

URGENT ACTION

INDIGENOUS TEACHER MISSING IN BRAZIL

Male teacher Rolindo Vera, a member of the Guarani Kaiowa Indigenous group, went missing on 30 October after a violent eviction carried out by armed men in Mato Grosso do Sul state near Brazil's border with Paraguay. Another male teacher, Genivaldo Vera, also went missing during the eviction. His body was later found in a nearby river. Rolindo Vera's life is in grave danger.

On 29 October, approximately 25 members of the Guarani Kaiowa Indigenous group, who live in the village of Pirajuí, near the border with Paraguay, reoccupied farmland they claim as ancestral near the town of Paranhos. The following day, as the group began erecting shelters, dozens of armed men arrived in a truck and began firing rubber bullets. The group, which included women and children, fled into a nearby forest. Community members say that they saw Genivaldo Vera being taken away by the gunmen and his cousin Rolindo Vera fleeing into the forest.

On 7 November Genivaldo Vera's body was found in a nearby stream, although it was not identified until 10 November. An official forensic report has not yet been issued, but photos of the body released by the police to the family suggest he had been bound and tortured. Genivaldo Vera's head had been shaved, his body had extensive bruising and there were marks around wrists. However, Rolindo Vera's whereabouts remain unknown, and the community fear he may have been abducted and taken into Paraguay. They are calling on the Federal Police, who have already suspended their search, to take up the search again and work with their counterparts in Paraguay to extend the search across the border.

Rolindo Vera and Genivaldo Vera, both aged in their 20s, were teaching literacy skills in Pirajuí – an extremely poor, 3,000-strong Indigenous community. The ancestral lands that the community reoccupied should have already been surveyed by government anthropologists to enable them to identify lands to be returned to the community, as outlined in an agreement signed in 2007. However, farmers in the area have repeatedly blocked attempts to carry out the surveys necessary for identifying the land to be returned.

PLEASE WRITE IMMEDIATELY in Portuguese or your own language:

- demanding that the Federal Police, working with their counterparts in Paraguay, resume their search, doing everything in their power to find Rolindo Vera;
- call on the authorities to launch an immediate and thorough investigation into the violent eviction of around 25 people from farmlands near the border town of Paranhos and the subsequent death of Genivaldo Vera, and to bring those responsible to justice;
- urge the authorities to fulfill their obligations under the International Labour Organisation's Convention 169, the UN Declaration on the Rights of Indigenous Peoples and the Brazilian constitution by demarcating lands to be returned to Indigenous communities.

PLEASE SEND APPEALS BEFORE 25 DECEMBER 2009 TO:

Federal Minister of Justice
Exmo. Sr. Tarso Genro
Esplanada dos Ministérios,
Bloco "T"
70712-902 - Brasília/DF Brasil
Fax: + 55 61 3322 6817/ 3224 3398

Salutation: Exmo. Sr. Ministro/ Dear Minister

Federal Human Rights Secretary
Secretaria Especial de Direitos Humanos
Exmo. Secretário Especial
Sr. Paulo de Tarso Vannuchi
Esplanada dos Ministérios-
Bloco "T" - 4º andar, 70064-900 -
Brasília/DF Brasil
Fax: + 55 61 3226 7980
Salutation: Exmo. Sr. Secretário

And copies to:

Conselho Indigenista Missionário,
(CIMI – local NGO)
CIMI Regional Mato Grosso do Sul
Av. Afonso Pena, 1557 Sala 208
Bl.B
79002-070 Campo Grande/MS,
Brasil
Email: cimims@terra.com.br

Also send copies to diplomatic representatives of Brazil accredited to your country. Please check with your section office if sending appeals after the above date.

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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: rural pockets of poverty surrounded by large soya and sugar cane plantations and cattle ranches where life is plagued by ill-health and squalid living conditions. Some 60,000 Guarani Kaiowa 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 Kaiowa have begun reoccupying ancestral lands, but have been subjected to intimidation and violent evictions.

In November 2007 the Ministry of Justice, the Federal Public Prosecutor's Office, Fundação Nacional do Índio, (the National Indian Foundation, the federal body which deals with Indigenous affairs, FUNAI) and 23 Indigenous leaders, signed an agreement (Termo de Ajustamento de Conduta, TAC) which commits FUNAI to identify 36 different Guarani Kaiowa ancestral lands - including the tekohá Ypo'l, the traditional lands reoccupied by those from Pirajuí - by April 2010, for demarcating how much land will be returned to the Indigenous communities.. The agreement was vehemently opposed by state government and the farming lobby. After the signing of the TAC, the state governor André Puccinelli threatened not to honour the accord and the acting vice-governor, Jerson Domingos, inflamed the situation by warning the process would inevitably lead a "bloodbath", with conflict between the police, the Indians and the land owners. Local farming interests have opposed the process, exaggerating the amount of land that could be identified as Indigenous in the media, and repeatedly trying to block the process judicially. There are currently over 80 appeals being heard in the Regional Federal Court (Tribunal Regional Federal) involving Indigenous land in Mato Grosso do Sul.

Because of the ongoing failure to resolve outstanding land claims, several Guarani Kaiowa communities have ended up reoccupying the lands, which have been followed by a series of violent evictions, often involving armed men. Irregular security companies, many of whom are effectively acting as illegal militias in the service of landowners or agro-industry, have been involved in many human rights abuses in rural Brazil and remain a serious threat to both Indigenous peoples and rural workers fighting for their right to land.

Both the UN Declaration on the Rights of Indigenous Peoples which Brazil endorsed 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 also affirms Brazilian Indigenous People's rights to their lands and the Union's responsibility to demarcate them.

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