

URGENT ACTION

INDIGENOUS PEOPLES' SURVIVAL AT RISK

Land that the Ayoreo Totobiegosode Indigenous people claim as their traditional territory has been invaded in the department of Alto Paraguay in the north of the country. This threatens the survival of the Indigenous peoples living in voluntary isolation in this area.

During an inspection carried out on 21 October, the **Ayoreo Totobiegosode Indigenous people** verified that the owner of the neighbouring estate, a cattle ranching company, was building a fence in the land they claim as part of their traditional territory. This particular piece of land was registered in 1997 as property Registration Number RO3 236 of the Ayoreo Totobiegosode, in the department of Puerto Casado, Alto Paraguay, Chaco.

According to the organization People, Environment and Territory (Gente, Ambiente y Territorio, GAT) and the Organization Payipie Ichadie Totobiegosode (OPIT) in 2012 a licence was given by the Ministry of Environment (Secretaría del Ambiente, SEAM) allowing the neighbouring company to exploit an extension of land that included part of the Ayoreo property Registration Number RO3 236, and that is larger than the land legally owned by the firm. This situation puts the Jonoine-urasade, a group of the Ayoreo Totobiegosode who live in voluntary isolation, in a particularly serious danger given the risk of unwanted contact, further deforestation and irreversible degradation of their natural territory, which puts their livelihoods and cultural and physical survival at risk.

On 21 October, legal representatives of the Ayoreo Totobiegosode presented a formal complaint reporting the invasion of the land legally owned by the Indigenous peoples and demanding that the construction of the fence be immediately stopped. Three formal complaints were also presented in 2013 to the Public Prosecutor, denouncing a similar situation. No satisfactory response from the authorities has been received so far.

Please write immediately in Spanish or your own language urging the Paraguayan authorities to:

- Protect the territories legally owned by the Ayoreo Totobiegosode and take the necessary steps to give legal recognition and protection to the rest of their ancestral lands, territories and natural resources;
- Take immediate measures to prevent the entry of any person or group in the territory where Indigenous peoples in voluntary isolation live, and to prevent any modifications to their natural resources;
- Refrain from granting licenses for activities related to the extraction of natural resources, including deforestation, ranching, and agro-industrial undertakings, in areas with a presence of Indigenous peoples in voluntary isolation and initial contact;
- In the event that there are current licenses or authorizations for engaging in such activities, review their terms to determine what modifications are needed to ensure full respect for the rights of Indigenous peoples in voluntary isolation and initial contact affected, and implement those modifications promptly.

PLEASE SEND APPEALS BEFORE 22 DECEMBER 2014 TO:

Attorney General
Dr. Javier Díaz Verón
Fiscal General del Estado
Sede Central-Chile c/ Ygatimí
Asunción, Paraguay
Fax: +595 21 415 6152
Email:
comunicaciones@ministeriopublico.gov.py

**Salutation: Dear Attorney General /
Estimado Fiscal General**

President of the Paraguayan Indigenous
Institute
Lic. Jorge Servín
Presidente Instituto Paraguayo del
Indígena (INDI)
Don Bosco 745 entre Haedo y Humaitá,
Asunción, Paraguay
Fax: +595 21 425 280
Email: presidencia@indi.gov.py

**Salutation: Dear President / Estimado
Presidente**

And copies to:
Gente, Ambiente y Territorio (GAT)
Tte. Delgado N° 790 c/ Siria
Asunción, Paraguay
Fax: +595 21 223 026

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

According to the report *The Case of the Ayoreo* published in 2009 by the Union of Ayoreo Natives of Paraguay (Unión de Nativos Ayoreo de Paraguay, UNAP), the Ayoreo Indigenous peoples live in what is now southern Bolivia and northern Paraguay. In Paraguay, the majority of them were contacted and deported from their territory in the forest over the last 50 years. Today they live in 19 settlements in the north of the country. Two of those settlements are made up of the local group Totobiegosode, whose contact with non-Indigenous society is more recent and they are therefore in a more vulnerable state. Within the traditional territory of the Ayoreo people at least six groups, one of them belonging to the Totobiegosode, live in voluntary isolation and continue to practice their traditional nomadic way of life.

Since the late 1950s vast extensions of the traditional Ayoreo territory were divided into lots and sold to agro-industrial and cattle ranching companies, as well as oil-prospecting firms, among others. The expansion of the agricultural frontier, often in violation of environmental laws, and the formation of new ranches, have been signaled by experts as the main threat to Indigenous peoples in voluntary isolation in Paraguay.

Ensuring the human rights of the Indigenous peoples living in voluntary isolation is particularly important given their unique situation of vulnerability and the fact that they cannot advocate for their own rights. Under International law, States must guarantee their right to land, territories and natural resources, as well as their right to remain in isolation, which are fundamental for their physical and cultural survival.

The area registered as RO3 236 is part of the ancestral land that was regularized and registered to the name of the Ayoreo Totobiegosode in 1997. According to the Indigenous community, after 20 years of negotiations, and despite recent progress to return 27,000 hectares, they have only succeeded in regularizing a fifth of their ancestral lands that they are claiming in the department of Alto Paraguay. In March 2013, the Ayoreo Totobiegosode asked the Inter-American Commission of Human Rights for precautionary measures to protect their ancestral land and to demand measures to prevent the entry of any person or group in the area where the Jonoine–urasade (a group of the Ayoreo Totobiegosode family) live in voluntary isolation.

Paraguay has ratified Convention 169 on Indigenous and Tribal Peoples and supported the Declaration on the Rights of Indigenous Peoples, which requires the recognition of the rights of Indigenous peoples to their ancestral lands and natural resources and self-determination. It has also ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights that recognize the right to self-determination, as well as the Convention against Genocide.

In the 2014 report *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas*, the Inter-American Commission of Human Rights stated that “The Americas is home to the largest number of indigenous peoples living in voluntary isolation and initial contact in the world. (...) These peoples and their ancestors have lived in the Americas since long before current States came into existence. Today, very few of them survive, and many are at risk of disappearing entirely. Indigenous peoples living in voluntary isolation and initial contact are holders of human rights in a unique situation of vulnerability, and among the few who cannot advocate for their own rights. This reality makes ensuring respect for their rights especially important. The main threats to the full enjoyment of the human rights of the peoples in voluntary isolation and initial contact result from contact, (...) pressures on their lands and territories, contagious and other diseases and (...) direct attacks.”

Name: Ayoreo Totobiegosode Indigenous people

Gender m/f: both

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