

**PUBLIC**

**AI Index: AMR 19/006/2005**

**07 March 2005**

**Further Information on UA 13/05 (AMR 19/001/2005, 18 January 2005) - Fear for Safety**

**BRAZIL  
in Cerro Marangatú**

**400 members of the Guarani-Kaiowá Indigenous Community**

---

Amnesty International has learnt that an eviction order against the Guarani-Kaiowá families living on the Cerro Marangatú indigenous territory was suspended on 2 March, the day before it was due to take effect. The families are now safe until at least 31 March, when the suspension order runs out.

If the Brazilian federal government ratifies the territory as Guarani-Kaiowá land, in accordance with its constitutional and international obligations, the families can be saved from almost certain destitution.

The families have planted the territory with crops, which provide their main source of nutrition. If evicted from Cerro Marangatú they will lose these crops, which include corn, manioc, beans, rice, potatoes and bananas. Malnutrition is a serious problem among indigenous babies and small children living on tiny and overcrowded official reserves in Mato Grosso do Sul. At least 13 indigenous children have reportedly died as a result of malnutrition in the state so far this year.

## **BACKGROUND INFORMATION**

The small area the community have occupied, in Cerro Marangatú, Antonio João municipality, Mato Grosso do Sul state, was demarcated as indigenous territory in October 2004. This is the penultimate step in the return of indigenous land from private landowners, and the community now awaits final ratification of the territory by Presidential decree. Since 1998, the community have been crammed into a 26-hectare area of farmland that they occupied peacefully in an attempt to speed up the painfully slow transfer process.

After the demarcation of the area, they occupied a larger piece of land, which they planted with their traditional crops. In a 7 January public statement, the community said, "We heard it said that the police are coming with a tractor to destroy everything. We would like to know who is going to feed our children... We would like to let the police know that we are not leaving. This is final. We are not leaving the land alive."

Brazil's 1988 constitution called for demarcation of all Indian lands by 1993, a goal which the Brazilian authorities are still far from reaching. The slow pace of demarcation and resolution of disputes over indigenous lands only serves to increase the vulnerability of Indians. Earlier this year, the Minister of Justice reportedly said that all indigenous lands would be demarcated by the end of 2006.

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

- welcoming the news that the eviction order that was due to be carried out against some 400 Guarani-Kaiowá Indians living in the Cerro Marangatú indigenous territory has been suspended until the end of March;
- urging the authorities to continue to seek a peaceful and permanent resolution to the dispute, and urging them to bear in mind that the community's crops, their main source of food, are planted on the land;
- calling on the authorities to ratify the territory of Cerro Marangatú, and demarcate and ratify all other indigenous territories in Mato Grosso do Sul that have not yet been demarcated;
- urging the authorities to resolve this dispute while adhering to international standards that safeguard the rights of indigenous peoples.

**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, Brasil  
**Fax: + 55 61 322 6817**  
**Salutation: Vossa Excelência**

President of FUNAI (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 61 226 8782**  
**Salutation: Exmo. Sr Presidente**

Mato Grosso do Sul State Governor

Exmo. Governador do Estado do Mato Grosso do Sul  
Sr. José Orcírio Miranda dos Santos  
Parque dos Poderes - Bloco 8  
79031-902 - Campo Grande - MS, Brasil  
**Fax: + 55 67 318 1120**  
**Salutation: Vossa Excelência**

**COPIES TO:**

President of the Federal Court, 3rd Region

Tribunal Regional Federal da Terceira Região  
Presidenta do Tribunal  
Exma. Sra. Desembargadora  
Dra. Ana Maria Pimentel  
Av. Paulista 1842, Torre Sul  
01310923 São Paulo - SP, Brasil  
**Salutation: Exma. Sra Desembargadora**

and 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 18 April 2005.