

PUBLIC

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UA 13/05 Fear for Safety

BRAZIL 400 members of the Guarani-Kaiowá Indigenous Community in Cerro Marangatu

Some 400 members of the Guarani-Kaiowá indigenous community are facing eviction from farm land in southwestern Brazil that they occupied after it was allocated to them by the government. The community will be left destitute, and have threatened to commit mass suicide. The eviction, ordered by a court early this year, is believed to be scheduled for 20 January. Police and others have previously used excessive force in carrying out similar eviction orders.

The small area the community have occupied, in Cerro Marangatu, 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 cramped 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 of corn, manioc, beans, potatoes, rice and bananas. The corn crop is now almost ready to harvest. 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."

BACKGROUND INFORMATION

Some 27,000 Guarani Indians, divided into the Kaiowá and Nhandeva communities, live in the state of Mato Grosso do Sul. The Brazilian authorities have recognised 25 indigenous areas totalling 40,000 hectares, and there is severe overcrowding in many reserves. Peasants and indigenous people who occupy land peacefully are often violently evicted. In January 2003, 72-year-old Guarani-Kaiowá leader Marcos Verón led a small group in an attempt to peacefully reoccupy a small area of the Takuara indigenous territory in Mato Grosso do Sul. He was severely beaten by a group of men reportedly made up of farm labourers and hired thugs, and died two days later. In April 1996 military police killed 19 landless peasants while clearing them from a road in Eldorado dos Carajás, in Pará state.

There has been a dramatic rise in the incidence of suicide in the Guarani population in Mato Grosso do Sul since the early 1990s. The government health agency FUNASA reported that 199 Guarani committed suicide during the years 2000 to 2003, the majority of them in their teens or early twenties. In proportion to the Guarani population in the state, this constitutes one of the highest suicide rates in the world.

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:

- expressing concern for the safety of some 400 Guarani-Kaiowá Indians in the Cerro Marangatu, Antonio João, Mato Grosso do Sul state, after a court ordered them to be evicted;

- urging the authorities to bear in mind when they resolve this dispute that the community's crops, which are their main source of food, are close to harvest, and that they have threatened to commit mass suicide unless they are left in peace;
- urging the authorities to ensure that all possible steps are taken to avoid violence and loss of life;
- calling on the authorities to ratify the territory of Cerro Marangatu, 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 basic 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
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Fax: + 55 67 318 1120
Salutation: Vossa Excelência

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 1 March 2005.