

THE STAGES OF CRIMINALIZATION

SMEAR
CAMPAIGNS

CRIMINAL
CHARGES

ARREST
WARRANTS

ILLEGAL
SHORTCUTS

MASS
CRIMINALIZATION

Criminalization typically occurs as part of the government “push back” when Indigenous Peoples oppose large-scale projects. Leaders are targeted as a strategy to suppress and silence the entire community. While the process can vary, it often follows a similar pattern:

1

SMEAR CAMPAIGNS

Fueled by hate speech based on racism and discrimination, smear tactics and defamation campaigns on social media portray Indigenous Peoples as members of criminal gangs, guerrillas, terrorists, and threats against national security.

2

CRIMINAL CHARGES

Indigenous leaders and their communities are often accused of vague charges—such as “perturbation of public order,” “usurpation,” “trespassing,” “conspiracy,” “coercion,” and “instigation of crime.” “States of emergency” are used to suspend judicial guarantees and suppress peaceful protests.

3

ARREST WARRANTS

Warrants are repeatedly issued despite poor evidence and uncorroborated testimony. At times, accusations fail to name people, leaving an entire community accused of a criminal act. Many times, warrants are left pending, unexecuted, leaving the indigenous person affected under a perpetual threat of arrest.

4

ILLEGAL SHORTCUTS

The prosecution of indigenous individuals often includes pre-trial detention that can last up to several years, as procedural guarantees are frequently flaunted. Indigenous Peoples seldom have the means to seek legal counsel or even an interpreter. If acquitted, indigenous individuals are rarely awarded remedies.

5

MASS CRIMINALIZATION

Indigenous organizations have been subject to illegal surveillance and confiscations while laws imposing registration requirements and funding controls weaken their mobilization and restrict their support. Civil society organizations and lawyers who assist indigenous communities have been physically attacked and even killed.