chiquitano People's life. That alone would be catastrophic, now imagine the reaction in chains».

Suru replied, «we can't allow this to happen. I want to help to protect nature and the Chiquitano People».

«So, please fight for me, for the Chiquitano People and for humanity», said Tarumá. «Use your willpower, your determination and resilience as well as what the humans call the law. The function of the law is to serve as a medium for fight and resistance».

Suru stopped for a moment, looking quietly at the water on the riverside, at the way she touched his hand. She gently went through his fingers until she reached his wrist, running and caressing everything in her path while further on some little fish swam with the current. Suru's face got serious.



«Tarumá, what is gonna happen to us if you leave us?». Suru gasped, stuttering: «W—we are not going to live here anymore, are we?», continued the boy, sobbing with emotion. «Water is life and we need you. The animals and plants too. How is it going to be?».

«My child», Tarumá said, gently stroking his face. «There is no life without water. Access to water is a fundamental and primordial right for a worthy life. The right to have water is related to the right to life and because of this, you have to be strong to defend everything, my little thunder. Never forget this».

Silence came. Suru remembered the suffering of his village, the suffering caused by the current situation of the Tarumá River. On her side, Tarumá remembered that she was not the only one suffering from the white men's negligence.

She resumed, «Suru, the truth is that what is happening to us is not a unique case. There are other places where my fellows are at risk like Uruguaíto Bay, Romero Bay, Ema Bay, Father's Bay, Mosqueteiro Lagoon, Alegre River, Fortuna River, Santa Rita River, Formosa Lagoon, Linda Bay, Turvo River, Córrego Stream Carás, Nopetarch River, Barbado River, Grande Bay (with Marfil and São Simão Bay) and Cervo Bay. They are going through difficult times and they need care. If no one does anything, different rivers are going to run dry as happened to Onça Stream and Ponte do Louro Stream. Whenever a river or a stream is attacked, the Chiquitano People from the villages, as well as animals and plants that depend on water are also affected. Without clean water, the entire ecosystem crumbles inside out».

«I didn't know it. No one deserves to suffer in that way. Besides the problem of water pollution caused by landowners, there are other situations where the fazendeiros hinder access to water. This is so sad».

«You are right. I really would like it to be an easier matter for you».

To speak about the right to water was painful for Tarumá. The concern in her heart was as heavy as in the child's. Without clean water, there is no life. Humankind is in distress when it disregards this truth.



CHAPTER IV

ATTACKS ON THE TARUMÃ RIVER AND THE VIOLATION OF THE RIGHT TO WATER

Considering her situation, Tarumã had no time to waste. To protect herself and the Chiquitano People she needed to empower Suru by answering his questions about water rights. Tarumã knew that the Chiquitano People's position could be strengthened by guaranteeing access to relevant information about water. Thus, through this effort, this fight would gain strength and would echo around the world.

«Suru, I know this is painful. Believe me, I am sorry, I understand this very well. Do you remember what I told you about different national and international laws that defend your people's rights?».

«Yes, I do», responded Suru.

«Good», said Tarumã. «There is a thing that I need to remark on, which is the National Water Resources Policy, a legally binding document approved in 1997. Have you ever heard about it?».



«No, I haven't I am afraid», said Suru, while attempting to sift through his memory.

«Well, according to article 2 of that Policy, people's consumption is a priority in situations of scarcity. Everyone shall have access to safe water for different needs and to protect any source of water from inappropriate uses. This Policy complements the Code of Waters approved by decree n. 24.643 in 1934. The Code states that people are not allowed to do anything that modifies the natural courses of water. Whoever does not comply with this provision shall be fined and pay damages. In case of further lack of compliance, the state shall take the obligation and order the debtor to pay».

«Is there anything else that will happen to anyone who harms nature?».

«Yes there is», said Tarumã. «According to the Constitution, article 225, paragraph 3, whoever harms Nature shall repair the damage, the person responsible for the damage will be held responsible by civil, administrative and eventually criminal law. Probably you are not understanding everything now. Whoever causes damage to nature will have many problems. Also, the National Environmental Law (1981) states that any kind of pollution which harms people's health and flora and fauna shall be punished with detention and penalty, according to criminal law and with administrative sanctions, as well. The National Water Resources Policy also contemplates the possibility of penalties for the losses caused by the offenders, and different damages due to the irregular use of water».

«Ah so they will not escape so easily! What is going to happen if the offenders deny their faults?».

«Offenders cannot escape so easily, because the offenders must pay a compensation or fix the damage (compensation in kind) without proof of fault. This is called strict liability. Whether an individual, a company or even the public power all will respond in every way possible».

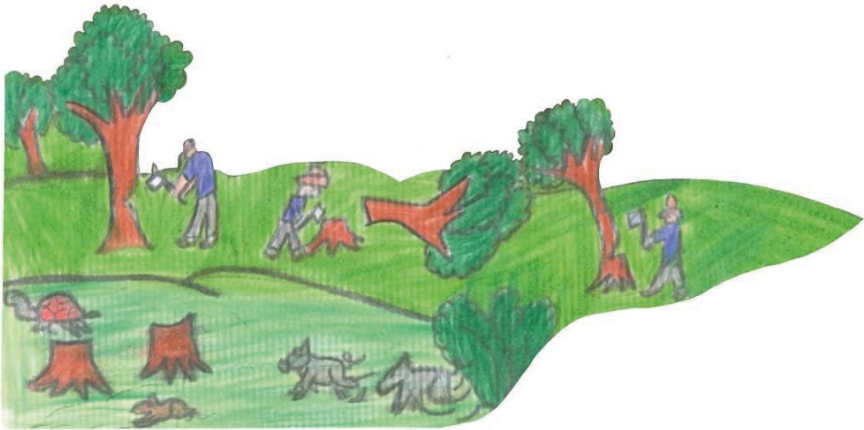
«So there are different laws to protect us and the waters of the river, which makes it more difficult for me to understand. Why are there so many legal provisions that aren't enacted?».

Tarumã knew exactly what Suru meant. In January 2021, the inhabitants of the aldeia Acorizal noticed that the water of the River was muddy and contained sediments and that the water level lowered.



They worried so much that they decided to stop using water, being afraid it was contaminated. This situation affected them both physically and spiritually. This is because water sustains animals and spiritual life protectors that are all responsible for the balance of nature. Even worse, during the Covid-19 pandemic, some members of the Chiquitano People were left without water, an indispensable tool for personal hygiene. Without equitable access to water, many people were more exposed to this devastating virus.

«Honestly, I don't have an easy answer», said Tarumã. «I am not in my best shape for the illegal deforestation of my bank and dam construction at my estuary, by the hand of the fazendeiros».



Suru looked closely at Tarumã's eyes and realized how tired they looked. «Were they like this before?», the boy thought. He was about to ask her when Tarumã continued.

«Did you realize that I am struggling as we talk? I know that my bad health affects the food security and safety of the aldeia Acorizal and

other Chiquitano communities because I am not able anymore to supply water for crops. Also, it has been a while since fish stopped being abundant in my waters. If nothing is going to be done to change this situation the consequences will be devastating. That's why I need you».

Suru was quiet, observing the water and thinking about how abundant fish was before, and how it became scarce over the years. He thought about people starving and remembered a conversation he heard among the elders of his village.



«Tarumá you know, at the beginning we didn't exactly know what was happening but we knew there was something wrong. The problem was that we could not understand everything by ourselves. It is not possible to go along the entire river, but we knew it had to do with the farms. This is wrong. That's why we went to look for help».

«You did well not to expose yourselves to the risk of death. The Chiquitano People's life is worth it, and they need to be protected. It was a good choice to report the case to the competent authorities and give visibility to it».

«Yes. I have been told that, after the Chiquitano People reported, in January 2021 the Police of Cáceres went to some farms close to Acorizal and ascertained that we were right since the beginning. The fazendeiros were destroying everything. They said that they could not because it was “permanent preservation”, or something like that».



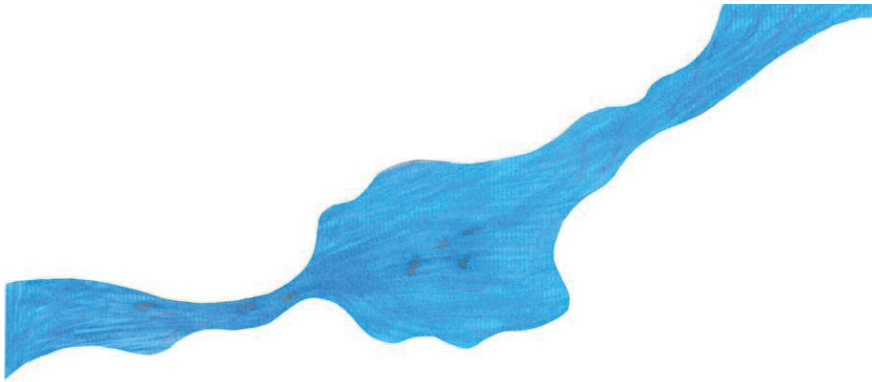
«True», said Tarumá. «I follow the situation of my bankside and riverhead. The police discovered a structure that proved all of this as well as an illegally deforested area on the indigenous land. Also, they found evidence of a fire in the forest, grounding of the areas of permanent preservation on my backside, and the illegal build of a bridge. There were types of machinery used to deforest and prepare the soil for the pastures».

«At that time the Police fined the fazendeiro right? But our situation didn't get any better. That's why I can understand my family's sadness. It seems like we fight and fight, but it doesn't help at all!».

Now, what was hiding deep down in Suru's eyes? Was it sorrow or fatigue? At that moment Tarumá realized how strong this child was. He was struggling impetuously not to give space to negative thoughts that would impact his mission. The will to protect his People and nature was truthful and strong. Tarumá needed to show him that the sacrifice was worth it and that each small win was big in the grand scheme of things.

Tarumã said: «No major transformation can happen in a single day. Transformation happens in small steps. Police checks and reports are examples of steps that initiated the next initiative. Do you know what the last one is?».

«No, I don't», Suru replied.



«On January 21, 2021, a mobilization of more than 70 human rights and socio–environmental organisations came together to send a document through the Human Rights Centre Dom Maximo Biennès, to the public prosecutor, and the Environment Department. The document was accompanied by a letter written by indigenous representatives from the affected villages. The Chiquitano People's claim, together with investigations of the Environmental Federal Police, resulted in a lawsuit against these harmful actions. For this reason, we can't be discouraged. Every Chiquitano People's step to fight is an important act of resistance that gets us closer to our objectives».

«Look around you, then you will be sure», said Suru. «Things are changing. It is possible to get better».

«Yes indeed. Do not get lost in pessimism before looking at the whole situation».

«You are a very wise Tarumã, aren't you?».

Suru had imagined that Tarumã knew many things, but at the same time, he was surprised by the breadth of her wisdom. It was nice to talk to her. He felt as if he could ask her anything he wanted.

«How can we claim this from the authorities?», Suru asked.

«With a public civil action», explained Tarumã. «It is a procedural tool required by the Federal Constitution, which enables people to defend their interests. It is referred to with the motto “unity is strength”. Together with the judicial power, it is one of the ways to prevent and avoid damages».

«What about the fazendeiros? Does this help against them?».

Tarumã explained, «During the trial, preventive detention was required for the fazendeiros who illegally built a bridge on my course, in addition to other irregularities they committed, as well as to clear the river course from the bridge and remove all the sediments from the bankside and the ground which was placed in the area, and to assure the normal flow of the water in favour of the indigenous communities which have been affected from the illegal works. A resolution was requested within 15 days with a daily fine of 10 thousand reais in case of non-compliance. The application of other penalties was also a possibility, like documents seizures (passports and driver's licenses) in addition to other restrictions».

«Has any decision been taken?», asked Suru.

«The litigation process is very slow. The court could not find the fazendeiros. So, the judge ruled that no indigenous right had been violated, and therefore no urgent preventive measure was necessary. Meanwhile, the fazendeiros have been fined for more than a million reais by the state of Mato Grosso for the damages caused to the environment».

Suru replied, «Public civil action is taking a long time, like the process of demarcation of our lands. It seems to me that the actions in defence of my People's rights take longer than others. There's a lack of interest from the public power. It sounds like we talk, talk, and talk but the judges do not listen to us, or they pretend to not listen to us. This is awful, but do not worry. We are going to continue to fight for your life and the Chiquitano People's life. I am not going to give up because of dismay».

«I am happy to hear this from you», exclaimed Tarumã. «It means that our conversation served its purpose. And to conclude, I would like to remark that law shows the way peaceful and lasting solutions. Meanwhile, we cannot forget about the importance of public opinion in Brazil. We need to gain national and international support, as well as visibility in the media. This way, the state will be pressured to recognize the Chiquitano People's rights. It doesn't help to have rights and to fight for them if the judiciary and executive powers are slow and hesitate to act, making invisible their effectiveness».

«That's a lot of teaching. I have learned many things today», said Suru.

«Thank you, my little boy. Your motivation in fighting for your People is inspirational!», exclaimed Tarumã.



They remained there, talking for hours as if time itself had stopped.
Hours and hours of conversation, the river and the kid.

CHAPTER V

EPILOGUE FAREWELL TO THE SOUND OF THUNDER

The sun was falling down on the horizon, looking shy through the trees, when Tarumá and Suru said goodbye to each other. It was not what they wanted, but there was too much to do, making it impossible to stay there any longer.

«Tarumá, thank you very much for your teaching. I am going to go back to my village and will tell the people all I have learned. I am excited to help and protect you. I know how we can strengthen our fight. Can I come back to speak to you again?».

«Sure you can!», replied Tarumá.

«See you soon», said Suru. «You can bet I will come back».

«Bye bye», responded Tarumá.

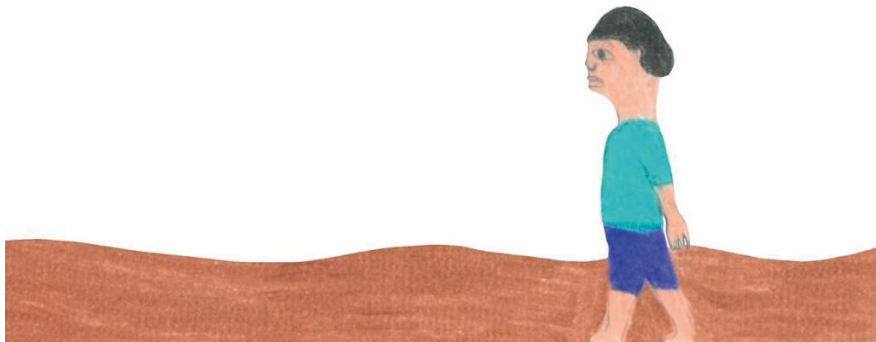
As the boy walked away, Tarumá could hear him singing: «Suroto nhauma suroto nhauma aká nopetama. Suroto nhauma suroto nhauma

aká nopetama. Simanusuma, simanusuma iutavatasauka iutavatasauka. Simanusuma, simanusuma iutavatasauka iutavatasauka»⁽¹⁾.

Suru was anxious to get back to his village to tell his parents about the conversation he had had with the pretty girl, Tarumá. He ran into the forest impetuously, like thunder that rips the clouds during a storm. He cut the wind boldly, energized by the history of his ancestors. Now he understood his duty in the Chiquitano People's fight. His footsteps echoed the sound of drums announcing that the time for another warrior to join the Chiquitano People's fight had come. He did not just feel strong, he was the strength.

Hope renewed in the old and sick Tarumá's spirit, just as much as it had in the young Chiquitano boy's heart and his village.

At the end, who could deny that nature and humankind came out reinforced from that conversation? Life had been praised in all its forms.



(1) Translation by Maria Siria Rupe: «I saw a child crying in the turtle's belly and he was an indigenous (x2), who said that the tale of the song is about a hunter who met a turtle, before he heard the song and went away dancing».

GLOSSARY OF THE STORY

Agrotoxic [products]: Agrotoxic products are chemical products intended for use in production sectors, typically in the storage and processing of agricultural products, in pastures, protection of native or established forests, and other ecosystems to change the composition of flora or fauna and/or to preserve them from attacks considered harmful from Other living beings. The danger of agrotoxic products lies in the intoxication they can cause. Intoxication can occur directly (through direct contact, handling, or application, among others) or indirectly (through ingestion of contaminated food or water). The effects of agrotoxic on human health is often harmful, even fatal in some instances. Health risks include: kidney disorders, contamination of breast milk, and an increase in cases of miscarriage, stillbirths and perinatal deaths.

Aldeia: Portuguese term for Indigenous village in Brazil

Civil Rights: Civil Rights protect the freedom of individuals from violations by governments, social organizations, and other individuals, and that ensure the ability of individuals to participate in the civil life of society and the State, without discrimination or repression. Civil rights include the guarantee of physical and mental integrity, life and

security of people; protection against discrimination on grounds such as race, sex, ethnicity, religion or disability; and individual rights such as privacy, freedom of thought and conscience, expression, religion, press, assembly and movement.

Curusé: Portuguese term for a ritual of the Chiquitano People. For details see fn. 54.

Cutias: (*genus Asyprocta*), Portuguese term for *agouti* (in Tupi Guarani), South American rodents (<https://www.youtube.com/watch?v=KAaf6K-2copg> last access September 2022).

Ecologically Balanced Environment: Na ecologically balanced environment is a fundamental human right expressed in the Brazilian Constitution in Art. 225. It is intergenerational because the environment must be preserved not only for this generation but also for future ones. Recognizing the utmost importance of the environment in our society is not difficult if we recognize it as the place where we live and where the conditions for a decent life are developed. Protecting the environment is everyone's responsibility. State action in defending this right is fundamental in the face of deforestation, and various other forms of attack on ecosystems, soil, water and air pollution so that an ecologically balanced environment can meet the demands for a dignified life of the community.

Environmental Impact Study/Assessment (EIA): the Environmental Study/Impact Assessment, as established in the Brazilian environmental legislation, is a technical–scientific procedure, which aims to assess the environmental impacts generated by activities and/or undertaking users of environmental resources, potentially polluting and /or causing environmental degradation. EIAs should also present mitigating and environmental control measures, thus ensuring the sustainable use of natural resources. It is introduced preventively for environmental

damage and in cases when the danger to the environment is verified, measures are taken to minimize or avoid environmental damage (CONAMA Resolution No. 1 of 01/23/1986; Art. 225 of the Federal Constitution of 1988).

Fazendeiros: Plural for *fazendeiro*, Portuguese term for the owner of a Brazilian plantation (*fazenda*).

Legal personality of Indigenous People: The Brazilian State fully recognized the legal personality of indigenous peoples, respecting indigenous forms of organization and promoting the full exercise of their rights. Legal personality recognizes the capacity that a person has to acquire rights and contract duties in society. In the Brazilian legal system, every person becomes a subject of rights when they acquire a legal personality. In Brazil, the legal personality of indigenous peoples was recognized in the Federal Constitution of 1988. Prior to 1988, indigenous peoples were considered incapable of carrying out acts of civil life. In this way, the 1988 Constitution was a great advance in guaranteeing the rights of native people. This situation directly impacts the effective exercise of indigenous rights by their holders, that is, indigenous peoples now have a voice and ability to fight for their rights themselves without needing others to represent them (Art. 232 of the Federal Constitution of 1988).

Paca: (*genus Cuniculus*) South American rodents with piglike bodies, large heads, and swollen cheeks. They have short ears, large eyes, and long whiskers, and their bodies are stout, with large rumps and short limbs.

Right to Decent Work: Everyone has the right to work, to free choice of employment, and to just and favorable conditions of work. Every person who works has the right to just and satisfactory remuneration, which ensures them and their family an existence compatible with human dignity (Art. 7 of the Federal Constitution of 1988).

Right to the Preservation of the Indigenous Historical and Cultural Heritage (Patrimônio Histórico Cultural Indígena): in Brazil, the Federal Constitution of 1988, by recognizing human and fundamental rights and the need to enforce them, assured indigenous peoples the right to culture, difference and cultural diversity. Article 215 of the Brazilian Constitution provides that the State will guarantee to everyone the full exercise of cultural rights and access to the sources of national culture, and will support and encourage the appreciation and dissemination of cultural manifestations. Further, article 231 of the Constitution recognizes the social organization, customs, languages, beliefs and traditions of the indigenous, recognizing the existence of national minorities and instituting means of protecting their ethnic singularity.

Traditional Occupation: Traditional occupation is the term used in Art. 231 (Para 1 and 2) of the Brazilian Federal Constitution that considers the idea of traditional occupation of the land indigenous peoples inhabited since time immemorial.

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THE COORDINATORS OF THE PROJECT



Giulia Parola: Research Fellow, Università degli Studi di Torino, Italy, with the project “Modeling Water Governance and Rights with Empathy, Compassion, and Care, from the Perspective of Integral Ecology”; Visiting Professor (2020–2022) at the Graduate Program in Law at the Federal University of the State of Rio de Janeiro (UNIRIO), Post–Doctorate in Environmental Law at the Fluminense Federal University, Rio de Janeiro (UFF–PPGDC). Doctor in Environmental Law from Université Paris V René Descartes, France. Master in International Environmental Law from the University of Iceland, and graduated in Law from the Università degli Studi di Torino, in Italy. Her research is related to the themes of environmental democracy and the rights of indigenous peoples, water governance, indigenous law, legal anthropology, legal design, and visual law.



Margherita Paola Poto: Prof. Dr., University of Turin and Research Professor, Faculty of Law, UiT The Arctic University of Norway. She likes experimenting with new approaches to administrative law and water governance, which — according to the teachings of indigenous law and

methodology — emphasize the power of illustrated storytelling as an integrative legal method. Together with Giulia Parola, she coordinates the project ECO_CARE, and she is committed to research work that elevates indigenous ecological and legal knowledge.

PARTICIPANTS IN THE CO-CREATION OF THE ILLUSTRATED STORY



Adelaide Aparecida Chue Urupe: born on February 15, 1984, daughter of José Reis Tossué and Maria de Fátima Urupe and graduated in Languages, Arts and Literature from the University of Mato Grosso – UNEMAT. She is indigenous from the Chiquitano People community, located in the North of Mato Grosso. She started teaching in 2010, at the Pirineus de Souza Indigenous State School, located in the Pirineus de Souza Indigenous Land in the Municipality of Comodoro–MT. As a teacher, she carried out two research projects for the Institutional Scholarship Program for Initiation to Teaching PIBID, by Capes, with the themes: (i) A Festa da Menina Moça, with the Nambikwara indigenous people, subgroup Sabanê, Tawandê, Idalamarê and; (ii) Glossary of the Chiquitano Mother Tongue. In 2015, she taught at the Escola Estadual Indígena Educação Básica Zarup Wey, located in the Municipality of Rondolândia – Mato Grosso.



Adriele Cassupá Rodrigues: indigenous of the Chiquitano people and born in the village of Nossa Senhora Aparecida, located in the District of Santa Clara do Monte Cristo, Municipality of Vila Bela da Santíssima Trindade – Mato Grosso. She attended the High School

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Cecília Silva Campos: born in Rio de Janeiro, she is currently pursuing her Master's degree in Law and Public Policy at the Federal University of the State of Rio de Janeiro – UNIRIO. She holds a Bachelor degree in Law from Universidade Federal Fluminense – UFF and is specialized in State Law from the Universidade do Estado do Rio de Janeiro – UERJ. Lawyer (with expertise in Public Law). Her research focuses on the circular and blue economy. Cecília aspires to contribute to a better world connected with the environment.



Feliciano Macondo Paz Flores: born in Vila Bela da Santíssima Trindade – Mato Grosso, on October 2, 1981, currently living in Vila Bela, in the Jardim Aeroporto neighborhood. She is indigenous of the Chiquitano People and leader of the Chiquitana Aeroporto Organization (OCA). She has a degree in pedagogy from Faculdades Integradas Norte do Paraná – UNOPAR, and works as a researcher on indigenous rights.



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Matheus Goulart de Carvalho: born in the West zone of Rio de Janeiro. He is currently a Master's student in Law and Public Policy at the Federal University of the State of Rio de Janeiro – UNIRIO. He holds a bachelor's degree in Law from the Federal Rural University of Rio de Janeiro (UFRRJ) and a specialization in Constitutional Law from the Universidade Federal Rural do Rio de Janeiro (UFRRJ). He is also an illustrator and loves drawing as much as he loves carrying out research and supporting different social struggles. He dreams of more equitable, accessible, and less bureaucratic law.



Silvano Chue Muquissai: Indigenous of the Chiquitano People. Graduating in Law at the Federal University of Mato Grosso (UFMT). Member of the UFMT Indigenous Student Committee. Member of the Local Council for Indigenous Health Usinhá Norich Putisiórch. He was an early grade teacher at the Chiquitano José Turíbio Indigenous State School (2013). He was a member of the State Council for the Promotion of Racial Equality CEPİR–MT (2017–2018). He

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