

PUBLIC

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UA 330/06 Fear for safety

BRAZIL 200 members of the Tremembé indigenous community

Armed men, reportedly security guards and off-duty military police officers, have been threatening to kill members of the Tremembé indigenous community of São José and Buriti in the north-eastern Brazilian state of Ceará. The Tremembé are attempting to stop the construction of a vast tourist resort on what they consider to be their ancestral lands. The company is continuing work on the site in defiance of a court order.

Some 200 Tremembé have been blockading an access road to the site since 10 October, to prevent trucks from delivering materials and equipment. They say that on 4 November a group of armed men, including two off-duty police officers, came to the blockade, saying they were there to *matar, prender e algemar* ("to kill, seize and handcuff") them, and drive them off the land. Members of the Tremembé indigenous community have also accused police and company security guards of repeatedly blocking up their well, which they depend on for water, threatening to kill indigenous people fishing in a nearby river, and cutting down banana trees planted by the Tremembé, who are subsistence farmers. The Tremembé have lodged official complaints at their local police station, and the State Attorney of Ceará, but they allege that armed police have been driving around the Tremembé village in company cars, harassing them.

On 13 November representatives of the federal authorities travelled to the area to mediate between the Tremembé and the construction company. The Federal Police confiscated weapons from company security guards and construction materials from the site, and told the local police to investigate allegations of threats and intimidation against the Tremembé community.

The Tremembé are beginning the long and complex process of having their ancestral lands recognised as indigenous land, which would give them some protection from exploitation. The process is managed by the government agency responsible for indigenous affairs, FUNAI.

BACKGROUND INFORMATION

In November 2004, in response to a petition from the Tremembé indigenous community in the state of Ceará, the Federal Public Prosecutor's Office lodged an injunction against the company's licence to build a tourist resort, and this was upheld by the Regional Federal Court, prohibiting all construction work until an evaluation of the Tremembé's claims to their ancestral lands had been completed. Despite this the Tremembé allege that the company, backed by local police, has continued to prepare the land for construction, fencing off areas they intend to build on, burning vegetation and uprooting trees.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese, English or your own language:

- urging the authorities to order an independent and impartial investigation into the threats made by state police officers and security guards against members of the Tremembé indigenous community, and take all necessary measures to prevent further intimidation;
- urging the authorities to proceed, without any further delay, with the surveying of the area with a view to demarcating and ratifying the Tremembé indigenous territory in order to safeguard their security;
- calling on them to do everything necessary to enforce the ruling by Regional Federal Court suspending the company's licence to build on the land, in order to stop further degradation of the area.

APPEALS TO:Minister of Justice

Exmo. Ministro da Justiça da República Federativa do Brasil
Dr. Márcio Thomaz Bastos, Ministério da Justiça
Esplanada dos Ministérios, Bloco T
70712-902 - Brasília – DF, BRAZIL

Fax: + 55 61 3322 6817

Salutation: Vossa Excelência/Your Excellency

Governor of Ceará

Exmo. Governador eleito do Estado de Ceará
Sr. Cid Gomes
Av. Dr José Martions Rodrigues, 150 - Edson Queiroz
60811.520 – Fortaleza – CE, BRAZIL

Fax: +55 85 3101 1702

Salutation: Vossa Excelência/ Your Excellency

COPIES TO:Federal Human Rights Secretary

Exmo. Ministro da Secretaria Especial de Direitos Humanos
Sr. Paulo Vannuchi,
Esplanada dos Ministérios, Bloco T,
70064-900 - Brasília – DF, BRAZIL

Fax: +55 61 3226 7980

Salutation: Vossa Excelência/ Your Excellency

President of Government Agency for Indigenous People

Exmo. Presidente da FUNAI
Mércio Pereira Gomes
SEPS Quadra 902/702 - Bloco. A
Ed. Lex - 3º Andar, 70340-904 - Brasília – DF, Brasil

Fax: + 55 61 3226 8782

Salutation: Exmo. Sr Presidente / Dear President

Catholic mission supporting indigenous groups in the region, including the Tremembé

Maria Amélia Leite
Associação Missão Tremembé [local NGO]
Rua José Candido No. 53
Monte Castelo
CEP 60325.490
Fortaleza – Fortaleza – CE, Brazil

COPIES TO: diplomatic representatives of Brazil accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 January 2007.