

# URGENT ACTION

## INDIGENOUS COMMUNITY ATTACKED, THREATENED

**The Arroio Korá indigenous community in the central-western Brazilian state of Mato Grosso do Sul, have been attacked by gunmen trying to push them off their ancestral lands. One of the community is missing, feared dead. They are at risk of further violence.**

According to the community, on 10 August around 50 armed men surrounded the 400-strong encampment in the municipality of Paranhos, on the border with Paraguay. For several hours the gunmen fired, shouted threats and burnt crops, and the community fled into surrounding scrub. One community member, Eduardo Pires, disappeared during the attack; the community say that he was taken away by the gunmen, and they fear he has been killed. The next day, a two-year-old baby girl, Geni Centurião died. The cause of death has not been officially established, but the community have said that the infant became unwell during the attack and it was impossible to feed her.

The Federal Police visited the area shortly after the attack, but the community have complained that the authorities have not followed up on the disappearance of Eduardo Pires, and that they urgently need round-the-clock protection. The Federal Prosecutor's office has called on the Federal Police to mount an investigation into the attack. According to local NGO, the Indigenous Missionary Council (Conselho Indigenista Missionário, CIMI), there is a serious threat of fresh attacks against the community. Over the last few years several indigenous communities have been attacked in the municipality of Paranhos in similar circumstances. See UA 339/11, AMR 19/018/2011 and UA 306/09, AMR 19/020/2009).

The Arroio Korá lands were officially recognised (*homologado*) by then president Luiz Inácio Lula da Silva on 21 December 2009. However, a week after this decision the Supreme Court suspended the recognition in relation to a small portion of the lands (184 out of a total of 7,176 hectares). While farmers have used this ruling to continue to occupy the full extent of the lands, Arroio Korá staged a *retomada*, or reoccupation, of their ancestral lands which do not fall within the disputed area.

### Please write immediately in Portuguese, English or your own language:

- Calling on the authorities to investigate independently and thoroughly the 10 August attack on the Arroio Korá community, including the disappearance of Eduardo Pires and the death of Geni Centurião, and bring those responsible to justice;
- Urging them to provide security for the Arroio Korá community in accordance with their wishes;
- Calling on them to fulfil their obligations under the International Labour Organisation's Convention 169, the UN Declaration on the Rights of Indigenous Peoples and the 1988 Brazilian constitution by completing the official recognition of the Arroio Korá community's ancestral lands.

### PLEASE SEND APPEALS BEFORE 27 SEPTEMBER 2012 TO:

Federal Minister of Justice  
Exmo. Sr. José Eduardo Martins  
Cardozo  
Esplanada dos Ministérios, Bloco "T"  
70.712-902 - Brasília/DF  
Brazil  
Fax: + 55 61 2025 7803  
**Salutation: Exmo. Senhor Ministro/  
Dear Minister**

Federal Human Rights Secretary  
Exma Sra. Ministra Maria do Rosário  
Setor Comercial Sul-B, Quadra 9, Lote C  
Edifício Parque Cidade Corporate, Torre  
"A", 10º andar,  
Brasília, DF CEP: 70308-200, Brazil  
**Fax: + 55 61 2025 9414  
Salutation: Exma. Senhora Ministra/  
Dear Minister**

**And copies to:**  
Local NGO  
Conselho Indigenista Missionário, (CIMI)  
CIMI Regional Mato Grosso do Sul  
Av. Afonso Pena,  
1557 Sala 208 Bl.B  
79002-070 Campo Grande/MS Brazil

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Mato Grosso do Sul state contains some of the smallest, poorest and most densely populated Indigenous areas in Brazil: in these rural pockets of poverty, which are surrounded by large soya and sugarcane plantations and cattle ranches, life is plagued by ill-health and squalid living conditions. Some 43,000 Guarani-Kaiowá Indigenous people live a precarious existence – social breakdown has led to high levels of violence, suicide and malnutrition. Frustrated at the slowness of the land demarcation process, the Guarani-Kaiowá have begun reoccupying their ancestral lands, but have been subjected to intimidation and violence, often by private security companies, working for local landowners.

Over the past decade numerous attacks and killings have resulted from the Guarani-Kaiowá's fight for land, particularly in the municipality of Paranhos, where the Arroio Korá community is located. In 2009 one teacher [m] was killed and another [m] disappeared during an attack on the village of Pirajuí; in another attack in the same region in 2011, witnesses from the Guaiviry community claim that indigenous leader Nísio Gomes was shot before being abducted; his body has never been found.

Many communities have been forcibly evicted and have ended up living beside highways. They have been threatened by security guards hired to prevent them from trying to reoccupy land, and suffered health problems from living in inadequate temporary shelters and lack of medical assistance. A large number have been killed or injured by motor traffic.

In November 2007 the Ministry of Justice, the Federal Public Prosecutor's Office, the federal indigenous agency FUNAI and 23 Indigenous leaders signed an agreement (*Termo de Ajustamento de Conduta*, TAC) which committed FUNAI to identify for demarcation 36 different Guarani-Kaiowá ancestral lands by April 2010. But lack of resources and legal challenges have delayed this process, which still has not taken place.

One exception is the Arroio Korá community, which was officially recognised by the then President Lula in December 2009. However, after a Supreme Court decision challenged the ruling in relation to a small portion of the land; farmers continued to occupy the rest of the land, and no attempts were made to remove non-Indigenous people from the area.

Both the UN Declaration on the Rights of Indigenous Peoples, which Brazil signed in 2007, and the International Labour Organisation's Convention 169, to which Brazil is a party, enshrine Indigenous People's rights to their ancestral lands and call on states to establish mechanisms whereby these rights can be adjudicated and recognized. The Brazilian constitution (1988) also affirms Brazilian Indigenous peoples' rights to their lands and Brazil's responsibility to demarcate them.

Recent changes mean that all prospective Indigenous identifications will have to be passed through the President's office before being approved – a move that many local NGOs fear will compromise the constitutional rights of indigenous peoples to their lands. Also of great concern is the recent publication by the federal attorney general of an edict (Portaria 303) based on conditions attached to the landmark Raposa Serra do Sol Supreme Court ruling of 2009. The edict seriously threatens the legitimacy and autonomy of both existing and future demarcations and has been vociferously opposed by indigenous groups.

Name: Arroio Korá community

Gender m/f: both

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