

Abstract

On the 25th anniversary of the International Labor Organization Convention No. 169 on Indigenous and Tribal Peoples – the first international instrument to recognize indigenous peoples’ right to prior, free, and informed consultation (PFIC) – this thesis aims to contribute to the still incipient body of studies concerned with the practices related to PFIC domestic incorporation and on-on-the-ground concrete implementation. In the context of regional policies of economic growth based on the intensification of large-scale investments in natural resources exploitation, there has been an increase in socio-environmental conflicts around development and infrastructure projects that affects indigenous territories in the Brazilian Amazon. This thesis proposes to study the case of the Belo Monte Hydropower Plant – the first and contentious attempt by the Brazilian agency in charge of indigenous affairs to implement PFIC in a large scale development project. Based on a decolonial perspective, the study suggests that the practices involved in the implementation of PFIC at present are embedded in and influenced by histories and experiences of ‘colonial contact’ of *longue durée*. Accordingly, the study proposes to unveil colonial designs in legal and development traditions, especially in relation to the construction of ‘indigenous peoples’ rights of citizenship in Brazil, and the policies concerning the management of their lands and natural resources – especially the recognition of indigenous protected territories. The construction and territorialization of the Brazilian state through a logic of ever-expanding development frontiers (in which the electric energy sector plays a prominent part since the 19th century) is, paradoxically, the simultaneous counterpart of this process of recognition of indigenous rights. Finally, the research scrutinizes the current practices of PFIC in the Belo Monte case and contrasts its practices against this background of ‘colonial designs’. The research concludes that while PFIC is a right and a mechanism through which indigenous peoples are supposed to be ensured greater participation and control over development policies that affect their territories, it can also be operationalized in a way that result in the legitimation of large-scale exploitation of natural resources inside indigenous lands – effectively ‘breaking the walls’ of indigenous territories.