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Brazil: Government and judiciary fail Brazil's indigenous peoples once more

In Brazil, Indigenous peoples continue to suffer violence and severe economic deprivation as a result of the failure of the government and the judiciary to protect their constitutional right to land, Amnesty International said today.

On 16 December 2005, a Guarani-Kaiowá community living in the state of Mato Grosso do Sul was violently evicted from their ancestral land in a large-scale operation carried out by the Federal Police with unofficial support from local landowners. The eviction came after a number of legal interventions including a Supreme Court (STF) ruling that effectively suspended the Guarani-Kaiowá's constitutional right to their land.

The Guarani-Kaiowá are now encamped along the MS-384 highway, with insufficient food, sanitation and shelter.

"The ruling had catastrophic consequences on the Guarani-Kaiowá indigenous community," said Patrick Wilcken, Amnesty International's campaigner on Brazil.

"A woman who was seven months pregnant miscarried after suffering a fall during the eviction; and a one-year-old baby succumbed to dehydration after bouts of diarrhoea."

On 24 December 2005, nine days after the eviction, thirty-nine-year-old Dorvalino Rocha was shot in the chest at the entrance to the Fronteira Farm in the municipality of Antônio João in the state of Mato Grosso do Sul. According to reports, he was killed by a private security guard hired by local landowners.

Amnesty International and local NGOs had repeatedly warned that the eviction would result in further violence and social deprivation for the Guarani-Kaiowá people.

Dorvalino Rocha is the 38th indigenous activist killed in 2005 – the worst year for over a decade, according to the Brazilian NGO the Indigenous Missionary Council. Twenty-eight of these killings took place in the state of Mato Grosso do Sul alone.

"The plight of the Guarani-Kaiowá is typical of what happens when the land ratification process is stalled or reversed by court order. Indigenous peoples are forced to squat on the margins of their ancestral lands, in constant fear of reprisal from gunmen hired by landowners or poorly monitored security

firms," said Mr Wilcken

"We spend the whole night in fear. We lose sleep with each passing car" said Eugênio Morales, one of the leaders of the encampment.

"While the Federal government have belatedly taken some steps to address the problems caused by the eviction, providing emergency aid, they did nothing to prevent this situation from developing in the first place," said Mr Wilcken.

Amnesty International called on the Brazilian authorities to set out clear policies and specific strategies for tackling the persistent human rights issues that affect Brazil's indigenous population. Amnesty International also calls on the federal government to thoroughly investigate private security companies and their role in cases of human rights violations.

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