

REPORT

Violence against the Indigenous Peoples in Brazil

DATA FOR 2015



R E P O R T

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Indigenous Peoples in Brazil**

D A T A F O R 2 0 1 5



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PRESIDENT
Dom Roque Paloschi

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REPORT

Violence against the Indigenous Peoples in Brazil – Data for 2015

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“They tried to bury us but they did not realize
that we were seeds...”

We dedicate this edition to the memory of the 40 years since the martyrdom of Simão Bororo and of Father Rodolfo Lunkenbein, assassinated on July 15 by invaders of the Bororó territory in Mato Grosso.

Unfortunately, up to this day, the very same violence, genocidal and unpunished, is still being practiced against the indigenous peoples “on the ground” in all regions of Brazil while, for their allies, “new martyrdoms” are being prepared in the offices of politicians and those who can only visualize the sacred lands of the peoples in terms of money.

In that regard, the resurgence of the Parliamentary Committees of Inquiry (PCI) is highly emblematic and one of the strategies used to guarantee that the Indians and the traditional communities shall be stripped of their rights, in addition to attempting to criminalize them, and criminalize their allies.

Let it be then, that in spite of the overwhelming challenge of the current situation, we may celebrate, in the very best way, the memory of our martyrs and the centuries-long resilience of the native peoples of Brazil. For, as Dom Pedro Casaldáliga teaches us, “such an attitude embraces the same causes for which they gave their lives”.

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AGU – Advocacia Geral da União (Office of the Federal Attorney General)

Aneel – Agência Nacional de Energia Elétrica (National Electricity Board)

Apoiname – Articulação dos Povos Indígenas do Nordeste, Minas Gerais e Espírito Santo (Articulation of the Indigenous Peoples of the Northeast, Minas Gerais and Espírito Santo)

Arpinsul – Articulação dos Povos Indígenas da Região Sul (Articulation of the Indigenous Peoples of the Southern Region)

Ater – Assistência Técnica e Extensão Rural (Technical Assistance and Rural Extension)

BID – Banco Interamericano de Desenvolvimento (Inter-American Development Bank)

BNDES – Banco Nacional de Desenvolvimento Econômico e Social (National Social and Economic Development Bank)

CAR – Cadastro Ambiental Rural (Rural Environmental Register)

Casai – Casa de Apoio à Saúde Indígena (Indigenous Health Support Hostel)

CDHM – Comissão de Direitos Humanos e Minorias (Human and Minorities Rights Commission)

CF – Constituição Federal (Federal Constitution)

CGK – Conselho de Gestão Ka'apor (Ka'apor Administrative Council)

Cimi – Conselho Indigenista Missionário (Indigenist Missionary Council)

CIR – Conselho Indígena de Roraima (Indigenous Council of Roraima)

Cisi – Comissão Intersectorial de Saúde Indígena (Indigenous Health Inter-sector Committee)

CNA – Confederação da Agricultura e Pecuária do Brasil (Agriculture and Livestock Confederation of Brazil)

CNDH – Conselho Nacional de Direitos Humanos (National Human Rights Council)

CNV – Comissão Nacional da Verdade (National Commission for the Truth)

Coiab – Coordenação das Organizações Indígenas da Amazônia Brasileira (Coordinating Body of Brazilian Amazon Indigenous Organizations)

Conab – Companhia Nacional de Abastecimento (National Supply Company)

Condisi – Conselho Distrital de Saúde Indígena (District Indigenous Health Council)

Conjur – Consultoria Jurídica junto ao Ministério da Justiça (Internal Legal Advisory Body of the Ministry of Justice)

CPI – Comissão Parlamentar de Inquérito (Parliamentary Committee of Inquiry)

CPI – Comissão Pró Índio (Pro-Indian Committee)

CPT – Comissão Pastoral da Terra (Pastoral Committee for the Land)

CTI – Centro de Trabalho Indigenista (Indigenist Work Center)

CTL – Coordenação Técnica Local (Local Technical Coordination)

Dhesca – Direitos Humanos, Econômicos, Sociais, Culturais e Ambientais (Environmental, Cultural, Social Economic and Human Rights)

Dnit – Departamento Nacional de Infraestrutura de Transportes (National Transport Infrastructure Department)

DOU – Diário Oficial da União (Official Federal Government Gazette)

Dsei – Distrito Sanitário Especial Indígena (Special Indigenous Health District)

EBC – Empresa Brasileira de Comunicação (Brazilian Communication Company)

ECI – Estudo do Componente Indígena (Indigenous Component Study)

EIA – Estudo de Impacto Ambiental (Environmental Impact Study)

Fafimc – Faculdade de Filosofia Nossa Senhora da Imaculada Conceição (Nossa Senhora da Imaculada Conceição Faculty of Philosophy)

Finpat – Federação Indígena das Nações Pataxó e Tupinambá (Indigenous Federation of the Pataxó and Tupinambá Nations)

Focimp – Federação das Organizações e Comunidades indígenas do Médio Purus (Middle Purus Indigenous Organizations and Communities Federation)

Foirn – Federação das Organizações Indígenas do Alto Rio Negro (Upper Rio Negro Indigenous Organizations Federation)

Funai – Fundação Nacional do Índio (National Indian Foundation)

Funasa – Fundação Nacional de Saúde (National Health Foundation)

Gered – Gerência Regional de Educação (Regional Education Management)

Grequi – Grupo de Estudos sobre a Questão Indígena (Indigenous Question Studies Group)

GT – Grupo de Trabalho (Work Group)

GT – Grupo Técnico da Funai (Funai Technical Group)

HAY – Hutukara Associação Yanomami (Hutukari Yanomami Association)

Ibama – Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis (Brazilian Institute for the Environment and Renewable Natural Resources)

IBGE – Instituto Brasileiro de Geografia e Estatística (Brazilian Statistics and Geography Institute)

IBDF – Instituto Brasileiro de Desenvolvimento Florestal (Brazilian Forest Development Institute)

ICMBio – Instituto Chico Mendes de Conservação da Biodiversidade (Chico Mendes Institute for Biodiversity Conservation)

IML – Instituto Médico Legal (Forensic Medicine Institute)

Incra – Instituto Nacional de Colonização e Reforma Agrária (National Settlement and Agrarian Reform Institute)

Inpe – Instituto Nacional de Pesquisas Espaciais (National Space Research Institute)

Insi – Instituto Nacional de Saúde Indígena (National Indigenous Health Institute)

INSS – Instituto Nacional de Seguro Social (National Social Security Institute)

Iphan – Instituto do Patrimônio Histórico e Artístico Nacional (National Artistic and Historical Heritage Institute)

Iirsa – Iniciativa de Integração da Infraestrutura Regional Sul-Americana (South American Regional Infrastructure Integration Initiative)

ISA – Instituto Socioambiental (Socio-environmental Institute)

Kooportarupi – Associação Kaapor Ta Hury do Rio Gurupi (Gurupi River Ka'apor Hury Association)

LOA – Lei Orçamentária Anual (Annual Budget Bill)

MDA – Ministério do Desenvolvimento Agrário (Ministry of Agrarian Development)

MDS – Ministério do Desenvolvimento Social e de Combate à Fome (Ministry of Social Development and the Fight against Hunger)

MEC – Ministério da Educação (Ministry of Education)

MJ – Ministério da Justiça (Ministry of Justice)

MPF – Ministério Público Federal (Office of the Federal Public Prosecutor)

Mpog – Ministério do Planejamento Orçamento e Gestão (Ministry of Planning, Budgeting and Administration)

MPT – Ministério Público do Trabalho (Office of the Public Prosecutor of the Labor Courts)

MS – Ministério da Saúde (Ministry of Health)

MTE – Ministério do Trabalho e Emprego (Ministry of Labor and Employment)

Mupoiba – Movimento Unido dos Povos e Organizações Indígenas da Bahia (United Movement of the Indigenous Organizations of Bahia)

Naturantins – Instituto Natureza do Tocantins (Tocantins Nature Institute)

Nepi – Núcleo de Estudos de Populações Indígenas (Nucleus for Indigenous Populations Studies)

OAB – Organização dos Advogados do Brasil (Brazilian Bar Association)

OEa – Organização dos Estados Americanos (Organization of American States)

OIT – Organização Internacional do Trabalho (International Labor Organization)

OLIMCV – Organização das Lideranças Indígenas Mura do Careiro da Várzea (Mura do Careiro da Várzea Indigenous Leaders Organization)

ONU – Organização das Nações Unidas (United Nations Organization)

Opan – Operação Amazônica Nativa (Native Amazonian Operation)

Opittampp – Organização dos Povos Indígenas Torá, Tenharim, Apurinã, Mura, Parintintin e Pirahã (Organization of the Torá, Tenharim, Apurinã, Mura, Parintintin and Pirahã Peoples)

PAC – Programa de Aceleração do Crescimento (Growth Acceleration Program)

PCH – Pequena Central Hidrelétrica (Small Hydroelectric Plant)

PEC – Proposta de Emenda à Constituição (Constitutional Amendment Proposal)

PF – Polícia Federal (Federal Police)

PGR – Procuradoria Geral da República (Office of the Attorney General)

PL – Projeto de Lei (Draft Bill)

PLP – Projeto de Lei Complementar (Draft Complementary Bill)

PM – Polícia Militar (Uniformed Police)

Pnae – Programa Nacional de Alimentação Escolar (National School Meals Program)

PPA – Plano Plurianual (Pluriennial Plan)

PPGAS – Programa de Pós-Graduação em Antropologia Social (Graduate Program in Social Anthropology)

PUC – Pontifícia Universidade Católica (Catholic University)

Rani – Registro Administrativo de Nascimento e Óbito de Indígenas (Administrative Registration of Indigenous Births and Deaths)

RDS – Reserva de Desenvolvimento Sustentável (Sustainable Development Reserve)

Resex – Reserva Extrativista (Extractive Reserve)

Rima – Relatório de Impacto Ambiental (Environmental Impact Report)

RSS – Raposa Serra do Sol

Saci – Subsistema de Atenção à Saúde Indígena (Indigenous Health Care Sub-system)

Samu – Serviço de Atendimento Móvel de Urgência (Mobile Intensive Care Unit)

SEDH – Secretaria Especial de Direitos Humanos (Special Department of Human Rights)

Sesai – Secretaria Especial de Saúde Indígena (Special Department of Indigenous Health)

Siasi – Sistema de Informação da Atenção à Saúde Indígena (Indigenous Health Care Information System)

SIM – Sistema de Informações sobre Mortalidade (Mortality Information System)

Siop – Sistema Integrado de Planejamento e Orçamento (Integrated Planning and Budgeting System)

Sisflora – Sistema de Comercialização e Transporte de Produtos Florestais (Forest Products Trade and Transport System)

Sodiur – Sociedade de Defesa dos Índios Unidos de Roraima (United Indians of Roraima Defense Society)

SPI – Serviço de Proteção aos Índios (Indians Protection Service)

SPU – Secretaria do Patrimônio da União (Federal Estate Department)

STF – Supremo Tribunal Federal (Federal Supreme Court)

STJ – Superior Tribunal de Justiça (High Court of Justice)

SUS – Sistema Único de Saúde (Unified Health System)

TAC – Termo de Ajustamento de Conduta (Conduct Adjustment Term)

TCJ – Termo de Conciliação Judicial (Judicial Conciliation Term)

TI – Terra Indígena (Indigenous Land)

UFAM – Universidade Federal do Amazonas (Federal University of Amazonas)

UFCSA – Universidade Federal de Ciências da Saúde de Porto Alegre (Porto Alegre Federal University of Health Sciences)

UFG – Universidade Federal de Goiás (Federal University of Goiás)

UFPA – Universidade Federal do Paraná (Federal University of Paraná)

UFRGS – Universidade Federal do Rio Grande do Sul (Federal University of Rio Grande do Sul)

UFSC – Universidade Federal de Santa Catarina (Federal University of Santa Catarina)

UHE – Usina Hidrelétrica (Hydroelectric Plant)

Unesco – Organização das Nações Unidas para a Educação, Ciência e Cultura (United Nations Educational, Scientific and Cultural Organization)

Unicamp – Universidade de Campinas (University of Campinas)

Unicap – Universidade Católica de Pernambuco (Catholic University of Pernambuco)

Unicef – Fundo das Nações Unidas para a Criança (United Nations Children's Fund)

Unifesp – Universidade Federal de São Paulo (São Paulo Federal University)

Unila – Universidade Federal da Integração Latino-Americana (Federal University of Latin American Integration)

Unipi-MAS – União dos Povos Indígenas do Médio Solimões e Afluentes (Union of the Peoples of the Middle Solimões and Tributaries)

Unisinos – Universidade do Vale do Rio dos Sinos (University of the Valley of the Rio dos Sinos)

Univaja – União dos Povos Indígenas do Vale do Javari (Union of the Peoples of the Javari Valley)

Urcamp – Universidade da Região da Campanha (University of the Campanha Region)

UTI – Unidade de Terapia Intensiva (Intensive Care Unit)



For how long?

Dom Roque Paloschi*

“But let justice roll down like waters and righteousness like an ever-flowing stream.”

Amos 5.24

The Indigenist Missionary Council warmly embraces Pope Francis’s words when he says:

“This sister now cries out to us because of the harm we have inflicted on her by our irresponsible use and abuse of the goods with which God has endowed her. We have come to see ourselves as her lords and masters, entitled to plunder her at will. The violence present in our hearts, wounded by sin, is also reflected in the symptoms of sickness evident in the soil, in the water, in the air and in all forms of life. This is why the earth herself, burdened and laid waste, is among the most abandoned and maltreated of our poor; she ‘groans in travail’ (Rom 8:22). We have forgotten that we ourselves are dust of the earth (cf. Gen 2:7); our very bodies are made up of her elements, we breathe her air and we receive life and refreshment from her waters” (Laudato Si, 2).

We must denounce the violence and fight the injustice!

It is with a feeling of the most profound indignation that the Indigenist Missionary Council (*Conselho Indigenista Missionário* - Cimi) presents this report on Violence against the Indigenous Peoples of Brazil with the data for the respective occurrences in 2015. Indignation because the same criminal practices are being repeated and intensified without any effective measures having been taken. The situation of omission on the part of the authorities continues; they deny their respect for the Constitution and fail to comply with its provisions in regard to the demarcation, protection and surveillance of the lands; the reality of aggression against persons who struggle for their legitimate rights persists in the form of assassinations, beatings, threats to kill; the attacks against communities grow worse, especially those against the more fragile ones and those that live in camps; the invasion and devastation of the demarcated lands goes on.

How long will we have to go on presenting these reports? Cimi believes that these inventories of the violations of indigenous rights only have one intent: to serve as a means of denunciation so that measures are taken

and with them the ongoing practice of violence will be countered, diminished; and that a better, fairer reality can be achieved in which human rights are respected.

Unfortunately we are still living with periods of extreme suffering and uncertainty as to the future possibilities. We mourn when we denounce the premature deaths of hundreds of indigenous infants for lack of due medical care, for lack of basic sanitation, for lack of a place to live, of clean water to drink and bathe; we denounce the assassination of leaders who fought in defense of their peoples and communities; we denounce the confinement in reservations where they are denied the most fundamental right, the right to the land to live in and exercise their indigenous citizenship, cultures, and traditions; we denounce the devastation of the environment by loggers, artisanal miners, mining companies, hydroelectric dams and plants; we denounce the inhuman reality of hundreds of communities reduced to living at the sides of highways; we denounce the judicial authorities who have given priority in their judgments to the defense of property – often neither legitimate nor legal property – to the detriment of the original rights of the indigenous peoples.

For indigenous peoples the land is not an economic asset, but a gift of God and of their ancestors; it is sacred space. In the indigenous cosmos vision, it is they who belong to the Earth and not the other way round, because the Earth is a mother, it is life itself. Belonging to the Earth instead of the earth belonging to them is what defines the indigenous people. Those sacred spaces, however, are violated by an economic model that is both homogenizing and excluding so that people no longer “know how to live in honesty, but instead by extortion and exploitation, hoarding up riches in their homes” (according to Amos 3,10), to the detriment of life itself.

We believe this report will serve as an instrument in the search for solutions for the extremely serious problems that affect the existence and the dignity of the indigenous peoples, because that is essentially its function. However, should that not occur, we will insist in the denunciations and continue to fight against injustice. Cimi is committed to serving the cause of the Life of the indigenous peoples. ♦

* President of the Indigenist Missionary Council (Cimi) and archbishop of Porto Velho



“ In the wake of the progress of the PEC 215/00 and other anti-indigenous legislative proposals, parliamentarians of the “*Ruralista*” (big landowners and agribusiness interests) block and leaders of rural employers unions and associations of agribusiness commodity producers have disseminated hatred and terror against the peoples and their communities,”

From Projects to Projectiles: the trajectory of violence against indigenous peoples in Brazil

Cleber César Buzatto*

2015 was marked by the intensification of threats and violence against the Indigenous Peoples in Brazil. Boosted by large scale funding subsidized by public funds and topped up with millions in donations from giant corporations, *Ruralista*-ism was more successful than ever in the 2014 elections. Ravenous, irate and insatiable they increased the pressure and attacks on the peoples and their rights in every sphere.

Even before the current legislature got underway the *Ruralistas* were mobilizing in the National Congress to ensure the passage of legal instruments that are extremely harmful to the Indigenous Peoples. The negotiations of the *Frente Parlamentar da Agropecuária* (Parliamentary Front for Livestock and Agriculture) with Eduardo Cunha (PMDB/Rio de Janeiro), elected president of the House of Representatives in February 2015, guaranteed the latter's public commitment to create a new Special Committee to work on the Constitutional Amendment Proposal PEC 215/2000 in exchange for the *Ruralistas'* support for his candidature. Cunha also received the overt support of parliamentarians associated to the interests of fundamentalist religious groups and the arms industry. As a result, in October 2015, the Special Committee approved an even more degenerate version of the PEC that makes any further demarcation of indigenous lands or conceding land titles to quilombolas unfeasible and legalizes the invasion and exploitation of those indigenous lands already demarcated and in the possession of the peoples and preserved by them.

In the wake of the parliamentary passage of the PEC 215/00 and other anti-indigenous legislative proposals, the *Ruralista* parliamentary block, the leaders of organizations of rural employers unions and agricultural commodities producers' associations disseminated hatred and terror among the peoples and their communities. Speeches inciting hatred and violence such as that proffered by Vicente Dutra¹ proliferated in the course of 2014 and 2015. The results of that process came mainly in the form

“In 2015 the *Ruralistas* intensified their efforts to criminalize indigenous leaders, professional anthropologists and civil society organizations that act in defense of the life projects of the indigenous peoples in Brazil,”

of assassinations of indigenous leaders that were striving for demarcation² and protection of their traditional lands³ and in the form of systematic paramilitary attacks on indigenous communities.

In that sense, what happened to the Guarani and Kaiowa in the state of Mato Grosso do Sul is entirely emblematic. In 2015 there were more than ten paramilitary attacks on various communities of those peoples. The attacks were unleashed by militias under the control of farmer/ranchers and resulted in the assassination of one leader and the injury of dozens of others, including children and old people.

In the same vein, the paramilitary attack on the Nãnderu Marang *tekoha* is exemplary. The attack was prepared in the Rural Union of the Municipality of Antônio João and employers association leaders, big landowners and even federal parliamentarians⁴ took part. Prior to the action, a wave of lies and rumors was spread by some of the big farmers to create an atmosphere, in the regional population, of terror and hostility against the indigenous people in a preconceived bid to legitimize the attack that was about to be perpetrated⁵.

In 2015 *Ruralistas* intensified their attempts to criminalize indigenous leaders, professional anthropologists and people and organizations from civil society that are active in defense of the life projects of the indigenous peoples in Brazil. In the same direction, two Parliamentary Committees

* Executive Secretary of Cimi, holds a degree in Philosophy from the Nossa Senhora da Imaculada Conceição Faculty of Philosophy (Fafimc)

of Inquiry were set up and went to work under the control of parliamentary representatives of Agribusiness interests. One was in the Legislative Assembly of the State of Mato Grosso do Sul and known as the Cimi⁶ Committee of Inquiry and the other, in the Federal House of Representatives was the Funai/Incra⁷ Committee of Inquiry.

Invasions to take land and illegally exploit the natural assets of the indigenous territories, especially wood, took on a worse form in 2015 through the macabre practice of setting fires inside the areas. That criminal action was carried out by loggers in revenge taken on the Indians for trying to protect their own territory⁸. The loggers' action resulted in the expansion of large scale burning and the generalized destruction of fauna and flora inside the Indian lands and serious threat to many indigenous families, especially when their homes were burned down. In the case of the Arariboia

Indigenous Land of the Guajajara people in Maranhão, around 50% of the 413 thousand hectare demarcated area⁹ was burned. Isolated groups suffered continually from those invasions and the destruction of the land¹⁰.

Following the same criminal path, loggers began to threaten to kill and eliminate indigenous leaders who opposed the exploitation of their lands and who organized to prevent that occurring¹¹. The case of the assassination of the leader Eusébio Ka'apor, also in the state of Maranhão, took place in that context. In such cases the omission of the Brazilian State is clearly apparent in the total absence of any effective preventative measures to protect the indigenous lands and in the total impunity of the assassins of indigenous leaders.

Among other situations, the Brazilian government has maintained its omission in regard to its responsibility to demarcate the indigenous areas and to provide adequate health care to the native peoples. Irrefutable proof of that is the failure to execute the budget allocation for the project *Indenização para Solução de Conflitos Indígenas* (Compensation to Solve Indigenous Conflicts), part of the Program for the Protection and Promotion of Indigenous Peoples' Rights which received a budget allocation of 30 million Brazilian reais for the year 2015. Up until December 31, 2015, not one cent of that amount had been destined for actions or effectively spent. Against that background the indigenous peoples' demands for the demarcation of their lands are piling up and accompanying them is the

“ Sectors of the Judicial Branch have upheld decisions that violently restrict indigenous rights. Based on the decisions of the Federal Supreme Court, *Ruralista* proposals like the *Marco Temporal* (Temporal Deadline) and the *Tutela Judiciária* (Judicial Guardianship) have maintained their hegemony,”



“Judges of the Federal Supreme Court, especially Gilmar Mendes, in the most retrograde fashion, have clung to the pre-1988 Constitution legislation in order to deny indigenous communities access to, and participation in processes that discuss their right to their traditional lands”

high and unacceptable number of indigenous deaths, especially among children.

Some sectors of the judiciary have upheld decisions that drastically limit indigenous rights. Those restrictions have basically led to a reinterpretation of the Federal Constitution and have stemmed from decisions of the intermediate level of the Federal Supreme Court hierarchy where *Ruralista* proposals such as the temporal Deadline and Judicial Guardianship have maintained their hegemony. The annulment of the demarcation of the indigenous lands of Guyaroká, of the Guarani and Kaiowá peoples, Limão Verde, of the Terena and Porquinhos, of the Kanela-Apãjekra people was maintained in 2015.

According to the Temporal Deadline thesis, the rights of the people to their traditional land are restricted to those who were physically in possession of them or in open conflict with invaders or in legal conflict respecting them on October 5, 1988; the date when the Federal Constitution was promulgated. Obviously that reinterpretation of Article 231 of the said constitution, apart from being a violent act in its own right, legitimizes and legalizes the expulsions and other violent acts committed against the indigenous peoples in Brazil, including those that occurred in the recent past. It has had the effect of boosting violence against the peoples in their own territories insofar as it signals to the historic invader of indigenous land and to

the new ones, that the mechanisms of violence, selective assassination of leaders and the use of paramilitary groups to expel people from their land will be legitimate, convenient and even advantageous to their intention of continuing to take over those lands and exploit them.

The other thesis, of Judicial Guardianship, still in use, denies the indigenous people the fundamental right of access to the legal system. Under its aegis the peoples, their communities and their organizations are denied the full condition of natural persons. Even though Article 232 of the Brazilian Federal Constitution explicitly recognizes that “The Indians, their communities and organizations have standing under the law to sue to defend their rights and interests, the Public Prosecution intervening in all the procedural acts” the Judges of the Federal Supreme Court, especially Gilmar Mendes, in an entirely retrograde manner, have based themselves on pre-constituent legislation to deny access and the participation of indigenous communities in legal processes that discuss the rights to traditional lands. None of the three groups cited above who had their right to the land denied by the decisions of the second level of the Supreme Court is a party to the legal processes that resulted in the annulment of the demarcations acts.

On the other hand, even in the face of all those attacks, the Indians have not been intimidated and have kept up their cohesion in the form of systematic acts of resistance and insurgency in defense of, and for the effective enforcement of their rights and their life projects. In taking up the demarcations once more on their own account, in protecting their territories, in political advocacy directed at various spheres of the three Branches of Power of the Brazilian State and before multilateral entities, they have shown the willingness and organization required to overcome the deadly projects and the death itself that agro-crime, a powerful operator of Capital, endeavors to impose on them. The struggle continues and so does hope. The greater the struggle, the greater the hope. ♦

- 1 <https://www.youtube.com/watch?v=PjcUOQbuvXU>
- 2 http://cimi.org.br/site/pt-br/?system=news&conteudo_id=8294&action=read
- 3 <http://www.ihu.unisinos.br/noticias/542263-na-onu-secretario-do-cimi-denuncia-assassinato-de-indigena-kaaapor-no-maranhao> e <http://www.cimi.org.br/File/ONUCleberPortugues.pdf>
- 4 http://brasil.elpais.com/brasil/2015/09/05/politica/1441467261_989526.html
- 5 <https://www.diplomatique.org.br/print.php?tipo=ac&id=3141>
- 6 <http://www.cimi.org.br/site/pt-br/?system=news&action=read&id=8354>
- 7 <http://www2.camara.leg.br/camaranoticias/noticias/DIREITO-E-JUSTICA/499549-CAMARA-CRIA-CPI-PARA-INVESTIGAR-ATUACAO-DA-FUNAI-E-DO-INCRA.html>
- 8 <http://www.greenpeace.org/brasil/pt/Noticias/Fogo-terras-indigenas-no-Maranhao-voltam-a-sofrer-ataques/>
- 9 <http://noticias.uol.com.br/meio-ambiente/ultimas-noticias/redacao/2015/10/28/incendio-em-terra-indigena-no-maranhao-esta-controlado-diz-ibama.htm>
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“ The assassination of the Guarani and Kaiowá indigenous Simeão Vilhalva, in August 2015, is an outstanding case. The crime was perpetrated after ranchers and politicians in the region of Antônio João organized a public act calling on the local population to rise up against the Nhandaru Marangatu community. The decree ratifying the demarcation of this area was signed more than ten years ago but it is still in the hands of non-indigenous,”



Is there a war on indigenous peoples in Brazil?

Lucia Helena Rangel*

Roberto Liebgott**

The year 2015 was tense, agitated and mobilized the Indigenous Peoples in a variety of different ways. On the one hand, there were the hopes of constructing peaceful forms of co-existence by regulating policy on indigenous affairs, debating health care and education provision, youth forums, community and regional and national assemblies and the increasingly strong and explicit expression of awareness that the fight for land meant looking after oneself, the peoples, all living beings, all the natural resources, all the enchanted beings and all the powerful spirits that sustain the projection of the future. On the other hand there was still a need to face the violence and the violation of rights that cast their shadow on the Indigenous Peoples as a centuries-old challenge that life is enmeshed in, alternating light and darkness, as it has always done in the history of Brazil.

Has violence against indigenous groups increased or decreased? It seems to have increased in 2015 due to the tremendous pressure being applied by the powerful who are against indigenous rights; against human and social rights. It is as if those rights, explicitly guaranteed by the Federal Constitution, were an affront to the reproduction of the privileges that the elites in our society have been accustomed to take for granted and believe to be the only means of sustaining the *status quo*. Is it so impossible to imagine a place in the sun for all?

As it does every year, the Indigenist Missionary Council (*Conselho Indigenista Missionário - Cimi*) presents a systematization of the data concerning violence and rights violations practiced against the Indigenous Peoples in Brazil that occurred in 2015. The data have been systematized on the basis of the information registered by the missionary teams that are active in various places in all the Brazilian regions. Indigenous leaders and various mobilized communities express their complaints and claims either in the form of written documents or by means of actions in strategic locations and in that way constitute an important source of data. The press, TV, and virtual media supply information that makes it possible to

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cover the whole of Brazilian territory. The Office of the Federal Public Prosecutor (*Ministério Público Federal - MPF*) produces reports and information based on its own information bodies and also on the concrete legal actions taken in the courts. Other official bodies also produce important information among which we can highlight the Brazilian Geography and Statistics Institute (*Instituto Brasileiro de Geografia e Estatística - IBGE*) and the Special Indigenous Health Department (*Secretaria Especial de Saúde Indígena - Sesai*) which is active in many regions registering health data and the standards of health care provision. Those data are systematized in a general report with inputs from the regional Special Indigenous Health Districts (*Distritos Sanitários Especiais Indígenas - Dsei*). Data on mortality among children under five, suicides, deaths in general, assassinations, and others and were highly important for the survey we conducted in the course of that year and accordingly Cimi always requests Sesai to supply such additional information. That is because the health care registrations have a wider scope even though health agents on the ground are not specifically trained to understand the indigenous world. The National Indian Foundation (*Fundação Nacional do Índio - Funai*) itself does not have a registrations system with such a broad outreach. The Sesi, however, makes it difficult for Cimi to access its data even though the law guarantees access to information.

“ Illegal extraction of wood from indigenous lands in the Brazilian northeast and central-west has recurred and intensified year by year. The agents of this illegality open up access roads and branch trails for machinery and equipment to enter and logs to be taken out. They build networks of clandestine roads that carry the products to industrial and exportation centers. Occasionally the surveillance system seizes logs and catches the offenders but at a pace that cannot match the agility of the tractors and the chain saws”

In spite of all the difficulties and even with the certainty that the data are partial, incomplete and leave out certain episodes, the volume of information we present allows us to make an analysis of the dark side that affects the daily lives and the great struggles of the Indigenous Peoples in Brazil. As usual we have maintained the format of three chapters displaying the gathered data with an introduction for each one of them.

In addition to a portrayal of the overall situation of indigenous lands in the country, Cimi also publishes lists of areas with pending administrative processes, that is, those that have not yet reached the final stage of the demarcation procedure which is registration in the Office of the Lands and Real Estate Registrar (*Cartório de Registro de Imóveis*) and in the Department of the Federal Estate (*Secretaria do Patrimônio Federal* - SPU)

We found that many of the indigenous lands with pending administrative processes are lands of isolated peoples. There are still some isolated peoples living in lands with pending administrative processes in the states of Acre, Amazonas, Mato Grosso, Pará, Rondônia and Roraima. Many of such lands have not been the subject of any measures whatever on the part of the public authorities. Furthermore, they are in regions where the Brazilian State has constructed, or intends to construct enormous infrastructure ventures, such as hydropower dams and highways.

As there was no effective or considerable demarcation of areas because of the Dilma Rousseff Government's political alliances, land conflicts continued to break out throughout 2015. The Tupinambás in Bahia, the Gamelas in Maranhão, and the Guaranis in Santa Catarina, are among the peoples that suffered violent attacks designed to make them the move away from the lands that are theirs by right.

The state that registered the highest number of attacks was Mato Grosso do Sul where we registered at least ten attacks on the Guarani and Kaiowá, Nhandeva and Terena peoples unleashed on indigenous camps, particularly in areas that they had taken back. Various people were shot and some were tortured. In some cases the camps were completely destroyed. In Pyellito Kue, ten indigenous people were injured, among them a pregnant woman and a healer. In the Guyra Kambi'y tekoha, ranchers and farmers disrespected the pact they had signed with the Ministry of Justice and attacked the Guarani and Kaiowá community.

In 2015 there were 55 cases of invasions to take possession, illegal exploitation of natural resources and various forms of damage to property in the states of Alagoas (1), Amazonas (6), Espírito Santo (1), Maranhão (18), Mato Grosso (3), Mato Grosso do Sul (2), Pará (12), Rondônia (5), Roraima (3), Santa Catarina (2), São Paulo (1) and Tocantins (1).

The tremendous environmental disaster caused by the bursting of the Samarco dam in Minas Gerais, the biggest ever in Brazilian history, affected three indigenous peoples in two states: the Tupiniquim and the Guarani in Espírito Santo, and the Krenak in Minas Gerais. The problems it caused were beyond belief, especially in regard to productive activities.

The indigenous peoples of Maranhão who have forests in their areas continue to be the targets of invasions, deforestation, illegal exploitation of resources as well as other actions such as the fires set in the lands of Arariboia of the Awá and Guajajara peoples and in the

“ Among the indigenous lands with pending administrative processes we can see that many of them are lands of isolated peoples. Many of the areas have not been subject to any measures whatever taken by the public authorities. Furthermore, they are in regions where the Brazilian State has constructed or intends to construct enormous infrastructure ventures, such as hydropower dams and highways,”

Upper Turiaçu, of the Awá, Ka'apor, Tembê, Timbira and Urubu Ka'apor peoples.

The territory of the Awá people, which still has uncontacted groups living in the forests, was hard hit by the Grande Carajás program in the 1980s and from then till now the Awá have been facing the same problems: invasion of their lands by loggers, hunters and pillagers of every kind of raw material and natural asset. In 2015 they suffered the impact of the duplication of the Vale SA. corporation's railway, which transports iron ore day and night. The train goes loaded to the port of São Luiz and comes back empty to where the ore is mined in Parauapeba in the state of Pará.

Illegal extraction of wood from indigenous lands in the Brazilian northeast and central-west has recurred and intensified year by year. The agents of this illegality open up access roads and branch trails for machinery and equipment to enter and logs to be taken out. The satellites installed over that region detect the illegal activity and register the occurrences. To avoid detection by the satellites the loggers open discrete trails that pass under the trees with the densest tops, making it hard to spot the activity. To exhaust the stocks of wood in a given locality, they need access trails so they build networks of clandestine roads that carry the products to industrial and exportation centers. Occasionally the surveillance system seizes logs and catches the offenders but at a pace that cannot match the agility of the tractors and the chain saws.

Sluggishness in regularizing and demarcating the indigenous lands has become practically intrinsic in Brazil. Accordingly, there are unceasing invasions, conflicts and all kinds of damage to the natural assets and the respective communities thereby underscoring, yet again, the omission of the State and the ongoing violent, destructive and illegal actions against the indigenous people. Cimi identified 654 indigenous territories with pending administrative processes. That is, lands whose demarcation processes had not been concluded. Some communities have been waiting over 20 years for the finalization of the official identification work

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In the Chapter *Violence against individuals* Cimi registered 54 assassinations in 2015. Among the fights resulting from consuming alcoholic drinks and dead bodies found with signs of bullet wounds, the most serious motive for concern is the assassination of indigenous leaders engaged in the struggle to recover traditional territories.

Mato Grosso do Sul continued to present a high number of records: 36 murders according to official statistics. Outstanding among all the cases is that of the assassination of the Guarani and Kaiowá Simeão Vilhalva in August 2015. The crime was perpetrated after ranchers and politicians in the region of Antônio João organized a public act calling on the local population to rise up against the Nhanderu Marangatu community. The decree ratifying the demarcation of this area was signed more than ten years ago but it is still in the hands of non-Indians.

Another murder that caused great consternation was that of little Vítor Kaingang, just 2 years old, in Santa Catarina. His mother was breast-feeding him when a boy drew near and stabbed him in the neck with a knife. The desperate mother could do nothing to save the little one and saw his life pour out in blood on her lap.

The state of Mato Grosso do Sul was also the scene of the highest number of attempted murders. Most of the respective occurrences were due to conflicts associated to disputes for land and to offenses committed against entire communities. Attacks were registered against the communities Nhanderu Marangatu, in the municipality of Antônio João; against Guyra Kamby'i, in the municipality of Douradina; Potrero Guasu, in the municipality of Paranhos; Pyellito Kue, in the municipality of Iguatemi; Mbaracay, in the municipality of Douradina; Kurupi, in the municipality of Naviraí; Tey'I Jusu, in the municipality of Caarapó; Kurusu Ambá, in the municipality of Coronel Sapucaia; and Taquara, in the municipality of Juti.

Furthermore, Mato Grosso registered the highest number of cases of manslaughter. Of the 18 cases registered in Brazil, most were of people being run over and five of

them happened in that state. Other cases were registered in Maranhão, Minas Gerais, Pará, Paraná, Rio Grande do Sul and Santa Catarina.

12 cases of threatening to kill were registered, most of them in Maranhão (6 cases). There were threats made by loggers and invaders against indigenous communities that acted to defend their territories on their own account, given the total absence of State support.

Again in Maranhão, the greatest number of other kinds of threats was registered. More specifically, there were cases of undue appropriation of the bank cards of indigenous people on the part of traders and shop owners.

In 2015 we registered 12 cases related to deliberate infliction of bodily harm through physical aggression and beatings registered in the states of Acre (1), Amazonas (3), Maranhão (1), Mato Grosso (1), Mato Grosso do Sul (5) and Rio Grande do Sul (1).

In one of those cases in Mato Grosso do Sul, which registered the highest number of cases, a group of indigenous people was attacked by heavily armed gunmen after they had occupied part of the forest in their territory where they intended to gain access to basic natural resources such as water, food and natural medicines.

Eight cases of abuse of power were registered in the states of Acre (1), Amazonas (3), Bahia (1), Ceará (1), Mato Grosso do Sul (1) and Minas Gerais (1).

The case of a student in Minas Gerais who took part in demonstrations on Brazilian National Day, September 7, is emblematic. She was holding a poster with the phrase “we are all Guarani-Kaiowá against the genocide ordered by Agribusiness”. One of the policemen present as part of the security arrangements for the event seized her in a violent manner and forced her to lie down on the pavement. She was handcuffed and kept there by the Policeman who was kneeling on her back. Even though she was simply exercising her constitutional right to free expression of her thought and did not represent a risk to anyone at all, the young woman was dragged off to the police station in a procedure that was unnecessary and aggressive and devoid of the prerogatives that should have been respected in view of the fact that she was an indigenous person.

In the virtual media and in personal face to face situations, cases of racism are constantly present. One such occurred in Maranhão and was notable because one of the protagonists was a parliamentarian well known for his racist statements against indigenous people. State representative Fernando Furtado (of the Communist Party of Brazil) was caught in an audio recording that immediately spread to the social networks insulting Awá indigenous people during their participation in a public hearing organized by the association of big farmers and landowners in the city of São João do Caru. Referring to the Indians, the representative called them “a bunch of queers” and “gays” and even suggested that they had best die of hunger because “they do not even know how to work”.



Ana Mendes

“ The Sesai data, albeit only partial, are dramatic. They identify the deaths of 599 children under five. Pneumonia, diarrhea and gastroenteritis are perfectly treatable diseases. The country’s northern region accounts for the highest number of deaths. Deaths of children and youngsters at higher rates than those considered acceptable by official national and international institutions reveal the scheme of a necro-policy in effect against the indigenous peoples in Brazil,”

Even though only 9 cases of sexual violence were registered it is easy to imagine that the real number was far higher. In Roraima there was an anonymous denunciation made to the non-uniformed police that the proprietor of a ranch, employees and supposed policeman of the uniformed police were organizing parties and having sexual relations with indigenous children and adolescents in an environment marked by the consumption of alcohol and drugs.

Of the 87 suicides registered in 2015, 45 occurred in Mato Grosso do Sul. It was found that 24% of the cases were of individuals in the age group 10 to 14, 37% in the group 15 to 19 and 22% in the age group of 20 to 29. In

the period from 2000 to 2015 the number of suicides is alarming; in the state of Mato Grosso do Sul it decimated the lives of the youngsters, especially young males. Those figures added to the equally alarming figures for the assassinations of young blacks compose a disturbing portrayal of a “youthicide” currently in course in Brazil.

The Sesai data, albeit only partial, are dramatic. They identify the deaths of 599 children under five. Pneumonia, diarrhea and gastroenteritis are perfectly treatable diseases, but nevertheless they were the cause of death of at least 99 children under five. Brazil’s northern region concentrates the highest number of deaths, 349 children under five, that is, 58% of those identified in the partial data. The indigenous peoples most affected are those that lie in the areas covered by the Xavante Dsei, with 79 deaths, Upper Solimões with 77 deaths and Yanomami with 72 deaths.

The number of deaths seems to indicate very high rates in the indexes being registered here. Children and adolescents die at a rate far higher than those considered acceptable by the official national and international institutions and reveal a scenario of a necro-policy being implemented against the indigenous peoples of Brazil

In the light of that scenario, is it really necessary to ask whether there is a war going on against the indigenous people in Brazil? The data do not actually speak for themselves; that is a sociological fallacy, but for anyone with their eyes and ears open to the indigenous world, that reality cries out. ♦

A wicked and unacceptable reality

Matias Rempel*

Roberto Liebgott**

The registration of dozens of cases of violence and criminal acts practiced with refinements of cruelty against indigenous peoples, especially against the Guarani and Kaiowá in Mato Grosso do Sul, clamor for our attention. Acts of torture are utterly unacceptable and can never be justified by any dispute for land. This report has brought together these facts imbued with criminal persecution and racism and unfortunately marked by ever recurrent impunity. The cases reported here show that the ranchers and farmers have created and trained militias to attack extremely vulnerable communities and to practice all kinds of aggression against them. Those cowardly acts show how the criminals involved feel themselves to be

legitimized by the public authorities because inquiries are hardly ever installed to investigate the crimes denounced by the indigenous people.

Assassinations, beatings, kidnapping, torture and rape are some of the crimes committed against the indigenous peoples who are struggling for the demarcation of their ancestral lands in Brazil. In the face of such violence what we see is, on the one hand the omission of the security entities who even when they are called on to act by the National Foundation for the Indian (*Fundação Nacional do Índio- Funai*) or by the indigenous leaders, fail to act either in surveillance or in protection and investigation. On the other hand, the Judicial and the Executive branches act in a



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way that endows the criminal acts of farmers and ranchers with legitimacy insofar as they paralyze the demarcation of the lands, either administratively or legally. Thus it becomes clear that the wickedness and the atrocities unleashed against the indigenous peoples in 2015 were ignored by those who ought to take action to combat them. There now follows an account of some of the more outstanding cases:

On December 30 a Kainang baby had its throat cut when it was being breastfed by its mother in the coach station of Imbutuba in Santa Catarina. Those who do not accompany the scenario of growing violence – visible in the most varied types of incidents – against indigenous peoples, communities and individuals may think that such a crime was an exception, an aberration or that it was not necessarily motivated by racism, but that is not what the data on violence show. The murder of a child in its mother's lap is a synthesis of the pain and suffering of indigenous peoples in Brazil.

The data show that since August 2015 there has been an intensification of paramilitary attacks unleashed on Guarani and Kaiowá families in Mato Grosso do Sul. On the 29th of that month an emblematic attack was made on the Nhandaru Marangatu in the municipality of Antônio João. After a week of threats and preparations with the direct participation of state and federal parliamentarians, public incitement on the part of rural employers union leaders and the omission of the police of the state of Mato Grosso do Sul, 24 year-old Simeão Vilhalva was murdered. In the middle of one of the various attacks made by *Ruralistas* against unprotected and unarmed families, the crime was carried out in an area that was recognized and ratified by the federal authorities as traditional indigenous land as far back as 2005. The death of Simeão turned the spotlights of the world, once more, on the plight of the Guarani and Kaiowá in Brazil.

Furthermore, the crime in Marangatu was not an isolated fact; it merely brought to light the paradigm of systematic genocide generally carried out by means of wicked attacks on the indigenous peoples of Mato Grosso which in some periods occur on a daily basis.

Oppression and omission

Two months before Simeão was murdered, families in the indigenous territory of Kurusu Ambá in the municipality of Coronel Sapucaia were also attacked by big farmers and ranchers' militias. On June 24 a group of one hundred pickups accompanied by the Department of Frontier Operations (*Departamento de Operações de Fronteiras* - DOF) drove to the main buildings of the Fazenda Madama property which had been repossessed by around 21 Guarani and Kaiowaá people.

This offensive of the *Ruralistas* was planned beforehand at a meeting organized by the Amambai Rural Union held at the headquarters of the Mato Grosso do Sul Agri-



Laila Meneses

“The ranchers and farmers have created and trained militias to attack extremely vulnerable communities and to practice all kinds of aggression. Those cowardly acts show how the criminals involved feel themselves to be legitimized by the public authorities. Assassinations, beatings, kidnapping, torture and rape are some of the crimes committed against the indigenous peoples who are struggling for the demarcation of their ancestral lands in Brazil,”

culture and Livestock Producers Federation (*Federação da Agricultura e Pecuária de Mato Grosso do Sul* - Famasul). Farmers, ranchers, police officers and politicians abandoned the official forum proposed by the office of the federal public prosecutor (*Ministério Público Federal* - MPF) which was seeking solutions and decided to take the indigenous people out of the camp with their own hands. Around 40 armed individuals made up the group which set fire to the indigenous camp, fired off shots, destroyed personal belongings and circled with pickups the indigenous people that tried to get away¹.

In that scene of extreme violence, two youngsters, Geremia and Tiego (aged 12 and 14), got away in the forest and got lost. They spent eight days in the open air and were eventually found by indigenous people of the Taquapery village on July 2, twenty kilometers from the Kurusu Ambá tekoha where they had been with their families before the attack. They were very weak, hungry and thirsty².

According to a note of the MPF of Ponta Porã; “The ranchers were accompanied to the spot by policemen of the DOF, who did not actually enter the property, and by a team from the TV Moren, affiliated to the Globo TV network in Mato Grosso do Sul... There had been fires in various spots and it was possible to identify kitchen utensils, blankets

and food that had been destroyed by the fires... after their expulsion, the indigenous people were grouped two kilometers away from the site of the conflict at the side of the road that gives access to the ranch. The community was in a state of shock and lamenting the disappearance of adults and children and the death of a baby. The baby, believed to have been burned in the fires was actually found on the 25th. Its uncle had managed to get it out of the hut before the gunmen set fire to the camp... The Indians of Kurusu Ambá asked for help to find the children that had disappeared.

Prosecutor Ricardo Pael of the MPF declared that: "responsibility for the land tenure conflict lies with the Ministry of Justice. The process for demarcating indigenous areas in Mato Grosso do Sul is the fruit of an agreement (TAC, term of conduct adjustment) between the Funai and the MPF but has been paralyzed since mid-2013 when a table of negotiations was set up by that ministry. That table achieved no progress whatever towards solving the situations of dozens of areas in the state disputed by Indians and ranchers and it even led to the paralysis of the identification studies of other areas. In regard to the Kurusu Ambá conflict, the Federal Police, even though it had been aware of the potentially violent situation since Monday the 22nd only turned up at the spot after the confrontation on the 24th. The Ministry of Justice, In turn, only authorized the National Force to take action in the area on Wednesday the 25th at 7 pm after the conflict had already broken out. In that way the Ministry of Justice was guilty of serious omission and disrespect for the constitutional rights of the indigenous people.

Just three weeks after the Marangatu attacks, starting on September 03, around one hundred indigenous people belonging to twenty families were viciously attacked with gunfire for three days in the Guyra Kamby'i, village in the municipality of Douradina near to Dourados. The area of 12,196 hectares is indigenous territory already identified as such by Funai but due to the overlapping of farms and ranches, the community only has effective access to two hectares.

After the community had taken back part of the area in which to plant food crops to assuage their hunger, the attacks began. In view of the recurrent brutality of those attacks the MPF in Mato Grosso do Sul determined that there should be a police enquiry to investigate the possible practice on the part of local farmers and ranchers of forming private militias. According to one prosecutor, the exchanges of social network messages between the chairman of the Itaporã Rural Union, Otávio Vieira de Mello calling on local agricultural and livestock producers to join an action for the forcible removal of the Indians was the reason for the request for an inquiry³.

In spite of the glaring brutality of the attacks and the statements of the MPF, the security forces were notably

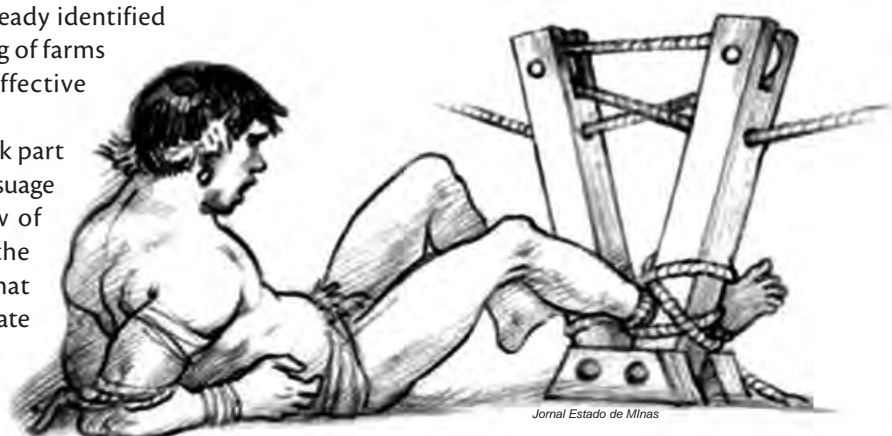
absent throughout the incident, leaving the Indians to their fate. The Ministry of Justice and the Civil Office issued statements to the effect that they had not detected any serious problems in the region. However, an investigation made by the Standing Committee for Human Rights and Minorities of the House of Representatives registered evidence of the attack in the form of innumerable cartridges fired against the community.

In the same month of September, another series of armed attacks was unleashed against Guarani and Kaiowá families. This time the victims were the Nhandeva Guarani of the Potrero Guasu *tekoha*; a declared indigenous territory located in Paranhos in the extreme south of the state.

In spite of the fact that the community had informed the authorities about the possibility of imminent attacks neither the State nor the security forces took any steps whatever to investigate the situation. On the 19th the *tekoha* was the target of an attack with waves of gunfire that left three Indians with bullet wounds including the cacique of the community and other people with injuries. The cacique was shot in the leg and taken to hospital in a serious condition. The Potrero Guasu had their camps destroyed and suffered several other attacks from paramilitary groups and hired thugs.

Old people tortured: worse than in the military dictatorship?

In the Mbaracay *tekoha* in the same region, on October 16, a group of about 20 people, mostly old men and women, occupied a small area (one to two hectares) of the Iguatemipecuá I (Pyellito Kue/Mbarakay) Indigenous Land for which the identification report had been published



"O TORTURE BY THE 'TRUNK'"

"The 'trunk' consists of two wooden posts with their lower ends in the same hole in the ground and set with a slight angle between them. Near the ground a slight depression is carved out on each one facing the other. The torture consists of placing the persons ankle between the posts and slowly closing the angle by means of a rope and pulley arrangement at the top. It is an extremely painful process and if it is overdone it can crush the bones".

Explanation from the Figueiredo Report

by the Funai in 2013. Deprived of their traditional sacred lands they merely wanted access to the forest, potable water and animals to hunt. The region is wetland and not used for any kind of production. First of all the Indians were identified by the state police. Afterwards they were the target of a cowardly attack from an armed group that fired off shots at them. The Indians were rounded up and then submitted to a long session of torture and among the acts of torture that were carried out, some of the old people had their ankles crushed. Still not satisfied their tormentors forced them to make a long march out of the occupied area. Council members of the Aty Guasu Grand Assembly lodged a denunciation with the MPF and Funai and prepared documents to inform international human rights organizations.

The *Conselho Indigenista Missionário's* (Cimi) electronic site published the following material on October 16: "according to information we have received by telephone, the indigenous people, desperate and in tears reported that after an initial attack with lethal gunfire, the Indians, children, young people, men and women and especially old people were beaten and tortured. They went on to say that that they were indiscriminately attacked with blows from gun butts, punches and kicks. One youngster had his hair pulled out while the old women on their knees begged the "capanga chefe" (head thug), as they called him, for their lives. That person organized and regulated the tortures and according to the Indians made it clear that the action was premeditated. When an individual had been too severely beaten he ordered that he should be replaced by another or that the intensity should diminish.

After hours of terror, the Indians declared that some of the old people had their ankles deliberately fractured before the group was expelled from the place and the camp was burned to the ground. When they were out on the road the vehicles kept circling and threatening them again and the group, disorientated and afraid, took refuge in the forest to wait for morning. When morning came and they were found by the employees of the Funai's Operation Guarani, they were already some kilometers away moving towards the village of Limão Verde in the municipality of Amabai and they were extremely weak".

The wickedness unleashed against the old people in Mbaracay is totally unacceptable and reminiscent of the torture that was widely used against indigenous people during the military dictatorship in Brazil, as the Figueiredo report made very clear (7 thousand page document produced by the Ministry of the Interior that reports massacres and torturing of Indians in the interior of Brazil⁴). In one of the innumerable brutal passages of the text a certain instrument of torture is identified as being the most commonly used in the posts of the Indian Protection Service (SPI) of that time. It is called "the trunk" and it works in the following way: "it crushes the ankles of the victims which are placed between two posts stuck in the ground at an acute angle .

“ The wickedness practiced against the elderly people in Mbaracay is totally unacceptable and a reminder of the methods of torture widely used against indigenous peoples during the military dictatorship and known as the "trunk". That shows how the privileged Brazilian elites are a long way from overcoming their colonialist and genocidal mentalities. The fact that such atrocities continue and those responsible go unpunished is extremely serious,”

The tops are connected by rope and pulleys and gradually pulled together". Unfortunately acts such as those recently committed in Mbaracay still happen in Brazil well into the 21st century, showing that the privileged Brazilian elites are a long way from overcoming their colonialist and genocidal mentalities. The fact that such atrocities continue out of sight of Brazilian society at large and that those responsible go unpunished is extremely serious.

Again in September, more than twenty Guarani and Kaiowá families of the Pyellito Kue tekoha were viciously attacked after have retaken part of their territory, already recognized as traditionally theirs. The Guarani and Kaiowá lived confined to a mere 100 hectares of land within the 41 thousand hectare Iguatemipeguá I (Pyellito Kue/Mbarakay) Indigenous Territory.

The militia attacks began on the 17th and went on for several days. According to the report of the indigenous people themselves, police of the Department of Frontier Operations were there on the spot but made no move to restrain the attackers. On the following day (18) other violent incidents occurred, with gunfire and beatings. Ten Indians were injured, including a pregnant woman, and an elderly healer. According to Funai, after being beaten up, 26 Indians were tied up and thrown onto the back of pickups and dumped off at the side of the MS-295 state highway near to the Jogui (Hovy) River outside the area retaken by the Pyellito Kue tekoha.

"It was terrible. The gunmen attacked us at night. They burned everything. Shot at us. Some of my relatives were wounded and many people ran away. I don't know where they are or how they are", declared leader Márcio Guarani to Survival International on September 23. In addition to the forcible removal and the burning of the tents and huts, the gunmen's actions led many Indians to panic and run away, among them women and children and some of the wounded. One of the most shocking acts of violence reported was the collective rape of a young Guarani and Kaiowá girl by 12 gunmen. They caught her in the forest when she was trying to get away⁵.

In the Tey'i Jusu community, in the vicinity of the municipality of Caarapó which has a long history of violations, attacks and aggression practiced against individuals, the farmers and ranchers are accused of carrying out at least five chemical attacks from December 2015 to January 2016, using tractors and aircraft. The poison was discharged in the river that is the communities only source of water and on their crops, their only source of food and again directly on their dwellings. Many of the children came down with contamination symptoms and had to be taken to the nearest health post and even though the Indians sought the support of State entities well before the attacks were

scheduled to occur, they took place exactly as the ranchers had announced, without the communities receiving any form of protection. Unfortunately, the cruelty even went beyond that. In at least three of those episodes, gunmen, under orders from their employers, circled the community to ensure that no one would get away while the aircraft were discharging the poison⁶.

At the Kurupi camp located at the side of the BR 163 Federal Highway, near the city of Naviraí, ten indigenous families have been suffering attacks uninterruptedly for the last three years. Kidnapping, torture and armed attack occur with shocking frequency without the security forces taking any steps to curb the recurrent and announced acts of violence. From August 15, 2015 to February this year, at least four serious attacks were registered by the MPF of Dourados⁷.

The reports briefly described above, albeit they must inevitably arouse the indignation of any person with a minimum concern for respect for human rights, are in fact just a small sample of the violence and violations that are practiced on a daily basis against the indigenous peoples in Brazil and especially against the Guarani and Kaiowá. Much of the information registered here appears in the electronic sites of press entities that are not aligned with agribusiness and on the sites of the MPF and others, and even videos are accessible on them. The Indigenous peoples' pain, however, is never reported in the big corporative media at all. Lastly, it must be underscored that all this violence and oppression is also the result of a disastrous State policy and carried out in the name of limitless greed. Furthermore we should consider that, according to preliminary calculations, if all the indigenous lands claimed by the Guarani and Kaiowá in Mato Grosso do Sul were effectively demarcated, they would only represent 2% of the total area of the state⁸. It should also be remembered that the Guarani and Kaiowá form the second biggest indigenous contingent in Brazil with a population of around 50 thousand people most of whom live in extremely precarious conditions without access to water, basic sanitation, decent accommodation, guaranteed subsistence conditions or other fundamental human rights. All of that makes the violence imposed on them by the farmers and ranchers even more inhumane, wicked and unjustifiable. ♦



After a militia attack Pyellito Kue residents were tied up thrown onto the back of pickups and dumped off on the edge of a highway

“ The long list of history of violence and oppression is also the result of a disastrous State policy and carried out in the name of limitless greed. The Guarani and Kaiowá form the second largest indigenous population in Brazil and are living in highly precarious conditions without access to water, basic sanitation, decent accommodation, guaranteed subsistence conditions or access to fundamental human rights.”

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- 2 <http://www.cptnacional.org.br/index.php/publicacoes/noticias/conflitos-no-campo/2674-nove-dias-apos-desaparecimento-criancas-guarani-e-kaiowa-sao-encontradas-no-ms>, <http://www.redebrasilatual.com.br/cidadania/2015/06/apos-ataque-violento-de-fazendeiros-contraguarani-kaiowa-uma-crianca-segue-desaparecida-3706.html>
- 3 <http://agenciabrasil.ebc.com.br/geral/noticia/2015-09/mato-grosso-do-sul-indios-denunciam-ataque-de-homens-armados-acampamento>, <https://www.socioambiental.org/pt-br/noticias-socioambientais/apos-reunioes-com-ministro-da-justica-guarani-kaiowa-ms-sao-atacados-mais-uma-vez> e http://www.cimi.org.br/site/pt-br/?system=news&conteudo_id=8352&action=read
- 4 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=DocIndio&PagFis=7770>
- 5 <http://www.survivalinternational.org/ultimas-noticias/10921>, <https://www.socioambiental.org/pt-br/noticias-socioambientais/guarani-kaiowa-sao-removidos-a-forca-de-area-da-ti-igatemi-pegua-i-ms> e http://www.cimi.org.br/site/pt-br/?system=news&conteudo_id=8349&action=read
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- 7 [https://www.facebook.com/atyguasu/posts/714933231975212%20\(comunicado%20da%20Aty%20guasu\)](https://www.facebook.com/atyguasu/posts/714933231975212%20(comunicado%20da%20Aty%20guasu)).
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The indigenous peoples and their access to the Law

Adelar Cupsinski*

Alessandra Farias**

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In 2015, the Guyaroká indigenous community in Mato Grosso do Sul was surprised by a Supreme Court decision that suspended the acts of the Ministry of Justice which, by means of its Decree nº 3.219, dated October 7, 2009, had declared the Guyaroká land with an area of around 11,401 hectares to be the permanent property of the Guarani Kaiowá indigenous peoples.

The community then sought the support of lawyers specializing in indigenous law and even though the court action was at the final stage, petitioned for the annulment of all the processual acts given that they had not been called on to participate in the dispute. Thus the community was deprived of any opportunity to conduct its defense given that up until the moment of the court decision, the Indians had not even been aware of the legal action in course.

In response to their petition, the community's plea was denied with the argument that "Funai is the Federal Body of the Brazilian State responsible for protecting the Indians and their assets and it is responsible for all and any studies and surveys that precede demarcation according to the provisions of Article 23 of the Federal Constitution and those of Act 5.371, dated December 5, 1967"¹.

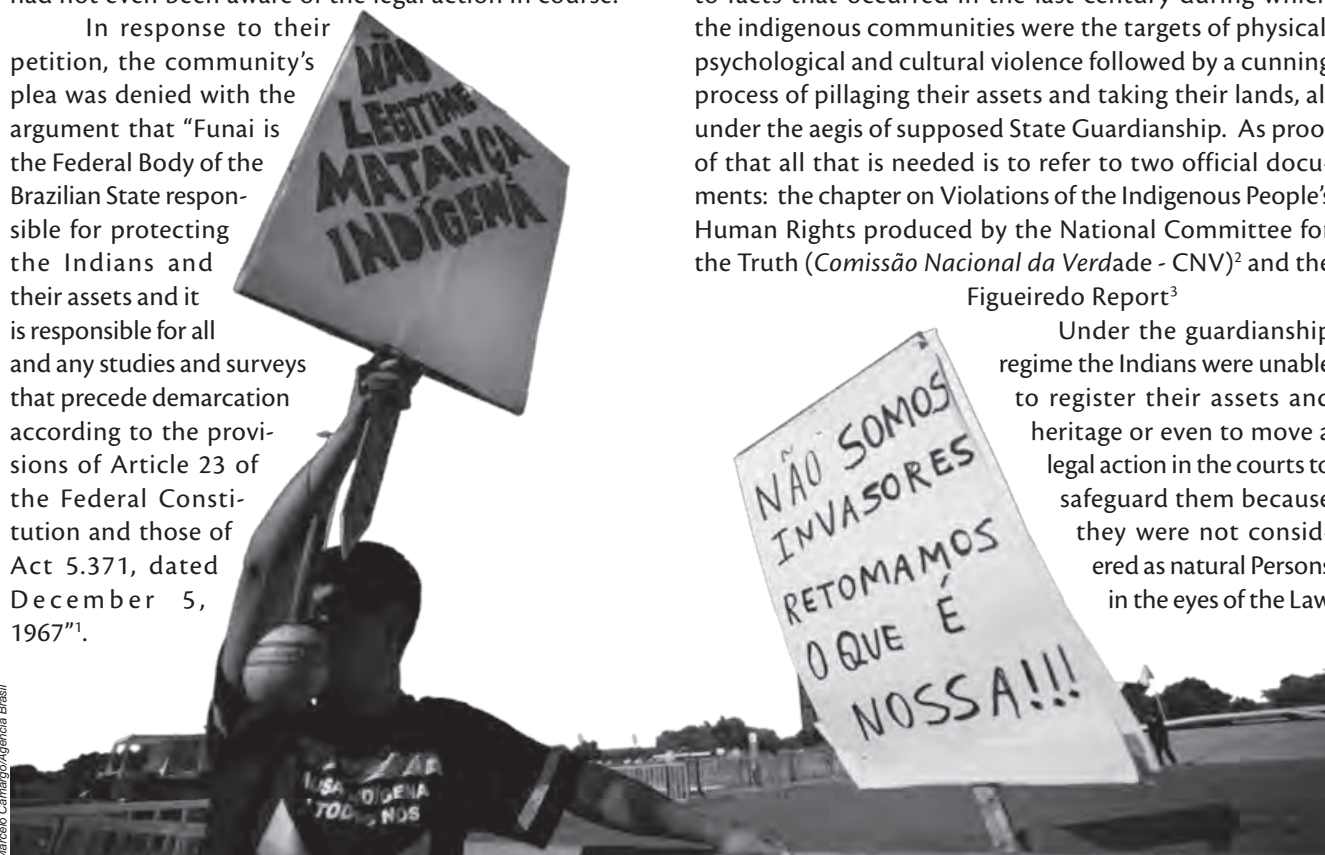
However, that decision of one of the divisions of the Supreme Court is open to questioning because it goes against the present day legislation concerning indigenous peoples given that the Constitution of 1998 no longer accepted the ill-fated Guardianship of the Indians. Article 231 of the Constitution recognizes that "The Indians shall have their social organization, customs, languages, creeds and traditions recognized," and Article 232 declares that "The Indians, their communities and organizations have standing under the law to sue to defend their rights and interests, the Public Prosecution intervening in all the procedural acts".

The present conflicts, most of which have become the objects of legal actions in the courts, are directly related to facts that occurred in the last century during which the indigenous communities were the targets of physical, psychological and cultural violence followed by a cunning process of pillaging their assets and taking their lands, all under the aegis of supposed State Guardianship. As proof of that all that is needed is to refer to two official documents: the chapter on Violations of the Indigenous People's Human Rights produced by the National Committee for the Truth (*Comissão Nacional da Verdade - CNV*)² and the

Figueiredo Report³

Under the guardianship regime the Indians were unable to register their assets and heritage or even to move a legal action in the courts to safeguard them because they were not considered as natural Persons in the eyes of the Law

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and that situation lasted right up till October 5, 1988. In that context the Indian's heritage was dilapidated and their lands were shared out to others through irregular processes.

Thus the Indians were silently removed from their rich villages confined in artificial reservations and transformed into beggars, while at the same time the adjective "lazy" was heaped on them by the authoritarian regime. In that way, centuries-old courageous, productive peoples were subjugated or simply physically eliminated.

The new constitution, however, created a consistent legal framework with broad, embracing guarantees that included the different indigenous peoples and their specificities. The consistency of those rights, faced with constant threats to revise the legal framework, especially the part that regulates indigenous lands, has motivated renowned jurists to come forward in public and defend the proposition that the Indian's rights are inscribed in the petrous (inalterable) clauses of the constitution⁴.

There can no doubt that the 1988 Constituent Assembly approved one of the most beautiful and advanced Constitutions in the modern world; conciliatory, contemporary, plural, fraternal and elevating human dignity to the status of the main guideline for the entire Brazilian legal structure.

The Citizen Constitution is modern insofar as it endeavors to harmonize the system and the people and it also allows for the diversity of societies that form the Brazilian culture, including the indigenous peoples to whom a specific chapter of the Constitution is dedicated.

Unlike the preceding regime which provided for the integration of the Indians to the national communion in an authoritarian and unilateral manner, the current Constitution integrated their rights to the extant legal order respecting their specificities, diversities and concepts of the world, or cosmos vision.

That meant that the indigenous populations were definitively inscribed within the sphere of the principles of human dignity and of access to the Law and it is no longer possible to analyze their rights in isolation. From one system to another, the Indians emerged from the condition of being under guardianship to a condition of equality with all other Brazilian citizens. Consequently they were acknowledged to be collective natural persons endowed with rights.

In regard to the abovementioned issue of human dignity, in the light of Brazilian doctrine, the first references to it in the history of humanity can be found in the Old and New Testaments of the Holy Bible (SARLET, 2011)⁵.

The Houaiss and Villar (Portuguese) dictionary is particularly apt in its definition of the word dignity: self-awareness of intrinsic value; honor; mode of behavior



that inspires respect; distinction; self respect (HOUAISS; VILLAR, 2004, p. 248). In other words dignity is quite simply a "moral quality that commands respect" (SANTOS, 2011)⁶.

Again, in regard to what constitutes human dignity we illustrate the question with a lesson from Ingo Wolfgang Sarlet:

(...) an intrinsic and distinctive quality recognizable in all human beings that makes them deserving of the same respect and consideration on the part of the State and the community and implying, in that sense, in a set of fundamental rights and duties that both secure them against every and any act of a degrading or inhuman nature and guarantees them the minimum conditions for leading a healthy life, in addition to fostering their active and co-responsible participation in the destiny of their own existences and life in communion with other human beings by means of due respect for all the other beings that integrate the network of life (SARLET, 2011, p. 73).

In contemporary times, the dignity of the human person can be understood as what Barcellos⁷ (2002) terms as the existential minimum capable of conferring minimum conditions for a life with dignity. Her doctrine embraces the following rights: fundamental education, basic health, assistance for the needy and *guaranteed access to the law*.

Still according to Barcellos (2002, p. 293), "the subjective right of access to the Law is the instrument, without which the three preceding elements (fundamental education, basic health, assistance for the needy) become innocuous (...)"

According to Bonifácio⁸ (2008), the universalization of access to the law seeks primarily to ensure due process for the citizens, irrespective of the territorial limits of the State to which he or she is attached. It is a procedure, therefore, that fosters the exercise of citizenship on the part of natural persons, guaranteeing respect for the legal norms in the light of a human rights concept.

In the case of the Indians, human dignity means ethnic dignity, and access to the Law and needs to be understood in a wider extension insofar as it affects a collective entity and all the specificities stemming from a communal way of life and the mode of relationship with the land⁹; not forgetting other needs of the communities or villages such as health and education, also encompassed by the principles of Law.

Indigenous people's specific, congenital ways of living and being depend on a territorial space in which to unfold their culture, beliefs and traditions. That is why, for them, the land is at the heart of all their claims.

According to Fachin and Pianovski¹⁰, human dignity is an existential, ethical and imperative principle and constitutional rule contemplated in the Legal Order as a fundament of the Republic and they add that:

The expression "the world of should-be" actually reflects the degree of abstraction to which exacerbated positivism has brought the Law, forging an artificial cleavage that encloses the Law – as a paradox of that same positivism – in a metaphysical dimension. It is inadmissible that an expression of the human spirit should be preponderant over the very human being who elaborated it and to whom, concomitantly, it is addressed.

Within the current legal structure there can be no doubt that the indigenous people are a collective natural person insofar as there is formal recognition of their social organizations, discarding guardianship and permitting access to the Law, all without their ceasing to be indigenous people. As jurist Carlos Marés¹¹ explains:

The 1988 Constitution recognizes the right of the Indians to be Indians, to maintain themselves in their Indian natures with their own social organization, customs, languages, beliefs and traditions. Furthermore, it recognizes their original right to the lands they have traditionally occupied. That is

a new concept and, in juridical terms, revolutionary because it breaks with the integrational vision. Starting from October 5, 1988, the Indian, in Brazil has the right to be Indian.

In the wake of that provision, the new reality of the indigenous peoples challenges the Justice Branch to overcome its exaggerated and not always efficacious formalism in the same way the Constituent assembly managed to do. The process of the Guyaroká Indigenous Land could be made an emblematic case and the decision of the second division of the Supreme Court could be reviewed by means of appropriate juridical measures. The Guyaroká community of the Guarani and Kaiowá people must have their right of access to the Law respected.

In that regard, in May 2016, in the presence of the indigenous peoples, the Plenary of the Federal Supreme Court decided that a court injunction was not a suitable legal instrument for addressing controversies related the demarcation of lands traditionally occupied by indigenous communities, in the process related to the Yvy Katu¹² Indigenous Land. This recent decision of the Supreme Court is an important precedent for guaranteeing indigenous rights. ♦

Ana Mendes



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- 9 Min. Ayres Britto, during the judgment of the ACO 312: "To the Indian, the land is not a mercantile goods susceptible to transaction. To the Indians the land is a horizontal totem and a protective spirit; it is an entity with which ha maintains an umbilical relationship". Available at: <http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=206458>.
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UN risk analysis framework: configuration of a risk of atrocity situation

Fernanda Frizzo Bragato*

Paulo Gilberto Cogo Leivas**

By means of the World 2005 Summit, the member states of the United Nations assumed primary responsibility for protecting (R2P) their populations from genocide (1948 Convention on Prevention and Punishment of the Crime of Genocide), war crimes (Statute of Rome), ethnic cleansing (United Nations, 2005) and crimes against humanity (Statute of Rome). In the same vein the international community pledged support for the States to achieve that end should they fail to fulfil that responsibility. Those commitments were formalized in paragraphs 138 and 139 of the 2005 World Summit Final Document of the 60th session of the General Assembly of the United Nations Organization.

According to Rosenberg (2009), the 2005 Outcome Document is the one with the greatest authority in regard to the Responsibility to Protect (R2P). The R2P is a doctrine of prevention and although its critics consider it to be just another name for humanitarian intervention it does provide a much broader set of political tools to avoid the eventual need for such interventions insofar as it recognizes that prevention is the best form of protection.

According to UN Secretary General Ban Ki-moon, who produced a report in 2009 that summarizes and establishes the strategy for R2P application, the latter consists of three pillars. The first pillar addresses the State's responsibility to protect its population; the second pillar establishes the duty of the international community to help the States to fulfill their responsibilities in the aspects of avoidance and protection; the third pillar places responsibility on the international community to respond opportunely and decisively, using peaceful means and if necessary, stronger measures in compliance with the provisions of international law. The first two pillars are crucial elements in the prevention of atrocities in mass (Ki-moon, 2009).



Ana Mendes

With the intention of reinforcing the means of preventative actions, in July 2014 the UN launched its 'Framework of Analysis for Atrocity Crimes: a tool for prevention'. This document contains analytical tools for assessing the configuration of risk factors associated to the possible occurrence of atrocity crimes and not necessarily to investigate evidence of a crime already in course. It lists a series of eight risk factors common to all such crimes in addition to two factors associated to each type of crime with various indicators for each factor. The aim is to gather as much information as possible so that the State, in the first moment, can be in a position to act preventatively.

According to that document, risk assessment requires the systematic gathering of accurate, reliable information based on the indicators and risk factors that it identifies. Risk factors are conditions that increase the risk of susceptibility and negative consequences and they include behaviors, circumstances or elements that create an environment propitious for the occurrence of atrocity crimes or which indicate probability or risk of their occurring.

The indicators, in turn, are different manifestations of each risk factor and as such they help to determine the extent to which each risk factor is present (United Nations, 2004). Four aspects must be taken into account when they are being applied; it is not necessary that all risk factors should be present for an assessment to be made of significant risk

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“ The impunity of crimes committed against indigenous people and their leaders is a fact that has become naturalized in Brazil, not just because it has been going on for a long time but also because there is no observable tendency to revert the situation. That is because the response of the Courts to the Indians’ territorial demands, in general, has not been favorable to guaranteeing their formally recognized rights.”

of the occurrence of an atrocity; the more risk factors there are, the greater the risk of occurrence; there is no hierarchy among the factors or the indicators, so their relative importance will vary according to the circumstances or context; and finally, there is a need for flexibility in considering all the elements and situating them in a broader contextual, political, historical and cultural analysis. Atrocity crimes will not necessarily occur because all the risk factors are present but on the other hand, they are rarely committed in the absence of all of them or of many of the factors identified in them (United Nations, 2014).

In Brazil’s case, it was possible to verify that in the context of the territorial disputes, the indigenous people find themselves subject to various situations which, according to the ‘Framework of Analysis for Atrocity Crimes’ configure risk factors for atrocity crimes insofar as they

induce the violation of its responsibility to protect, on the part of the Brazilian State. The data were collected from news items, reports, journalistic materials and jurisprudence.

Risk indicator 2.2 (past acts of genocide, crimes against humanity, war crimes or incitement to them) can be verified in the results set out in the report of the National Committee for the Truth (Brazil, 2015). According to that document, among the indigenous people killed during the military dictatorship there were 3,500 Cinta-Larga (Rondônia), 2,650 Waimiri-Atroari (Amazonas/Roraima), 1,180 Tapayuna (Mato Grosso), 354 Yanomami (Amazonas/Roraima), 192 Xetá (Paraná), 176 Panará (Mato Grosso), 118 Parakanã (Pará), 85 Marãiwatsédé Xavante (Mato Grosso), 72 Araweté (Pará) and more than 14 Arara (Pará). The report, however, estimates that the number of indigenous people assassinated “must be exponentially greater, given that only a small portion of the indigenous peoples affected were analyzed and there are cases where the number of deaths is so high as to discourage making estimates”. The Figueiredo report, cited by the Committee for the Truth “states that the government methods included donating sugar laced with strychnine, aerial bombing with dynamite, and even the use of pathogenic agents contaminating toys with smallpox, flu and measles viruses and launching them from aircraft (Brazil, 2015).

In regard to inaction, reluctance or refusal to use all possible means to stop planned, predictable or ongoing serious violations of human rights (risk indicator 2.4), this risk indicator can be identified in at least two situations. The first of them is the inaction in the face of imminent aggression against indigenous populations which have occurred in the case of the Guarani and Kaiowá peoples in the occupations of farms in Mato Grosso do Sul (Pública Agência de Reportagem de Jornalismo Investigativo, 2015). The other verified situation is the sluggishness in the demarcation of indigenous lands. During the Dilma Rousseff administration what prevailed was “the worst average rate of indigenous land ratifications since the end of the military dictatorship; a mere 3.6 homologations a year”. Furthermore, during “the year 2013, only one single land was ratified, the Kayabi Indigenous Land in the state of Pará”. Even that area, however was not effectively registered because Supreme Court Judge Luiz Fux granted a Court Order against its being registered in the Lands Registry Office” (Buzatto, 2014).

Widespread mistrust of State institutions or among different groups as a result of impunity is risk indicator 2.8. In this case impunity for crimes committed against indigenous people and their leaders has become a natural fact in Brazil; not because it is something that has been going on for so long, but because there is no visible tendency to revert it. Data regarding impunity can be found in the reports of the Pública Agência de Reportagem e Jornalismo Investigativo (2015), in the official statement of Tauli-Corpuz, UN special rapporteur for indigenous affairs (United Nations, 2015b), in the successive reports published by

the Indigenist Missionary Council (Conselho Indigenista Missionário - Cimi) (2014, 2015) and in the denunciations made by the Indians themselves (Estadão, 2015).

Another risk indicator in the UN analysis framework is indicator 3.1- a national legal framework that does not offer ample and effective protection. That criterion is met in the Brazilian indigenous reality insofar as the response of the Judicial Branch to indigenous demands for land, generally speaking, has been unfavorable towards guaranteeing formally recognized rights.

In the decision handed down on Petition nº 3.388/RR (Brazil, 2009), the Federal Supreme Court cited among the conditioning factors to be taken into account, the temporal deadline whereby October 5, 1988 was taken to be the parameter for determining the effective occupation of the lands by the respective indigenous peoples. That thesis has been applied in various decisions of Regional Federal Courts in processes that seek to annul the demarcations of indigenous lands.

In the Federal Supreme Court, the same tendency to apply the thesis of a temporal deadline to annul the validity of demarcations already carried out can be seen and that may mean that similar decisions of lower courts will become definitive. According to the Socio-Environmental Institute (Instituto Socioambiental, 2015) the application of the thesis of a temporal deadline will affect 144 areas whose demarcation processes have already been questioned in the courts with a population of 149,381 Indians, apart from 228 indigenous lands that have not yet been demarcated with a population of 107,203 people. That means almost one third of the Brazilian indigenous population could become deprived of their traditional territories.

Recent adoption of measures or legislation that affect or deliberately discriminate against members of protected groups is set out in the second part of indicator 7.8. In regard to legislative measures, some recent draft bills, should they come to be approved, will have drastic negative effects on the lands of indigenous peoples. Outstanding among those measures is the Draft Constitutional Amendment (*Proposta de Emenda Constitucional*) 215/2000 in which other proposals are embedded. It is basically directed at altering two constitutional provisions: articles 49 and 231 of the Federal Constitution. In regard to the former it seeks to include among the attributions that are exclusive to the National Congress an additional sub-heading XVIII whose text will confer the power to “approve the demarcation of territories traditionally occupied by the Indians”. The second

“In the Federal Supreme Court, the tendency to apply the thesis of a temporal deadline for that same purpose of annulling demarcations already carried out has been gaining ground and that may make the decisions of lower courts definitive. It means that 1/3 of the Brazilian indigenous people could be deprived of their traditional territories,”

alteration intends to add an 8th paragraph to article 231 stating that “demarcation criteria and procedures for demarcations” of indigenous lands must be regulated by Law. Furthermore, the draft amendment modifies paragraph 4 so that its reading states that the inalienability and unavailability of the lands can only be affirmed after due approval by the legislative branch (Brazil, 2000). In a study conducted in 2015, the Socio-environmental Institute (ISA) evaluated the evil impacts on indigenous rights stemming from the possible approval of the amendment contemplated in the PEC 215 (Instituto Socioambiental, 2015).

Increased inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals (Indicator 7.14) have all been frequent occurrences directed against the indigenous peoples. Such manifestations are proffered, not by ordinary people - whether involved or not in appropriating indigenous people's resources - but by agents of the state. The staff of the Regional Office of the National Indian Foundation (*Coordenação Regional da Fundação Nacional do Índio - Funai*) in Campo Grande, Mato Grosso do Sul in an open letter stated that “the propaganda methods of the rural elite via media extend their hegemonic influence on the opinion of part of the population of ordinary people in the state, that is people who are not the proprietors of any land titles, and they end up reproducing this discourse of hatred and prejudice directed against the Indians and those state employees that work with indigenous populations” (Jornal GGN, 2015). As an example, during the public hearing held in 2013 in the Municipality of Vicente Dutra (Rio Grande do Sul) Federal Representative Luis Carlos Heinze of the Progressista political party made a speech in which he declared that quilombolas [descendants of Negro slaves], Indians, gays, and lesbians represent “everything that is no good” (G1, 2014).

Lastly, the presence of Indicator 8.5 can



The United Nations Special Rapporteur on indigenous peoples' rights Victoria Tauli-Corpuz has already denounced the impunity of crimes committed against indigenous people and their leaders in Brazil



Ana Mendes

be detected (Attacks against the life, physical integrity, liberty or security of leaders, prominent individuals or members of opposing groups). The statistics on homicides of indigenous individuals point to the prevalence of deaths in Mato Grosso do Sul. The Cimi report for the period 2003 to 2014 on Violence against Indigenous Peoples in Brazil shows that 754 indigenous persons were murdered on Brazilian soil, an average of 68 killings a year. Of that total, 390 occurred in Mato Grosso do Sul alone, representing 51% of all the assassinations of indigenous people in Brazil over that period. It can also be seen that the number of homicides committed in a single year almost tripled. While in 2013, 53 cases were registered in Brazil, in the following year the number jumped to 138 (Cimi, 2014). Some of the cases registered are of assassinations of indigenous leaders, showing quite clearly the aspect of intentional elimination

of those individuals that attempt to conduct the political agendas of indigenous peoples.

The resurgence of violence against indigenous peoples in 2016, especially targeting the Guarani and Kaiowá and the Terena people of Mato Grosso do Sul, was the subject of a Note published by Amnesty International in September, 2015. The note denounced the fact that “on August 29, 2015, a member of the Nanderu Marangatu community of the Guarani Kaiowá people, Simião Vilhalva was killed in the attacks against that community, supposedly made by landowners and paramilitary groups” (Amnesty International, 2015b).

Final remarks

In the Brazilian case, the application of the case analysis tool to the question of disputes for indigenous land, especially in the state of Mato Grosso do Sul, has enabled us to conclude that there is indeed a situation of risk of atrocity insofar as several of the indicators of that risk are clearly present. In turn, the Brazilian State has been establishing conditions that configure a violation of its responsibility to protect. Firstly, because it has failed to act against non-state agents perpetrating crimes against the personal integrity and the security of the indigenous peoples. Secondly, because its three Branches of Power, the Executive, Judicial and Legislative Branches, have been fostering the deterioration of the already fragile guarantees obtained in the 1988 Constitution and in the International documents in favor of indigenous rights which Brazil has ratified and to which it is a signatory. ♦

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Progress in budget transparency and execution is needed

Ricardo Verdum*

2015 was the final year for the execution of the 2012-2015 pluriennial plan (PPA) and the year in which a new PPA was elaborated and approved for the period 2016-2019. Nevertheless, it is more likely to be remembered as the year in which, headed by Representatives of the *Ruralista* Parliamentary Front, a Parliamentary Inquiry Committee was set up in the National Congress for the express purpose of questioning the ethnic and territorial rights of the indigenous peoples and the quilombola [descendants of Negro slaves] communities in Brazil.

In addition to 'investigating' the performance of the National Indian Foundation (Funai) and that of the National Agrarian Reform and Settlement Institute (*Instituto Nacional de Colonização e Reforma Agrária* - Incra) in the demarcation of indigenous lands and in granting tenure to the remaining quilombola settlements, the very honesty and competence of the work undertaken by anthropologists in their production of anthropological technical opinions is being questioned. In the document that proposed the installation of a Committee of Inquiry, the processes that led to the identification and demarcation of the Indigenous Lands of Morro dos Cavalos (Santa Catarina) and Mato Preto (Rio Grande do Sul) are cited as exemplary cases of a situation that needs to be investigated. The effects of the action of the *Ruralistas* can be seen in the routine performance of the official Indigenist body, and generates consequences that are highly unfavorable for the recognition and for the consolidation of the territorial and ethnic rights of indigenous peoples in Brazil¹

There now follows a brief description of the pluriennial plan for the period 2012-2015 and after that comes an analysis of federal government programs actions and budget resources dedicated to the indigenous peoples of Brazil. The analysis is complemented by information on an extra-budgetary financial resource administered by the Funai on which very little light has been shed, namely, the Indigenous Heritage Income (*Renda do Patrimônio Indígena*).

PPA 2012-2015

The Federal Constitution of 1988 instituted the current planning and budgeting system in the Brazilian public administration. It established the three main instruments for planning and budgeting as being: the Pluriennial

Plan (*Plano Plurianual* - PPA), which embraces a period of four years, the Law of Budget Directives (*Lei de Diretrizes Orçamentárias* - LDO) and the Annual Budget Law (*Lei de Orçamento Anual* - LOA) with the last two being elaborated, analyzed and approved on an annual basis.

The 2012-2015 PPA consisted of 65 thematic programs, 25 of which were in the social area. It was estimated that the cost of implementing the plan would be 4.541 trillion reals of which 2.580 trillion (56.8%) would be destined for the social area.

The Program for Protecting and Promoting the Rights of Indigenous Peoples (*Programa Proteção e Promoção dos Direitos dos Povos Indígenas*), the federal government's principal Indigenist policy and the one with the largest budget, is administered as part of the social area of the PPA but its budget allocation, in comparison with the multiple challenges established by the 1988 Constitution, was very modest, a mere 5.177 million reals for a period of four years².

Indigenous in the 2015 LOA

Consultation of the data made available by the Ministry of Planning, Budgeting and Administration (SOF/Mpog) and on the budget information portal site of the Federal Senate (Siga Brasil) reveals that in addition to the actions under the aegis of the Program for Protecting and Promoting the Rights of Indigenous Peoples the 'indigenous' population is mentioned as the possible beneficiary of nine budgeted actions located in eight programs (Chart 1).

Chart 1: Budget Programs and Actions in the 2015 LOA

Program	Budgeting Unit	Actions
Biodiversity	MMA	1
Confronting Racism and Promoting Racial Equality	MDA	1
Basic Education	FNDE	1
Family-based Agriculture	MDA	1
Food and Nutritional Security	MDS	2
Higher Education – Graduation, Post-graduation, Teaching, Research and Extension	Capes	1
Forests, Deforestation and Fire Prevention and Control	Ibama	1
Administration and Maintenance of the Ministry of Justice	MJ	1
TOTAL		9

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“ In addition to ‘investigating’ the performance of Funai and the Incra in their demarcation of indigenous lands and granting tenure to remaining quilombolas [descendants of Negro slaves], the very competence and honesty of the work of professional anthropologists in their production of technical anthropological opinions (*laudos antropológicos*) is being questioned. The *Ruralistas*’ actions are mirrored in the daily work and routine performance of the official Indigenist body, generating highly unfavorable consequences for the recognition and consolidation of the Brazilian indigenous peoples’ ethnic and territorial rights.”

In addition to the above program, it is well known that indigenous people have access to and are being benefited by other federal government policies and actions. One example of that is the Bolsa Família (Family Allowance) Program.

Ministry of Social Development data show that in Brazil in December 2015 there were 27,325,069 families registered in the Single Registration System (Cadastro

Único - CadÚnico) for social programs. Out of that total, 144,949 families were registered as ‘indigenous’ and 110,487 were qualified to receive the ‘benefit’ of the Bolsa Família Program. Bearing in mind that, again according to the Ministry of Social Development, the average amount of the benefit was 275 reals and 36 cents, then we can calculate that a total amount of 30.4 million reals was passed to the bank accounts of ‘indigenous families’ in December alone.

In the municipality of São Gabriel da Cachoeira (State of Amazonas) alone, there were 7,530 “indigenous families” registered of whom 5,964 were considered qualified to receive the benefit. Thus we can calculate that the amount passed over was around 1.6 million reals. In the municipality of Dourados in Mato Grosso do Sul, however, where in that same month of December there were 3,022 families registered as ‘indigenous’ of whom 2,138 were eligible for the benefit, the average value was considerably lower; just 160 reals and 75 cents. That means the total amount transferred to ‘indigenous families’ in that month was 343.6 thousand reals.

However, whether those figures are correct or not, things are not as simple as they seem. In the period from September 2013 to February 2014, the Ministry of Social Development conducted a study of the effects of those monetary transfers of the Bolsa Família Program among the indigenous families living in seven indigenous lands,

namely, Alto Rio Negro (State of Amazonas), Barra Velha (State of Bahia), Dourados (State of Mato Grosso do Sul), Jaraguá (State of São Paulo), Parabubure (State of Mato Grosso), Porquinhos (State of Maranhão) and Takuaraty/Yvykuarusu (State of Mato Grosso do Sul).

In almost every case it was possible to identify the presence of a “Patrão” performing the role of key agent in providing access to the transferred amounts that the program had destined for the ‘indigenous families’. In the case of one of the indigenous areas investigated, it was found that the magnetic cards for withdrawing the amounts of the benefit of practically all the families were in the hands of such a figure. In all cases such agents are local tradesmen who provide (paid) transport for the families to get to the places where they can make a withdrawal of their Bolsa Familia allowance and the same tradesmen instruct the families to spend the money in their commercial establishments. Very often those agents have strong connections with the local political powers and the municipal government administration³.

Protecting and Promoting Indigenous Peoples’ Rights Program

Chart 2 (attached) presents a balance sheet of the budget execution figures for this program in 2015. It can be seen that the federal government budgeted for expenditure to the amount of 1.653 billion reais of which, up until December 31, around 1.269 billion reais

“ In almost every case that was studied, it was possible to identify the presence of the figure of the “patron” as the key agent for accessing receipt of the financial resource destined by the program for the “indigenous families”. In one of the areas investigated it was found that the receipt of the benefit of all the families was in the hands of that character,”

had been liquidated, that is 76.75%. To that amount was added another 110.6 million reais stemming from amounts formally reserved for expenditure in the years 2013 and 2014, but only effectively spent in 2015.

In the case of the action “Surveillance and Demarcation of Indigenous Lands, localization and Protection of Isolated Indians and those only Recently Contacted” it can be seen that budget specification was to the amount of 72.064 million reais for 2015, but only a little over 22.590 million reais were actually formally reserved for it and the amount effectively liquidated was a mere 14.018 million reais. In other words although the authorized expenditure amount was higher than that for 2014, the amount effectively spent (in absolute values and percentages) was well below that of the previous year.



The chart also shows how the action “Compensation for Solving Indigenous Conflicts” was officially budgeted at 30 million reais, none of it had been formally reserved for that purpose or liquidated up until December 31.

According to data obtained from Funai’s Coordinating Body for Identification and Delimitation (*Coordenação Geral de Identificação e Delimitação - Cgid*) in 2015 only three working groups were set up for the purpose of identifying and delimiting Indigenous lands.

1.439 billion reais were authorized for the action “Promoting, Protecting, Surveillance, Food and Nutritional Security and the Recuperation of Indigenous Health”. The Special Department for Indigenous Health of the Ministry of Health (Sesai/Ministério da Saúde) managed to liquidate 1.213 billion reais but failed to formally set aside 95.8 million reais. Apart from that it spent more than 64.468 million of money reserved in previous years but not liquidated.

Another action entitled “Basic Sanitation in Indigenous Villages for the Prevention and Control of Diseases” (*Saneamento Básico em Aldeias Indígenas para Prevenção e Controle de Agravos*) showed a very poor performance in terms of budget execution. Of the 60 million reais authorized for the action, only 20.461 million were actually spent. On the other hand, payments to the amount 28.139 million reais brought forward from previous years were made in 2015.

Another action notable for its poor budget performance was “Fostering Sustainable Development of the Indigenous Peoples”. The budget allocation for 2015 was 39.514 million reais but Funai only managed to spend 19.277 million (48.65%) and failed to formally designate 10.436 million reais. In addition it made use of 8.795 million brought forward from previous years and finally paid out in 2015.

Extra-budgetary Financial Resources

In 2015 Funai unfolded some actions with funds coming from the so-called Indigenous Heritage Income. Funai’s administration of the Indigenous Heritage is determined by Act nº. 5.371, dated December 5, 1967 and Act nº. 6.001 dated December 1973 which makes provisions concerning the Statute of the Indian. It is also supported by the Funai Statute approved by Decree nº.7.778, dated July 27, 2012.

According to the terms of Article 3 of Act nº. 5.371, dated December 5, 1967, the official Indigenist body administers the income stemming from the indigenous heritage

with the following objectives in view: “economic emancipation of the tribes”; “increase in the profitable heritage assets” and “meeting the costs of assistance services provision to the Indian”. An analysis of the Plan for the Application of that Income give a good idea of how important it is, especially for the regional coordinating bodies but also for the Funai’s central administration⁴.

In 2015, the Plan of Application received income from three sources: a) the sale of indigenous handicrafts; b) compensation payments stemming from the programs for compensation associated to the licensing of ventures with direct or indirect impacts on indigenous lands and indigenous people; c) the auctioning of wood seized from illegal logging in indigenous areas. There are 28 projects and programs being carried out in various regions of Brazil but above all in the Northern and Central-western regions of the country. The Indigenous Heritage Income for 2015 ended the year with a positive balance of 34 million reais; just 2.7 million less than had been expected. The expenditure forecast for 2015 was 18 million reais.

A long way to go

As in previous years it is hoped that this article will be useful and will stimulate both indigenous and non-indigenous people who wish to go beyond the simple act of getting to know the numbers that portray the federal government’s performance in executing its planned budget. What can be seen is that in spite of the significant progress made in regard to government administration transparency over the last two decades, it is a well-known fact that there are still many information gaps that need to be filled. It is all too easy to get tangled up when using the tools that are available to society today and end up without having an idea of exactly what was achieved and what effects were generated by the government’s policies and actions. There is still a lot to be done in regard to transparency and the same is true for indigenous self-determination and territorial autonomy as well.

“The action “Compensation to Solve Indigenous Conflicts” was allocated a budget 30 million Brazilian reais but up until December 31 none of it had been committed or spent,”

1 Verdum, R. *Direitos territoriais indígenas seguem a passos lentos e sob o risco de retrocesso*. Informativo especial da Associação Brasileira de Antropologia - Balanços parciais a partir de perspectivas antropológicas. Fevereiro, 2016. pp. 1-10.

2 For readers interested in getting to know more about public administration planning and the transparency instruments and access to information associated to the federal government’s Indigenist policies, we suggest reading the document entitled *Os direitos indígenas no cipoal da transparência*. Available at: <http://www.inesc.org.br/noticias/noticias-do-inesc/2015/dezembro/nota-tecnica-discute-transparencia-de-dados-do-governo-sobre-promocao-dos-direitos-dos-povos-indigenas>.

3 Two years were needed before an ‘executive summary’ containing the main results of the study was finally published by the Ministry of Social Development. Available at: <http://aplicacoes.mds.gov.br/sagimrps/ferramentas/docs/Suma%CC%81rio%20Executivo%20PBF%20I%CC%81NDIGENA.pdf>.

4 *Plano de Aplicação da Renda do Patrimônio Indígena: Exercício 2015*. Brasília: Funai, May 2015.

2015 Official Annual Budget

The charts below have been elaborated on the basis of data supplied by the Federal Budget Department of the Ministry of Planning, Budgeting and Administration (SOF/Mpog) and the Orçamento (Budget) Portal (*Siga Brasil*) of the Federal Senate. The information was obtained on March 16, 2016. All amounts are nominal and expressed in Brazilian reais (R\$).

Chart 2: Program 2065 – Protection and Promotion of Indigenous People's Rights

Objective/Government Body	Initiative	Action/Budget Unit	Authorized Amount	Formally Committed Amount	Paid Amount	Outstanding amounts brought forward and paid
<p>0943 – Guarantee the indigenous peoples the full occupation and administration of their lands based on the consolidation of the spaces and definition of territorial limits by means of land tenure regularization, surveillance and inspection, and monitoring of indigenous lands and protection of isolated Indians thereby contributing to reducing conflicts and amplifying the presence of the democratic and multi-ethnic State especially in vulnerable areas.</p> <p>Government Body: Ministry of Justice</p>	<p>0406 – Carry out the delimitation, demarcation and land tenure regularization, surveillance and inspection, combat and prevention of illegal acts, territorial, spatial and environmental monitoring, extrusion of non-Indians from indigenous lands, as well as locating and protecting isolated and recently contacted indigenous peoples.</p>	20UF – Surveillance, Inspection, and Demarcation of Indigenous Lands. Localization and Protection of Isolated and Recently Contacted Indians and National UO/UR: Funai	65,414,396	22,590,063	14,018,961	4,948,431
		20UF – Surveillance and Demarcation of Indigenous Lands, Localization of Isolated and Recently Contacted Indians – Compensation for current holders of land deeds in areas under indigenous demarcation - Nacional UO/UR: Funai	5,000,000	0	0	
		20UF - Surveillance, Inspection, and Demarcation of Indigenous Lands. Localization and Protection of Isolated and Recently Contacted Indians in the state of Maranhão	400,000	0	0	
		20UF - Surveillance, Inspection, and Demarcation of Indigenous Lands. Localization and Protection of Isolated and Recently Contacted Indians in the municipality of Águas Belas (Pernambuco) UO/UR: Funai	250,000	250,000	250,000	
		4390 – Delimitation, Demarcation and Regularization of Indigenous Lands				55,771
		20UF - Surveillance, Inspection, and Demarcation of Indigenous Lands. Localization and Protection of Isolated and Recently Contacted Indians in the municipality of São Paulo (SP) UO/UR: Funai	1,000,000	0	0	
		7W21 – Compensation Payments for the Solution of Indigenous Conflicts UO/UR: Funai	30,000,000	0	0	
<p>0945 – Implant and develop a national environmental and territorial management plan for indigenous lands by means of integrated and participative strategies aimed at achieving the sustainable development and autonomy of indigenous peoples.</p> <p>Government Body: Ministry of Justice</p>	<p>0413 – Promote the participative environmental management of indigenous lands by means of plans, projects and the structuring of ethno-environmental management capacity as well as acting as intervenient in environmental licensing processes that have significant potential impacts on indigenous peoples and lands.</p>	20W4 – Environmental Management of Indigenous Lands UO: MMA/UR: Department of Extractive Activities and Sustainable Rural Development	0	0	0	
		6698 – Environmental and Territorial Management of Indigenous Lands UO/UR: Funai	400,000	198,087	56	69,355

Objective/Government Body	Initiative	Action/Budget Unit	Authorized Amount	Formally Committed Amount	Paid Amount	Outstanding amounts brought forward and paid
0962 – Implement the Indigenous Health Care Sub-System articulate with the SUS and based on integral care with due observation of traditional health practices and medicines, with social control and guaranteed respect for cultural specificities.	0444 – Implementation of the integral care model centered on the a lone of care with a focus on the indigenous family, integrity, and inter-sector nature of the actions, grassroots participation and articulation with traditional medicines and practices	20YP – Indigenous Health Promotion, Protection and Recuperation UO: Fundo Nacional de Saúde/UR: Sesai,	1,439,000,000	1,343,176,342	1,213,200,350	64,468,845
		20YP - Indigenous Health Promotion, Protection and Recuperation in the Federal District UO: National Health Foundation	1,000,000	0	0	
		20YP - Indigenous Health Promotion, Protection and Recuperation in the municipality of de Angra dos Reis/RJ	180,000		0	
		8743 – Indigenous Health Promotion, Surveillance and Recuperation				15,636
Government Body: Ministry of Health	0445 – Implementation of water supply system, sanitation improvements, solid waste management in the villages in adequate quantity and quality, in the light of epidemiological criteria and the cultural specificities of the indigenous peoples.	7684 – Basic Sanitation in Indigenous Villages for Disease Control and Prevention UO: National Health Foundation/UR: Sesai	60,000,000	26,746,716	20,461,079	28,139,196
0949 – Preserve and promote the cultural heritage of indigenous peoples by means of research, documentation, publicizing and other acts to strengthen their languages, cultures and collections especially those of groups in vulnerable situations. Government Body: Ministry of Justice	042A – Support projects, events and studies that contribute to enhancing the value of indigenous peoples’ culture and preserve and publicize the knowledge that belongs to them and at risk of disappearing and in the care of the Museum of the Indian and its decentralized units with a view to making it accessible to Brazilian society at large and to indigenous societies in particular.	8635 – Preservation of Indigenous Peoples’ Culture UO/UR: Funai	6,264,856	5,746,589	1,551,825	4,107,387
0953 – Promote the consolidation of Funai’s organizational restructuring to achieve institutional improvement through the implementation projects directed at structuring and improvement of work processes, intensive capacity building for human resources and technological and physical infrastructure support. Government Body: Ministry of Justice	042I – Constructing Funai Headquarters.	1306 – Construction of the Headquarters Building of the National Indian Foundation, UO/UR: Funai	1,000,000	0	0	
	042K – Improvement and expansion of Funai’s capacity to execute projects and provide services	155L – Improvement of Funai infrastructure, UO: National Indian Foundation.	3,500,000	680,182	311,399	
0948 – Promote broad qualified access of indigenous peoples to their social rights and citizenship by means of integrated, articulated initiatives directed at the sustainable development of those peoples with due respect for social and cultural identities, customs, traditions and institutions. Government Body: Ministry of Justice	0428 – Promote access to social and environmental protection and promotion policies for indigenous peoples by means of shared, articulated, inter-sector management with indigenous participation and the adaptation of the Brazilian State’s social policies bearing in mind the ethnic-cultural and territorial specificities, ethnic development, and gender and generational perspectives.	2384 – Promoting the Sustainable Development of the Indigenous Peoples. UO: Fundação Nacional do Índio,	39,514,709	29,078,322	19,227,271	8,795,017
		2384 – Promoting the Sustainable Development of the Indigenous Peoples in the state of Tocantins UO/UR: Funai	500,000	214,400	0	
		2711 – Promoting ethnic development in Indigenous lands. UO/UR: Funai				32,948
Total			1,653,423,961	1,428,680,701	1,269,020,941	110,632,586

Mining: a devastating threat

Guenter Francisco Loebens*

The greatest socioenvironmental disaster that ever occurred in Brazil was in November 2015 in Mariana in the State of Minas Gerais, when the Fundão retention dam of the Samarco mining company (a joint venture with Vale S.A. and the Anglo-Australian group BHP Billiton) burst and the mineral waste swept down the valley of the Rio Doce wiping out all the biodiversity downstream. This disaster was headlined around the world and it is just one of the tragedies that could occur inside indigenous areas if mining comes to be permitted in them in the terms foreseen in Draft Bill 1610/1996 which is currently being processed in the National Congress and well on the way to being finalized

The great interest in mining inside indigenous areas can readily be identified by the number of requests filed by mining companies for mining prospection and operation permissions in the National Mineral Production Department (*Departamento Nacional de Produção Mineral* - DNPM). Up until the first half-year of 2016, 44,911 such documents had been registered for the Brazilian Amazon region by mining interests. Of that number 10,686 refer to areas that lie within Federal Protected Areas, 4,181 within Indigenous lands (amounting to 28 million hectares), and 3,390 are in Protected areas administered by State governments. Around 70% of such processes refer to exploitation or intention to exploit gold deposits through simple predatory forms of mining. The indigenous lands of greatest mineral interest are those of the Yanomami with 678 processes, the Menkragnoti with 396 processes and the upper Rio Negro with 287 processes (ISA, 2016)¹.

The mining companies invested heavily in maneuvers to ensure their right to explore and exploit mineral deposits indigenous lands would be expressly included in the 1988 Constitution. However, during the Constituent Assembly debates, they were surprised by the vigorous indigenous reaction led by peoples well aware of the of the devastating impacts that particular economic activity could have on their lands, communities and environment.

The negative consequence of the presence of mining companies in the Waimiri Atroari Indigenous Territory and the Upper Rio Negro Indigenous Territory served at the time as a warning to indigenous leaders as to what can happen. The companies then staged a counter-attack and tried to associate the indigenous resistance to “powerful international interests”. They began to repeat and circulate that totally unfounded lie which had been used on

other occasions to impede the demarcation of indigenous lands, especially in the Amazon region. They alleged that the demarcations were being made in areas that were rich in mineral deposits to comply with the foreign powers’ interest in preserving them for future exploration.

They selected the Indigenist Missionary Council (*Conselho Indigenista Missionário* - Cimi) a social assistance body of the National Conference of Brazilian Bishops and a strong ally of the indigenous peoples as the target for smear campaign based on the unscrupulous use of false documents of unauthenticated origin with which they tried to frame the council as being the agent in Brazil of Malaysian mining companies. One of the biggest national daily newspapers, the *Estado de São Paulo*, was the media used to publicize and disseminate the campaign with daily front page captions for a whole week and the respective materials were reproduced in other regional newspapers.

The farce was exposed by a Mixed Parliamentary Committee of Inquiry set up by the National Congress to investigate the denunciations against Cimi. In his report, the Committee’s rapporteur clearly demonstrated the fraudulent nature of the accusations but the final report was not voted on due to a maneuver of the committee’s



Mining causes irreversible impacts as can be seen from the current reality in Bento Rodrigues, Minas Gerais (above) and in the Carajás National Forest in the state of Pará (on the next page)

* Missionary Member of the Regional Coordinating Body Cimi Norte I, holds a degree in History from the Federal University of Amazonas (UFAM) and a post-graduate qualification in Ethics and Politics from the Catholic University of Pernambuco (Unicap)



Marcelo Cruz/JusTica nos Trilhos

“The mining sector, in the way it tries to obtain authorizations to exploit mineral deposits in indigenous lands, has given clear signs that it is not the least bit interested in minimizing the impacts of its essentially depredatory economic activity,”

chairman who decreed the extinction of the committee alleging that the statutory duration had been exceeded.

That introduction of tension into the debate on mining led to an agreement in the form of a text which the members of the Constituent Assembly inserted into the new Constitution whereby mining of the sub-soil in indigenous areas would be permitted provided certain conditions were met, namely hearing the respective communities' positions and being approved by the National Congress.

Regulations governing the exploitation of mineral deposits in indigenous areas are being proposed in Draft Bill 1610 which has already been approved by the Senate. Against the clearly expressed wishes of the peoples involved, a Special Committee was set up in the House of Representatives, to accelerate the passage of the Bill. The Indigenous people want the issue to be discussed in the sphere of the Draft Bill to establish the Statute of the Indigenous Peoples.

If Draft Bill 1610 is approved as it stands now, mining in indigenous lands will be carried out without any regard for sacred areas, cemeteries, villages, cultivated areas, springs and water courses that supply the communities and, what is worse, indigenous people will have no power to veto the actions. The Bill is being discussed in flagrant disregard for indigenous peoples' by attributing power of

guardianship over them to the State, a position that has already superseded in the Constitution and one which historically has been used as an instrument of domination and ethnocide.

Dário Yanomami, president of the Hutukara Indigenous Association has warned about the intensity of the impacts stemming from mining activities. “It is not just a question of the people that go into the forest and degrade certain regions. The minerals require roads to transport them, large areas to stockpile production, accommodation for the workers and they will make such great holes in the earth that they will not allow our land to recover”².

Equally terrible are the social and cultural impacts that come from the dismantling and division of indigenous communities, from food shortages, increases in epidemic diseases, prostitution and drugs all of which can make it unfeasible for the indigenous peoples to operate their own forms of organization of their lives in their own lands.

The mining sector, in the way it tries to obtain authorizations to exploit mineral deposits in indigenous lands, has given clear signs that it is not the least bit interested in minimizing the impacts of its essentially depredatory economic activity. There has never been an instance of mining activity in the world in which local communities have not been affected and had their living conditions drastically deteriorated. To judge by the Fundão dam disaster and the form of regulation for the sector that is currently being discussed in the Congress and again by the terms of the Draft Bill to establish the new Mining Law (which unites Draft Bills 37/2011, 5807/2013 and others), the tendency is for the living environment in the areas surrounding mining operations to get worse. In those conditions, mining in indigenous areas means yet another death sentence for Brazil's native peoples and their organizations and allies must do everything possible to avoid it. ♦

1 <https://www.socioambiental.org/pt-br/blog/blog-do-monitoramento/ucs-e-tis-na-amazonia-sao-afetadas-por-mais-de-175-mil-processos-de-mineracao>

2 http://www.hutukara.org/images/stories/PESQUISA_DE_MINERACAO_NO_RIO_URARICUERA.doc

PCI of the Cimi: an old maneuver to debilitate the indigenous peoples

Egon Heck*

An offensive is underway in Brazil to cancel the rights of the indigenous peoples. The Parliamentary Committee of Inquiry (PCI) set up by the State Legislative Assembly of Mato Grosso do Sul in September 2015 to investigate the Indigenist Missionary Council (Cimi) is actually just one more tool used by agribusiness and politicians with ulterior interests to remove indigenous peoples right from the Constitution and make it unfeasible to implement those rights guaranteed to them in various national and international spheres of authority.

It is by no means an isolated or sporadic action but instead, a strategy that seeks to mask the real interests of groups that use subterfuges like the Cimi PCI. Under the pretext of proving that Cimi is an entity “inciting the invasion of private land” the PCI’s main objective was to criminalize the indigenous peoples and their allies and annul the rights of the native people of this country.

It is therefore a sordid and explicit violation of those peoples’ rights especially insofar as it denies their right to their traditional lands

The setting up of another PCI to investigate the National Indian Foundation (Funai) and the National Institute for Settlement and Agrarian Reform (*Instituto Nacional de Colonização e Reforma Agrária* - Incra), this time in the House of Representatives and almost simultaneously with the Cimi PCI, confirmed the existence of an orchestrated attack on indigenous rights in a maneuver that clearly stimulates further violence against those peoples. It is not, however, a new strategy.

The Mixed Parliamentary Committee of Inquiry during the Constituent Process

To understand the present day PCI of the Cimi it is necessary to look back at the Mixed Parliamentary Committee of Inquiry into Cimi set up in August 1987. In the context of the work of the Constituent Assembly to produce the new Constitution, the guarantee of the indigenous peoples’ rights was taking shape as a result of the vigorous performance of the indigenous peoples with the support of their allies. The permanent mobilization

and physical presence of the native populations in the Congress was consolidating a new chapter in the history of Brazil; one of constitutional guarantees for indigenous peoples’ rights.

Mining companies, sectors of the military and politicians actively working to impede the consecration of those rights initiated a sordid campaign against Cimi, one of the Indigenist organizations most committed to obtaining that progress in the Brazilian legal framework. Those sectors hoped that by slandering and criminalizing Cimi they would manage to revert the process, that is, to impede the approval of those rights.

They set in motion a bombastic farce and used spurious arguments to accuse the Cmi of conspiring against



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“ In a document the CNBB has stated that ‘What is hidden behind the scandalous smear campaign against the Cimi missionaries is not the defense of national interests, as the newspapers declare, but the ambitions of the mining companies, determined to remove the minerals from indigenous areas without any legal safeguards whatever in force’, ”

Brazilian sovereignty and of proposing the internationalization of the Amazon by means of a concept of “restrictive sovereignty”. Based on a series of six articles with large headlines and occupying a lot of space in the newspaper’s middle pages, the daily *Estado de São Paulo* created a kind of commotion among the parliamentarians who hurriedly set up the Mixed (House and Senate) Parliamentary Committee of Inquiry targeting Cimi.

The series of published materials was entitled “The Indians of the New Constitution”. They left no doubt that what they intended was to make indigenous rights impossible to approve by raising accusations against Cimi. In a document dated August 14, the National Conference of Brazilian Bishops stated that “What is hidden behind the scandalous smear campaign against the Cimi missionaries

is not the defense of national interests, as the newspapers declare, but the ambitions of the mining companies determined to remove the minerals from indigenous areas without any legal safeguards whatever in force”

It did not take long for the fallacious structure of the materials that formed the basis for the accusations to collapse because it was proved that the supposed documents of proof that had been used were gross falsifications. When that became clear, the Committee’s rapporteur, Senator Ronan Tito, presented his conclusive opinion in which he declared “the non-existence of an authentic documental basis” and that “the denunciations that were the reason for the setting up of this MPCCI were unfounded”.

Shortly afterwards the Committee was disbanded but no due publicity was given to the farce that had been structures against the native Brazilian peoples with the exclusive intent of furthering the interests of the country’s elite.

Criminalize to break the resistance

A quick look at the history of indigenous peoples’ struggles for their rights and against the violence that has led to the total extermination of various groups shows that it has been so dramatic that at one time it was predicted that by the year 2000 the indigenous people in Brazil would have been exterminated.

However, the resistance of the native peoples with their broad and frequent mobilizations and the

growing support they receive from entities of national and international society have made it possible not only for them to survive but also to increase the size of their population, going from a mere 100 thousand in the 1960s to almost one million, today. That awakening of an ethnic awareness has largely been due to organizations that support their cause and among such organization, the Indigenist Missionary Council, Cimi, is outstanding. “Cimi was born of the conflict” Don Tomás Balduino used to say. In over four decades of its existence, this organization has systematically denounced violations of indigenous rights. As a consequence of that permanent, radical action alongside the native peoples in their fight for their rights, several of its members have been forbidden to enter indigenous areas and others have been expelled from areas where they worked. Various Cimi missionaries and indigenous people have been assassinated in those struggles, especially in association with the recognition of the demarcation of the territories.

It is important to underscore the performance of sectors of the military who by means of the project “Calha Norte” (North Channel), which began to be implanted in 1986, tried to impede the recognition of indigenous lands, especially in frontier regions. They attempted to impose a system of demarcations of “indigenous islands” or “indige-

nous Colonies” to counter the possibility of demarcations of continuous areas. The project also interceded on behalf of the mineral exploitation of indigenous lands.

Another important point is that while the slander campaign against Cimi was in full swing, the Paranapema company with the support of military personnel of the Calha Norte project forced indigenous leaders of the

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Upper Rio Negro to sign contracts for exploiting mineral deposits in indigenous lands.

The president of Funai at the time (1986 to 1988) was Romero Jucá who was later to sign a decree liberating mining in indigenous areas.

Other PCIs

In the 1960s and 1970s, parliamentary committees of inquiry were set up to investigate atrocities committed against indigenous peoples by the *Serviço de Proteção aos Índios* - SPI (Indian Protection Service). Nowadays, however these PCIs are set up specifically to impede the effectuation of indigenous peoples' rights and to have them removed from the Constitution.

That is definitely the case with the PCI into the Amazon and the PCI investigating Non-governmental organizations. Just like the Mixed committees before them, these last two were created in an attempt to incriminate and neutralize Cimi's actions of solidarity alongside the indigenous people.

The PCI of the Legislative Assembly of the State of Mato Grosso do Sul

The violence perpetrated against indigenous peoples in Mato Grosso do Sul constitutes one of the worst contexts for indigenous peoples in the world with totally unacceptable levels of various kinds of violations and shocking destitution. The number of assassinations of members of indigenous groups in the last few decades in this state accounts for more than half of the total for the whole of Brazil.

It is against that terrifying background that Cimi has been acting in solidarity with those people in blatant counterpoint to the atrocious expansion of agribusiness and agroindustry.

After various attempts by big landowners and the politicians associated to them to impede the demarcation of indigenous lands, the representatives of the state legislative assembly of Mato Grosso do Sul created yet another anti-indigenous platform, the Cimi PCI

Articulating political and economic interests, the *Ruralistas* have acted unhesitatingly to impede the demarcation of indigenous lands arguing that such land should be made available to agribusiness. The statement of Governor André Puccinelli (2007 to 2014) is very revealing when he says that "it is a crime to give one inch of productive land to the Indians". Another episode that reveals the visceral

consonance of agribusiness and the state representatives occurred during the opening of the Expoagro, agricultural show on May 15, 2010 in Dourados. Without the slightest hesitation Puccinelli called on the wealthy sectors of the state he governed to "be more nationalist" and unite in the fight against landless rural laborers and native populations and he defended the idea that the demarcation of Indian lands would reduce all the people in Mato Grosso to living by hunting.

In spite of that highly aggressive context, the indigenous peoples in that state, especially the Guaraní and Kaiowá and Terena continue bravely fighting for the recognition of their traditional territories. Even though they live under the constant threat of attacks, they continue to make demands and publicly denounce the situation they are living in. To that end they organize delegations to dialogue with the three branches of power in Brasília, expose the violations to international human rights bodies in different countries around the world and take back their ancestral *tekoha*, among other actions, thereby facing up to the colossal, highly articulated power of the agribusiness, its gunmen and armed militias.

The colonialist and prejudiced mentality that fails to consider indigenous intelligence and wisdom in the struggle for rights declares that the actions of the Indians are merely due to the incitement and support of Indigenist entities, outstanding among them being Cimi. To that end they criminalize the indigenous movement, its leaders and its supporters in a bid to disqualify and smear the image of those who fight for the rights of the indigenous peoples. Members of the Cimi PCI in the Legislative Assembly of Mato Grosso do Sul openly behaved with that express intention. Innocuous and violent, the PCI became more of a soap box for electoral performances than a space for achieving the condemnation of Cimi. Indeed, in the light of everything he had witnessed in the five months that he actively participated in the Committee, Representative Pedro Kemp had this to say "The final report presented by the rapporteur is a veritable absurd, not to say a piece of pure fiction. It is not supported by any consistent elements. It makes use of statements made by the authors of pseudo-scientific works about Cimi to construct a thesis of conspiracy whereby that entity with just five members in the entire state is supposedly threatening national sovereignty and proposing the constitution of an independent "Guaraní Nation". That speech just about sums up what was behind the smokescreen that was the PCI to investigate organizations like Cimi. ♦

“Articulating political and economic interests, the *Ruralistas* have acted unhesitatingly to impede the demarcation of indigenous lands, arguing that such land should be made available to agribusiness. To that end they criminalize the indigenous movement, its leaders and its supporters in a bid to disqualify and smear the image of those who fight for the rights of the indigenous peoples,”

CHAPTER I

Violence against the heritage



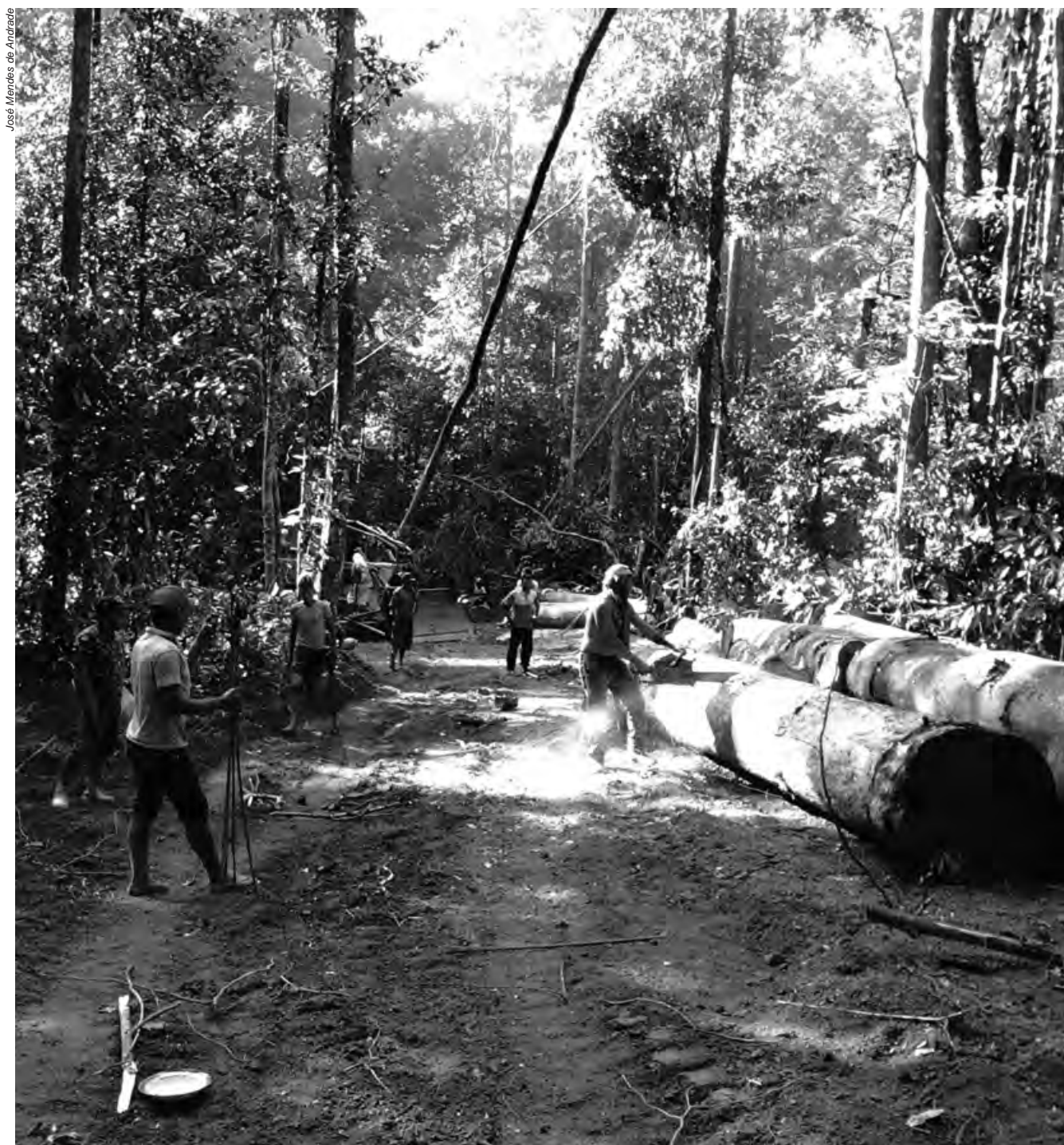
- 49 Omission and sluggishness in regularization of the lands
- 68 Conflicts associated to territorial rights
- 72 Invasions to take possession, illegal exploitation of natural resources and other forms of damage to the heritage

Violence against the heritage

The indigenous heritage consists of the land in its territorial dimension and in its uses according to the norms and customs of indigenous societies. Geographic features, natural resources, cemeteries, the archeological sites, as well as the goods produced and the environmental management, the fields, the seeds, the hunting, fishing, gathering and agricultural techniques, traditional edifications, as well as present day schools, health clinics and radio communication posts, the arts and handicrafts and other

manufactured items all compose the indigenous heritage.

In addition to the material heritage there is the immaterial heritage of traditional knowledge, narrative languages, rituals, religious expressions and specific knowledge, together with text and image copyright and intellectual property rights. The indigenous lands and the entire set of elements set out above are for the exclusive use of the people that inhabit them, as set out in the Federal Constitution, and any violation of such right is a crime.



José Mendes de Andrade

Omission and sluggishness in regularization of the lands

As in previous years, there was little progress in 2015 in the regularization of indigenous lands. Seven ratifications were signed by President Dilma Rousseff while the Ministry of Justice published just three Declaratory Decrees and the National Indian Foundation identified four indigenous areas and published two Access Restriction Decrees. Those Indigenous territories that did have some kind of demarcation procedure carried out in 2015 are set out in Table 1 (page 50).

Thus, in 2015, Dilma Rousseff continued to present the lowest average number of ratifications of indigenous lands made by any president of the Republic since the end of the military dictatorship. The total number and the annual average figures for ratifications decreed in this period can be found in Chart 1 below.

Of the 1,113 indigenous territories duly recognized or in process of being recognized by the Brazilian State, or being claimed by the communities up until August 2015, only 398 (35.7%) had their processes finalized, that is to say, were formally registered by the Federal Government. Chart 2 provides an overall summary of the situations of indigenous territories in Brazil according to a survey conducted by the Indigenist Missionary Council – Cimi.

Data updated to August 31 2016 indicate the existence of 654 indigenous areas awaiting action on the part of the Brazilian State. It means that with the exception of the registered and reserved areas and those that are community domains, all the other indigenous areas are awaiting some kind of administrative action or decision to enable the finalization of their demarcation processes.

It can also be seen that out of the 654 indigenous areas with some kind of administrative hold up impeding their finalization, 348, that is a little over half (53%), have not had any steps whatever taken by bodies of the Brazilian State up to today. The greatest number of areas in that situation is in the state of Amazonas (130) followed by Mato Grosso do Sul (68) and the states of Rio Grande do Sul (24) and Rondônia (22).

Another 175 areas, that is 26%, are at the stage of Pending Identification. At that stage the National Indian Foundation (Funai) is supposed to set up a Technical Group to verify whether the area being claimed by the indigenous community is in fact a traditional indigenous land. In many cases extreme sluggishness can be seen in the work of those technical groups. We can cite the example of the Indigenous Land of the São Gabriel/São Salvador, of

Chart 2 – Overall Situation of Indigenous Lands in Brazil

Situation	Quant.	%
Registered (demarcation concluded and duly registered in the Lands Registry of the respective Jurisdiction and/or with the Federal Government Estate Service)	398	35.75
Ratified (Presidential Decree issued, awaiting registration)	15	1.34
Declared (Declaratory Decree issued by the Ministry of Justice, awaiting ratification)	63	5.66
Identified (duly recognized as traditional indigenous lands by the Funai Technical Group, awaiting the issue of a Declaratory Decree by the Ministry of Justice)	47	4.13
Pending Identification (included in Funai's program for future identification with Technical Groups already constituted)	175	15.72
No action (lands claimed by the community but not on Funai's list for future studies)	348	31.35
With Restriction Decrees (lands that are the object of decrees issued by the presidency of Funai restricting the use, right of access, locomotion or permanence in them of any persons other than Funai personnel.)	6	0.53
Reserved (demarcated as "Indigenous Reserves" during the period of administration of the Indian Protection Service (SPI) or "Dominiais" (that is, the property of indigenous communities)	61	5.48
Total	1,113	100

Source: Cimi, August 2016

Chart 1 – Ratification of Indigenous Lands by Presidential Administrations

Government	Period	Nº of Ratifications	Annual Average
José Sarney	1985 – 1990	67	13
Fernando Collor de Melo	Jan. 1991 – Sep. 1992	112	56
Itamar Franco	Oct. 1992 – Dec. 1994	18	9
Fernando Henrique Cardoso	1995 – 2002	145	18
Luiz Inácio Lula da Silva	2003 – 2010	79	10
Dilma Rousseff	2011 – 2015	18	3.6

the Kokama people, located in the municipality of Santo Antônio do Içá, in the state of Amazonas. The Technical Group was constituted on April 25, 2003 but twelve years later it had still not concluded the work.

In the state of Mato Grosso do Sul, which has the highest number of cases of violence against indigenous peoples in the whole of Brazil, the recognition of various indigenous areas was foreseen in the terms of the Adjustment of Conduct agreement drawn up by the Office of the Federal Public Prosecutor and signed by Funai in 2007. According to the terms the six technical groups that had been created were to present the results of their research by June 2009.

Two of them, Dourados Amambaipegua I and Iguatemi-pegua I, did indeed finalize their work of identifying and demarcating the lands in question and the results were published by the Presidency of Funai. The other four made no progress in regard to procedures for demarcation of the traditional lands claimed by the Indians. If the terms of the agreement had been complied with then many of the violations and deaths that occurred in the more than six years that have passed could have been avoided.

Table 3 on page 54 presents the 654 indigenous lands with awaiting administrative action discriminated by states and by the stages of each one in the demarcation process.

Table 1 – Demarcation Procedures Undertaken in 2015

Ratification Decrees

Indigenous Land	People	State	Area (hectares)	Decree
Arara Volta Grande do Xingu	Arara	PA	25.500	Unnumbered Decree dated 17/4/2015 (DOU* 20/4/2015)
Mapari	Kaixana	AM	157.416	Unnumbered Decree dated 17/4/2015 (DOU 20/4/2015)
Setemã	Mura	AM	49.340	Unnumbered Decree dated 17/4/2015 (DOU 20/4/2015)
Arary	Mura	AM	40.548	Unnumbered Decree dated 17/12/2015 (DOU 18/12/2015)
Banawá	Banawá	AM	192.659	Unnumbered Decree dated 17/12/2015 (DOU 18/12/2015)
Cajuhri-Atravessado	Miranha, Cambeba and Tikuna	AM	12.455	Unnumbered Decree dated 17/12/2015 (DOU 18/12/2015)
Tabocal	Mura	AM	906	Unnumbered Decree dated 17/12/2015 (DOU 18/12/2015)

*Diário Oficial da União = Official Gazette of the Federal Government

Declaratory Decrees

Indigenous Land	People	State	Area (hectare)	Act
Jaraguá	Guarani	SP	532	Ministerial Order, MJ nº 581 de 29.5.2015 (DOU 01/6/2015)
Tremembé da Barra de Mundau	Tremembé	CE	3.580	Ministerial Ordinance nº 1.318, de 7/8/2015 (DOU 11/8/2015)
Ponciano	Mura	AM	4.329	Ministerial Ordinance, MJ nº 2.084, de 11/12/2015 (DOU 14/12/2015)

Circumstantiated Identification and Delimitation Reports

Indigenous Land	People	State	Area (hectare)	Act
Riverzinho	Kokama and Tikuna	AM	362.495	Identified, Dispatch nº 10 dated 23/1/2015 (DOU 26/1/2015)
Comexatibá - (Cahy Pequi)	Pataxó	BA	28.077	Identified, Dispatch nº 42 dated 22/7/2015 (DOU 27/7/2015)
Cobra Grande	Arapium, Jaraquí, Tapajó	PA	8.906	Identified, Dispatch nº 55 dated 25/9/2015 (29/9/2015)
Kaxuyana/Tunayana	(Kaxuyana, Tunayana, Kahyana, Katuena, Mawayana, Tikiyana, Xereu-Hixkaryana, Xereu-Katuena and isolated groups)	PA	2.184.120	Identified, Dispatch nº 72 dated 16/10/2015 (DOU 20/10/2015)

Restriction Decrees

Indigenous Land	People	State	Area (hectare)	Document
Tanaru	Isolated	RO	8.070	Decree nº 1.040 dated 26/10/2015 (DOU 27/10/2015)
Pirititi	Isolated	RR	43.404	Restricted Use Decree nº 1.271 dated 22/12/2015 (DOU 23/12/2015)



Table 2 – Administrative Situations of Indigenous Lands by States

State	Ratified	Declared	Identified	Pending Identification	No Action	Restriction	Total
Acre	1	2		9	4	1	17
Alagoas		2	1	2	3		8
Amazonas	6	11	2	30	130	1	180
Bahia		2	5	1	7		15
Ceará		4	2	3	12		21
Espírito Santo					1		1
Federal District					1		1
Goiás		1					1
Maranhão		1	2	3	3		9
Mato Grosso do Sul	4	8	6	10	68		96
Mato Grosso	1	6	7	14	13	1	42
Minas Gerais			2	5	4		11
Pará	2	4	5	25	20	1	57
Paraná		2	3	14	10		29
Paraíba		1		1			2
Pernambuco		1		7	4		12
Piauí					1		1
Rio de Janeiro				5	2		7
Rio Grande do Norte				1			1
Rio Grande do Sul		5	2	23	24		54
Rondônia		1		3	22	1	27
Roraima					2	1	3
Santa Catarina		6	4	4	4		18
São Paulo	1	4	6	12	11		34
Tocantins		2		3	2		7
TOTAL	15	63	47	175	348	6	654

Source: Cimi, August 2016

Table 3 – Indigenous Lands with Awaiting Administrative Actions for Finalization of the Demarcation Process**ACRE**

Situation	Indigenous Land	People	Municipality
No Action (4)	Igarapé Tapada	Not Contacted	Mâncio Lima
	Jaminawa do Seringal São Francisco	Jaminawa	Sena Madureira
	Monte	Apurinã	Boca do Acre
	Chandles State Park	Not contacted	Santa Rosa do Purus; Manoel Urbano
Pending Identification (9)	Cabeceira dos rios Muru and Iboçu	Isolated	Tarauacá
	Ikirema	Jamamadi	Boca do Acre
	Isolated group - River Muru	Isolated	Tarauacá
	Jaminawá da Colocação São Paulino	Jaminawá	Boca do Acre; Sena Madureira
	Jaminawa do Guajará	Jaminawá	Sena Madureira
	Jaminawa do River Caeté	Jaminawá	Sena Madureira
	Kaxinawá do Curralinho	Kaxinawa	Feijó
	Manchineri Seringal Guanabara	Manchineri	Assis Brasil; Sena Madureira
	Nawa	Naua	Mâncio Lima
Declared (2)	Arara do River Amônia	Apolima Arara	Marechal Thaumaturgo
	River Gregório	Katukina; Yawanawá	Tarauacá
Ratified (1)	Riverzinho do Alto Envira	Ashaninka and Isolated	Feijó and Santa Rosa do Purus
Restriction (1)	Igarapé Taboca do Alto Tarauacá	Not Contacted	Jordão

ALAGOAS

Situation	Indigenous Land	People	Municipality
No Action (3)	Karuazu	Karuazu	Pariconha
	Katokim	Catokim	Pariconha
	Koiupanká	Pankararu-Koiupanká	Inhapi
Pending Identification (2)	Jeripancó	Jeripancó	Pariconha; Água Branca
	Kalancó	Kalankó	Água Branca
Identified (1)	Wassu Cocal	Wassu	Joaquim Gomes
Declared (2)	Kariri-Xocó	Kariri-Xocó	Porto Real do Colégio; São Braz
	Xukuru Kariri	Xukuru KaririA	Palmeira dos Índios

“Of the total of 654 indigenous areas with some kind of administrative act waiting to be finalized, 348, that is a little over half (53%), have not had any steps whatever taken by bodies of the Brazilian State up to today,”

AMAZONAS

Situation	Indigenous Land	People	Municipality
No action (130)	Água Fria	Apurinã	Beruri
	Aliança/Furo Preto Village	Kanamari	Itamarati
	Gaviãozinho/Taquara Village	Kulina	Itamarati
	Mari-Mari/Igarapé do Índio Village	Kulina	Itamarati
	Patakuá Village	Munduruku	Manicoré
	São Raimundo/Cauaçu	Munduruku	Manicoré
	Villages of the Municipal Capital	Kambebe	São Paulo de Olivença
	Tuyuca Village	Tuyuca	Manacapuru
	Amanaim do Jadua da Casta do Jussara	Kambebe and Miranha	Coari
	Anarucú	Kokama; Tikuna	Fonte Boa Tonantins
	Apurinã do Igarapé Grande	Apurinã	Lábrea
	Arajaí	Mura/Apurinã; Miranha	Manaquiri
	Assunção	Kokama	Tefé
	Baixo Rio Negro III	Baré; Tukano	Barcelos
	Baku	Kanamari	Itamarati
	Barro Alto II	Munduruku; Kulina and Mura	Manaquiri
	Batedor	Kulina	Jutaí
	Boará/Boarazinho	Kambebe/Kokama	Tefé
	Boca do Futuro	Mura	Manaquiri
	Boca do Mucura	Kokama	Fonte Boa
	Boca do Rio Jacaré	Paumari/Deni	Tapauá
	Bom Futuro/Lago do Jacaré	Mura	Careiro da Várzea
	Bom Futuro	Tikuna	Tefé
	Bom Jesus do Igapó Grande	Tikuna	Coari
	Bonfim	Miranha	Tefé
	Caipapé	Munduruku	Manicoré
	Cajual	Munduruku	Manaquiri
	Cajueiro/Lourdes	Apurinã and Jamanadi	Boca do Acre
	Caiambé/Barreirinha	Tikuna; Kokama; Kambebe	Tefé
	Cainã	Baré; Munduruku and Apurinã	Manaquiri
	Camaiua	Munduruku	Manicoré
	Camaru	Kamanari	Fonte Boa
	Capanã (Guariba II)	Mura	Manicoré
	Cariru	Kokama	Jutaí
	Caruara	Miranha	Maraã
	Cauaçu	Tikuna	Uarini
	Ciriquiqui	Apurinã	Pauini
	Curara	Mura	Manicoré
	Curriã	Apurinã	Lábrea
	Divino Espírito Santo do Angelim	Tikuna	Coari
	Divino Espírito Santo do Laranjal	Tikuna	Coari
	Ebenezer	Miranha	Japurá
	Esperança (Estrada do Brasileirinho)	Kokama	Manaus
	Feijoal Servvalho	Kokama	Jutaí
	Igarapé do Índio	Kanamari	Itamarati
	Igarapé Lurdes	Jamamadi	Boca do Acre

Chapter I

VIOLENCE AGAINST THE HERITAGE

AMAZONAS - continued

Situation	Indigenous Land	People	Municipality
No action (130)	Igarapé Manacá	Kokama; Kaixana	Tonantins
	Tará island	Kokama	Jutaí
	Tambaqui island	Tikuna	Jutaí
	Isolated groups of the Ipixuna river	Isolated groups	Tapauá/Canutama
	Isolated groups of the Upper Marmelos river	Isolated groups	Humaitá and Manicoré
	Isolated groups of the Bararati	Isolated groups	Apui; Sucurundi (AM); Cotriguaçu (MT)
	Isolated groups of the Kurekete	Isolated groups	Lábrea
	Itapá	Karipuna	Canutama
	Jerusalém	Kaixana	Tonantins
	Jubará	Miranha	Maraã
	Jutaí/Igapó-Açu	Mura	Borba
	Kaimõ	Mura and Munduruku	Manaquiri
	Kaixana de São Francisco de (Muriá) Tonantins	Kaixana; Tikuna and Kokama	Tonantins
	Kaninari Itixi	Apurinã	Beruri
	Kariru	Kokama	Jutaí
	Kawá	Mura	Borba
	Kokama de Acapuri do Meio	Kokama	Fonte Boa
	Kulina do Médio Jutaí	Kulina	Jutaí
	Kulina do Rio Akurawa	Kulina	Envira
	Lago Piranha do Paraná do Mamori	Mura	Careiro
	Lago dos Remédios	Munduruku	Manicoré
	Laranjal	Miranha; Kokama; Pacaia	Alvarães
	Leão da Judá do Araçari	Mura; Tikuna	Coari
	Mamuri/Bela Vista	Manuri	Tapauá
	Maraguá	Maraguá	Nova Olinda do Norte
	Martião	Kokama	Fonte Boa
	Menino Deus/Nova Esperança do Caranapatuba	Tikuna	Coari
	Miranha do Caratiá	Miranha	Canutama
	Monte Muriá	Kokama; Kambeba; Tikuna	Fonte Boa
	Monte São	Kokama; Kambeba	Fonte Boa
	Monte São do Lago Mamiá	Tukano	Coari
	Monte Sinai	Kokama; Miranha; Kambeba; Tikuna; Mura; Madiha	Tefé
	Nossa Senhora da Saúde (Xibeco island)	Kokama	Jutaí
	Nossa Senhora do Nazaré do Itaboca/Coari Grande	Arara	Coari
	Nova Canaã	Mura	Manaquiri
	Nova Esperança/Bom Jesus/Bela Vista	Kokama; Tikuna	Anori
	Nova Esperança/Menino Deus	Kaixana	Tonantins
	Nova Esperança (Manaquiri)	Munduruku/Kulina	Manaquiri
	Nova Estrela do Inoá/Novo Amazonas		Coari; Rio Solimões
	Nova Jerusalém (Costa do Ambé)	Jamamadi	Anori
	Nova Macedônia	Avá-Canoeiro	Alvarães
	Nova União	Mura	Itacoatiara
	Nova Vida	Mura	Autazes
	Novo Porto do Tipiema	Tikuna	Coari; Lago do Coari
	Onça	Mura	Borba

AMAZONAS - continued

Situation	Indigenous Land	People	Municipality
No action (130)	Patauá	Kambeba	Tefé
	Pedreira do Amazonas	Apurinã	Lábrea
	Pirarara	Apurinã	Manaquiri
	Porto Praia	Kokama; Tikuna	Tefé
	Projeto Mapi	Kaixana	Tefé
	Rio Coari Grande	Arara	Coari
	Rio Iça	Kokama; Tikuna	Santo Antônio do Iça
	Rio Juruá Minaerua	Kanamari; Kokama	Fonte Boa
	Sahuapé	Sateré Mawé	Manacapuru
	Sampaio/Ferro Quente	Mura	Autazes
	Santa Helena	Kokama	Jutaí
	Santa Luzia	Kokama	Fonte Boa
	Santa Maria do Rio Iça	Kaixana	Tonantins
	Santa Terezinha	Kambeba	São Paulo de Olivença
	São Francisco do Servinho	Kokama	Jutaí
	São Francisco do Itapuru	Apurinã	Beruri
	São Joaquim/Nova Betânia	Kokama	São Paulo de Olivença
	São Jorge (Ponta da Castanha)	Tikuna/Miranha	Tefé
	São José da Boa Vista	Miranha	Coari
	São José da Fortaleza/Boa Esperança	Apurina; Mura and Tikuna	Coari
	São José do Amparo	Kokama	Tonantins
	São José do Mari	Maku	Alvarães
	São Lázaro	Kaixana	Tonantins
	São Miguel/São José Dururuá	Tikuna	Coari
	São Raimundo do Servinho	Kokama	Jutaí
	São Sebastião of the Mapana island	Kaixana	Santo Antônio do Iça
	São Sebastião da Liberdade	Caburi	Coari
	São Sebastião do Surubim	Kambeba	Coari
	Senhor é Meu Pastor	Kokama	Tonantins
	Seringal Lourdes	Jaminawa	Boca do Acre
	Severino	Apurinã	Tefé
	Síria	Kokama	Jutaí
	Soares Urucurituba	Mura	Autazes
	Taquara/Gaviãozinho	Kulina	Carauari
	Tora do Baixo Grande	Torá	Manicoré
	Tucano	Tucano	Uarini
	Tuiuka I and II	Kokama; Kambeba; Tikuna	São Paulo de Olivença
	Tururukari-Uka	Kambeba	Manacapuru
	Vila Presidente Vargas	Kaixana	Santo Antônio do Iça

“ The greatest number of areas in that situation is in the state of Amazonas (130) followed by Mato Grosso do Sul (68) and the states of Rio Grande do Sul (24) and Rondônia (22) ”

Chapter I

VIOLENCE AGAINST THE HERITAGE

AMAZONAS - continued

Situation	Indigenous Land	People	Municipality
Pending Identification (30)	Auati-Paraná (Santa União)	Kokama	Fonte Boa
	Baixo Grande	Tora	Humaitá
	Baixo Seruini/Baixo Tumião	Apurinã	Pauini
	Baixo River Negro	Baré, Tukano and others	Barcelos; Santa Isabel
	Caiaipucá	Jaminawá	Boca do Acre
	Capivara	Mura	Autazes
	Garaperi/Lago da Vitória	Apurinã	Pauini
	Guapenu/Poronga	Mura	Autazes
	Igarapé Açu/Aldeia Nova Jerusalém	Kokama; Tikuna and Kambeba	Tefé
	Igarapé Paiol	Apurinã	Manaquiri
	Igarapé Preto/Pauana	Kanamari	Carauari
	Iquirema	Jamamadi	Boca do Acre
	Jamamadi do Lourdes	Apurinã; Jamamadi	Boca do Acre
	Jauary	Mura	Autazes
	Kulina do River Uêre Matatibem	Kulina	Carauari
	Lago do Barrigudo	Apurinã	Beruri
	Lameirão	Mayoruna	Atalaia do Norte
	Mamoriá	Apurinã	Pauini
	Monte/Primavera/Goiaba	Apurinã/Jamamadi	Boca do Acre
	Muratuba	Mura	Autazes
	Nossa Senhora de Fátima do Catuá/Potiri	Kokama	Coari
	Pacovão	Mura	Borba
	Pantaleão	Mura	Autazes
	Porto Novo	Kokama	São Paulo de Olivença
	Porto Redenção	Tikuna	São Paulo de Olivença
	River Cuieras	Baré; Tukano; Kambeba	Manaus and Nova Airão
	Sãkoa/Santa Vitória	Apurinã	Pauini
	São Francisco	Apurinã	Manacapuru
	São Gabriel/São Salvador	Kokama	Santo Antonio do Iça
	Valparaíso-Retiro	Apurinã	Boca do Acre
Identified (2)	Jurubaxi-Tea/Baixo River Negro II	Maku and Tucano; Baniwa; Nadob; Pira-Tapuya; Arapaso; Tariana; Tikuna; Kuripaco; Desana	Santa Isabel do River Negro
	Vista Alegre	Mura	Careiro and Manaqui
Declared (11)	Acapori de Cima	Kokama	Fonte Boa
	Murutinga/Tracajá (Tauari)	Mura	Autazes
	Juruá	Kulina	Juruá
	Ponciano	Mura	Careiro da Várzea; Autazes
	Lago do Limão	Mura	Autazes
	Sissaima	Mura	Careiro da Várzea
	Riverzinho	Tikuna and Kokama	Jutaí/Juruá
	Cué Cué Marabitanas	Baré; Baniwa; Warekena; Desano; Tukano; Kuripako; Tariana; Pira-Tapuya and Tuyuka	São Gabriel da Cachoeira
	Guanabara	Kokama	Benjamin Constant
	Uneiuxi	Maku and Tukano	Santa Izabel do River Negro
	Sururuá (Nova Aliança)	Kokama	Benjamim Constant; São Paulo de Olivença

AMAZONAS - continued

Situation	Indigenous Land	People	Municipality
Ratified (6)	Arary	Mura	Borba
	Banawá (Yafi do River Piranhas)	Banawa	Tapua; Canutama; Lábrea
	Cajuhiri Atravessado	Miranha; Cambeba and Tikuna	Coari
	Mapari	Cayxana	Jutaí
	Setemã	Mura	Novo Aripuanã; Borba
	Tabocal	Mura	Careiro da Várzea
Restriction Decree (1)	Jacareuba/Katawixi	Katawixi/não contactados	Canutama; Lábrea

BAHIA

Situation	Indigenous Land	People	Municipality
No Action (7)	Coroa Vermelha Gleba C	Pataxó	Santa Cruz de Cabralia
	Corumbauzinho	Pataxó	Prado
	Gerú Tucuma	Pataxó	Açucena
	Payayá	Payaya	Utinga; Morro do Chapéu
	Pataxó	Pataxó	
	Tupinambá de Itapebi	Tupinambá	Itapebi
	Xakriabá de Cocos	Xakriabá	Cocos
Pending Identification (1)	Tuxá	Tuxá	Nova Rodelas
Identified (5)	Comexatibá (Cahy Pequi)	Pataxó	Prado
	Tupinambá de Olivença	Tupinambá (Serra do Padeiro)	Ilhéus; Buerarema; Una
	Tumbalalá	Tumbalalá	Abaré and Curaçá
	Tupinambá de Belmonte	Tupinambá	Itapebi; Belmonte
	Barra Velha (Monte Pascoal)	Pataxó	Porto Seguro
Declared (2)	Aldeia Velha	Pataxó	Porto Seguro
	Caramuru-Catarina Paraguaçu	Pataxó Hã-Hã-Hãe	Camacã; Itaju do Colônia; Pau Brasil

CEARÁ

Situation	Indigenous Land	People	Municipality
No Action (12)	Cajueiro	Tabajara	Poranga
	Fidélis	Tabajara	Quiterianópolis
	Gameleira/Sítio Fernandes	Kanindé	Aratuba; Canindé
	Gavião	Gavião	Monsenhor Tabosa
	Imburama	Tabajara	Poranga
	Kalabaça	Kalabaça	Poranga
	Kanindé	Kanindé	Aratuba; Canindé
	Lagoa dos Neris	Potiguara	Novo Oriente
	Lagoinha		
	Monte Nebo		
	Nazário	Tabajara	Crateús
	Tabajara		Viçosa, Crateús, Monsenhor
Pending Identification (3)	Anacé	Anacé	São Gonçalo do Amarante and Caucaia
	Mundo Novo/Viração	Potiguara; Tabajara; Gavião and Tapuia	Monsenhor Tabosa; Tamboril
	Tremembé de Itapipoca	Tremembé	Itapipoca

Chapter I

VIOLENCE AGAINST THE HERITAGE

CEARÁ - continued

Situation	Indigenous Land	People	Municipality
Identified (2)	Tapeba	Tapeba	Caucaia
	Tremembé de Almofala	Tremembé	Itarema
Declared (4)	Lagoa da Encantada	Genipapo-Kanindé	Aquiraz
	Pituary	Pituary	Maracanaú; Pacatuba
	Tremembé da Barra do Mundaú	Tremembé	Itapipoca
	Tremembé de Queimadas	Tremembé	Acaraú

DISTRITO FEDERAL

Situation	Indigenous Land	People	Municipality
No Action (1)	Fazenda Bananal/Santuário dos Pajés	Vários	Brasília

ESPÍRITO SANTO

Situation	Indigenous Land	People	Municipality
No Action (1)	Serra Caparaó	Guarani Mbyá	Dores do River Preto; Divino São Lourenço

GOIÁS

Situation	Indigenous Land	People	Municipality
Declared (1)	Avá-Canoeiro	Avá-Canoeiro	Colinas do Sul; Minaçu

MARANHÃO

Situation	Indigenous Land	People	Municipality
No Action (3)	Gamela	Gamela	Taquatiua
	Mangueira	Timbira	Vitorino Freire
	Terra de Índio (Gamela)	Gamela	Viana
Pending Identification (3)	Pikopjé	Gavião	Amarante; Sítio Novo
	Krenyê Indigenous Reserve	Krenyê	Barra do Corda
	Vila Real	Guajajara	Barra do Corda
Identified (2)	Kanela (Buriti Velho)	Kanela	Barra do Corda; Fernando Falcão
	Porquinhos Kanela Apãjekra	Kanela-Apãjekra	Barra do Corda; Fernando Falcão; Formosa Serra Negra
Declared (1)	Bacurizinho	Guajajara	Grajaú

MINAS GERAIS

Situation	Indigenous Land	People	Municipality
No Action (4)	Gerú Tucumã (Aldeia)	Pataxó	Açucena
	Luiza do Vale	Tembé	River Pardo de Minas
	Mocuriñ	Mocuriñ	Campanário
	Xucuru-Kariri de Caldas	Xucuru Kariri	Caldas
Pending Identification (5)	Aranã	Aranã	Coronel Murta; Vale do Jequitinhonha
	Cinta Vermelha Jundiba	Pankararu and Pataxó	Araçuaí; Vale do Jequitinhonha
	Hãm Yixux	Maxakali	Ladainha
	Krenak de Sete Salões	Krenak	Resplendor; Conselheiro Pena
	Mundo Verde/Cachoeirinha	Maxakali	Ladainha; Topázio; (Teófilo Otoni)
Identified (2)	Kaxixó	Kaxixó	Matinho Campos; Pompeu
	Xakriabá	Xakriabá	São João das Missões

MATO GROSSO

Situation	Indigenous Land	People	Municipality
No Action (13)	Arara do River Guariba	Arara	Colniza
	Cabixi	Not Contacted	Comodoro
	Capitão Marcos	Pareci	Comodoro
	Fortuna	Chiquitano	Vila Bela da Santíssima Trindade
	Kudorojarí	Bororo	General Carneiro
	Morcegal	Nambikuara	Comodoro
	Moreru-Pacutinga	Not Contacted	Cotriguaçu
	Nhandu-Braço Norte	Not Contacted	Guarantã do Norte
	Parabubure II, III, IV, V	Xavante	Nova Xavantina; Campinápolis
	River Bararati	Not Contacted	Cotriguaçu
	River Madeirinha	Not Contacted	Aripuanã
	River Preto	Maxakali; Krenak	Canabrava do Norte
	River Tenente Marques	Not Contacted	Juína
Pending Identification (14)	Areões I	Xavante	Água Boa
	Areões II	Xavante	Água Boa; Cocalinho
	Chiquitano de Baía Grande	Chiquitano	Porto Esperidião; Cáceres; Pontes and Lacerda; Vila Bela da Santíssima Trindade
	Cinta Larga do River Preto	Cinta Larga; Not Contacted	Aripuanã
	Eterairebere	Xavante	Campinápolis; Novo São Joaquim; Santo Antônio do Leste
	Hu'uhi	Xavante	Paranatinga
	Krenrehé	Krenak	Canabrava do Norte
	Ikpeng	Ikpeng	Gaúcha do Norte
	Isoú pá	Xavante	Água Boa; Campinápolis; Nova Xavantina
	Lago Grande	Karajá; Chiquitano	Santa Terezinha
	Norotsurã	Xavante	Água Boa; Campinápolis; Nova Xavantina
	River Arraias/BR-080	Kaybi	Marcelândia
	Rolo-Walu (Jatoba/Ikpeng)	Ikpeng	Paranatinga
	Vila Nova Barbecho	Chiquitano	Porto Esperidião
Identified (7)	Apiaká/Isolado (Pontal)	Apiaká; Isolated	Apiacás (MT); Apuí (AM)
	Batelão	Kayabi	Tabaporã
	Estação Pareci	Pareci	Diamantino; Nova Marilândia
	Kawahiva do River Pardo	Kawahiva	Colniza
	Menku	Menku	Brasnorte
	Paukalirajausu	Katithauru	Pontes and Lacerda
	Wedese/Pimentel Barbosa II	Xavante	Cocalinho
Declared (6)	Baía dos Guató	Guató	Barão do Melgaço
	Cacique Fontoura	Karajá	Luciara; São Félix do Araguaia
	Manoki (Irantxe)	Irantxe	Brasnorte
	Ponte de Pedra	Paresi	Campo Novo dos Parecis; São José do River Claro
	Portal do Encantado	Chiquitano	Vila Bela da Santíssima Trindade; Porto Esperidião; Pontes and Lacerda
	Uirapuru	Paresi	Campos de Júlio; Nova Lacerda
Ratified (1)	Pequizal do Naruwoto	Naruwoto	Canarana; Paranatinga
Restriction Decree (1)	Piripikura	Kayabi	Aripuanã

Chapter I

VIOLENCE AGAINST THE HERITAGE

MATO GROSSO DO SUL

Situation	Indigenous Land	People	Municipality
No Action (68)	Aldeia Campestre	Guarani and Kaiowá	Antônio João
	Arivada Guasu		Tacuru
	Ava Tovilho		Caarapó
	Bakaiuva	Guarani-Ñhandeva	Bela Vista
	Batelh'ie Botelha Guasu		Tacuru
	Bocaja	Guarani Guarani and Kaiowá	Iguatemi
	Buena Vista		Juti
	Cabeceira Comprida		Antônio João
	Cambaretã		Deodápolis
	Campo Seco		Caarapó
	Canta Galo		Amambai
	Cerro Peron		Paranhos
	Che ru pai Kuê		Juti
	Chorro		Bela Vista
	Curupaity		Dourados
	Espadim	Guarani	Paranhos
	Garcete Kue	Guarani and Kaiowá	Sete Quedas
	Gua'ay		Caarapó
	Guapuku		Dourados
	Itaco'a		Itaporã
	Itapoa Takuaremboiy		Paranhos
	Japorã		Tacuru
	Javevyry		Naviraí
	Jepopete		Itaporã
	Juiu-Barrero and Picandinha		Itaporã
	Jukeri and Tatarem		Laguna Carapã
	Kamba		Corumbá
	Ka'ajari		Amambai
	Kaakaikue		Caarapó
	Kaipuka		Coronel Sapucaia
	Kinikinawa	Kinikinawa	Bonito
	Kunumi Vera	Guarani and Kaiowá	Caarapó
	Kurupa'y Voca		Naviraí
	Kurupy		Naviraí
	Kurusu Ambá		Coronel Sapucaia
	Lagoa de Ouro		Caarapó
	Laguna Perui	Guarani	Eldorado
	Laranjeira Nhãnderu		River Brilhante
	Laranjaty and Arroyo'i		Japorã
	Lucero	Guarani and Kaiowá	Coronel Sapucaia
	Mbarakajã Porã		Amambai
	Mbaragui		Coronel Sapucaia
	Mboiveve-Jety'ay		Amambai
	Npuku		Caarapó
	Ouro Verde	Guatô	Ponta Porã
	Pantanal		Corumbá
	Poique	Guarani and Kaiowá	Caarapó
	Porto Desseado		Caarapó
	Portrerito	Guarani	Paranhos
	Quintino Kue	Guarani and Kaiowá	Laguna Caarapã
	Quinze de Agosto		Angélica
	Rancho Lima		Laguna Caarapã
	São Lucas		Tacuru
	Samakuã		Amambai
	Santiago Kue/Kurupy		Naviraí
	São Pedro		Caarapó
	Suvirando Gua'akua Yvyrapyraka		Antônio João
	Takuru Menby		Tacuru
	Takuapiry		Coronel Sapucaia
	Tangara'y Karanguata'y and Kururu'y		Tacuru
	Tapesu'aty	Guarani	Paranhos
	Tereré	Terena	Sidrolândia
	Toro Piré	Guarani and Kaiowá	Dourados
	Tujukua		Dourados
	Valiente Kue	Guarani	Paranhos
	Ypytã	Guarani and Kaiowá	Tacuru
	Yvyhukue		Tacuru
	Yvype		Caarapó

MATO GROSSO DO SUL - continued

Situation	Indigenous Land	People	Municipality
Pending Identification (10)	Água Limpa	Terena	Rochedo
	Aldeinha		Anastácio
	Amambaípegua (*) Bacia		Ponta Porã
	Apepegua (*) Bacia	Guarani	Amambaí; Ponta Porã
	Apyka'y (Curral de Arame)	Guarani Kaiowá	Dourados
	Brilhante pegua (*) Bacia	Guarani	Paranhos
	Gua y viri (Lima Campo)	Guarani and Kaiowá	Amambaí
	Kokue 'y (Mosquiteiro)		Ponta Porã
	Ñnandévapegua * (Bacia)	Guarani	Japorã
	Urukuty	Guarani and Kaiowá	Laguna Carapã
Identified (6)	Cachoeirinha	Terena	Miranda
	Dourados Amambaípegua (GT) Laguna Joha, Urucut, Pindo Roky, Javorai	Guarani and Kaiowá	Naviraí; Dourados; Amambaí
	Iguatemipegua I* Bacia (Pyelito Kue and Mbaraky)		Iguatemi
	Panambi/Lagoa Rica/(Guyra Kamby'i)		Douradina; Itaporã
	Taquara		Juti
	Ypo'i and Triunfo	Guarani and Kaiowá; Guarani M'Bya; Guarani-Nhandeva	Paranhos
Declared (8)	Buriti	Terena	Dois Irmãos do Buriti; Sidrolândia
	Guyaroká	Guarani and Kaiowá	Caarapó
	Jataivari		Ponta Porã
	Ofayé-Xavante	Ofayé-Xavante	Brasilândia
	Porto Lindo/Jakarey/Yvy Katu	Guarani-Nhandeva	Novo Mundo; Iguatemi; Japorã
	Potrero Guaçu		Paranhos
	Sombrerito		Sete Quedas
	Taunay/Ipegue	Terena	Aquidauana
Ratified (4)	Arroio Corá	Guarani and Kaiowá	Paranhos
	Ñhanderu Marangatu (Cerro Marangatu)		Antônio João
	Sete Cerros	Guarani and Kaiowá; Guarani-Nhandeva	Coronel Sapucaia
	Takwarity/Ivykwarusu	Guarani and Kaiowá	Paranhos

PARÁ

Situation	Indigenous Land	People	Municipality
No Action (20)	Açaizal	Munduruku	Santarém
	Adi Arumateuá	Tembé	Tomé Açu
	Akratikateje da Montanha	Gavião da Montanha	Nova Ipixuna
	Barreira Campo	Karajá	Santa Maria das Barreiras
	Boa Vista Km 17	Juruna	Vitória do Xingu
	Canain	Atikum	Canaã dos Carajás
	Cumaruara	Cumaruara	Margens do River Tapajós
	Cuminapanema Urucuriana	Not Contacted; Zoé	Óbidos; Alenquer
	Dos Encantados	Tuapiu	Santarém
	Guajanaira	Guajajara; Guarani Mbyá	Itupiranga
	Maitapu	Maitapu	Margens do River Tapajós
	Muruci	Arapium	Santarém; Margens do River Tapajós
	Ororobá	Atikum	Itupiranga
	Pedreira Miripixi	Arapium	Santarém
	Tapiíra		Santarém
	Tavaquara	Xipaia; Curuaia	Altamira
	Tembé de Santa Maria do Pará	Tembém	Santa Maria do Pará
	Tupaiu	Tupaiu	Margens do River Tapajós
	Tupinambá	Tupinambá	Santarém; Margens do River Tapajós
	Vila Franca	Arapium	Santarém

Chapter I

VIOLENCE AGAINST THE HERITAGE

PARÁ - continued

Situation	Indigenous Land	People	Municipality
Pending Identification (25)	Aminã	Tupaiu	Itamarati
	Amanayé (de Goianésia do Pará)	Amanayé	Goianésia do Pará
	Aningalzinho	Tupaiu	Alto Alegre
	Areial	Tembé	Santa Maria do Pará
	Baixo Tapajós I	Tupinambá; Maytapu; Cara Preta	Aveiro; Tapajós
	Baixo Tapajós II	Munduruku	Aveiro
	Baixo Tapajós/Arapiuns	Arapium; Munduruku	Santarém
	Borari de Alter do Chão	Borari	
	Brinco das Moças	Cumaruara	
	Escrivão	Cara Preta; Maytapu	Aveiro
	Jeju	Tembé	Santa Maria do Pará
	Juruna do Km 17	Juruna	Vitória do Xingu
	Kapotnhinore	Kayapó	Santa Cruz do Xingu; São Félix do Xingu; Vila Rica
	Km 43	Munduruku and outros	Itaituba
	Marituba	Munduruku and outros	Belterra; Santarém
	Mirixipi	Arapium	Santarém
	Muratuba do Pará	Tupinambá; Cara Preta	
	Nova Vista	Arapium	
	Pacajá	Assurini	Portel
	River Maró	Arapium	Santarém
	São João	Arapium	
	São Luis do Tapajós	Munduruku and outros	Itaituba
	Tracajá	Assurini	Baião; Tucuruí
	Tunayana	Tunayana	Oriximiná
	Turé/Mariquita II	Tembé	Tomé-Açu
Identified (5)	Cobra Grande	Arapium; Jaraquí; Tapajo	Santarém
	Kaxuyana/Tunayana	Kaxuyana; Tunayana; Kahyana; Katuena; Mawayana; Tikiyana; Xereu-Hixkaryana; Xereu-Katuena; Isolated	Oriximiná
	Maró	Arapium; Borari	Santarém
	Sawré Muiybu/Pimental	Munduruku	Itaituba; Trairão
	Tuwa Apekuokawera	Aikewar; Suruí	Marebé; São Domingos do Araguaia
Declared (4)	Bragança Marituba	Munduruku	Belterra
	Maracaxi	Tembé	Aurora do Pará
	Munduruku Taquara	Munduruku and outros	Belterra; Baixo Rio Tapajós
	Paquçamba	Juruna	Vitória do Xingu
Ratified (2)	Arara da Volta Grande do Xingu (Maia)	Arara	Senador José Porfírio
	Cachoeira Seca do Iri		Altamira; Uruará; Rurópolis
Restriction Decree (1)	Ituna/Itatá	Not Contacted	Altamira; Senador José Porfírio; Anapu

PARAÍBA

Situation	Indigenous Land	People	Municipality
Pending Identification (1)	Tabajara	Tabajara	Conde
Declared (1)	Potiguara de Monte Mor	Potiguara	River Tinto; Marcação

PARANÁ

Situation	Indigenous Land	People	Municipality
No Action (10)	Aty Miri	Avá-Guarani	Itaipulândia
	Itacorá		
	Jevy	Guarani; Avá-Guarani; Guarani Nhandeva	Guaíra
	Kakané Porá	Guarani; Xetá; Kaingang	Curitiba
	Kuaray Haxa	Guarani; Xetá; Kaingang	Guaraqueçaba; Antonina
	Morro das Pacas	Guarani Mbyá	Guaraqueçaba
	Ortigueira	Kaingang	Ortigueira
	Serrinha		Tamarana
	Tekoha Vera Tupã i		Campo Mourão
	Tekoha Vy'a Renda	Guarani Mbya	Santa Helena
Pending Identification (14)	Guaraviraty	Guarani Mbya	Guaraqueçaba
	Kaaguy Guaxy Palmital	Guarani	União da Vitória
	Karugua/Araçai	Guarani Mbya	Piraquara; Curitiba
	Karumbey	Avá-Guarani; Guarani Nhandeva	Guaíra
	Nhemboete		Terra Roxa
	Tekoha Araguaçu/Terra Roxa	Avá-Guarani	Terra Roxa; Guaíra
	Tekoha Marangatu		Guaíra
	Tekoha Porã		Terra Rocha
	Tekoha Pohã Renda		Guaíra
	Tekoha Mirim		Terra Rocha
	Tekoha Tatury		Guaíra
	Tekoha Yvyraty Porã		Terra Rocha
	Tekoha Taj Ypoty		
	Y'hory	Guarani Mbya	Guaíra
Identified (3)	Cerco Grande	Guarani Mbya	Guaraqueçaba
	Sambaqui		Paranaguá/Pontal do Paraná
	Xeta Herarekã	Xeta	Ivaté
Declared (2)	Boa Vista	Kaingang	Laranjeiras do Sul
	Yviporã Laranjinha	Guarani Nhandeva	Abatia; Cornélio Procópio; Ribeirão do Pinhal

PERNAMBUCO

Situation	Indigenous Land	People	Municipality
No Action (4)	Aldeia Foklassa	Fulni-ô	Águas Belas
	Fazenda Funil	Tuxá	Inajá
	Poruborá	Poruborá	Inajá
	Serra Negra	Kambiwa; Pipipã	Petrolândia
Pending Identification (7)	Fazenda Cristo Rei	Pankaiuká; Pankararu	Volta do Moxotó; Jatobá
	Fazenda Tapera (Ilha - São Félix)	Truká	
	Fulni-ô	Fulni-ô	Águas Belas
	Tapera island/São Félix	Truká	Orocó
	Pankará da Serra do Arapuá	Pankará	Carnaubeira da Penha
	Pipipã	Pipipã	Floresta
	Tuxá de Inajá	Tuxá	Inajá
Declared (1)	Truká	Truká	Cabrobó

Chapter I

VIOLENCE AGAINST THE HERITAGE

PIAUI

Situation	Indigenous Land	People	Municipality
No Action (1)	Kariri de Queimada Nova	Kariri	Queimada Nova

RIO DE JANEIRO

Situation	Indigenous Land	People	Municipality
No Action (2)	Ara ovy/Sítio do Céu	Guarani Mbya	Maricá
	Camboinhas (Tekoha Itarypu)		Niterói
Pending Identification (5)	Arandu Mirim (Saco de Mamanguá)	Guarani Mbya	Parati
	Campos Novos		Cabo Frio
	Guarani do River Pequeno	Guarani Mbya; Guarani Nhandeva	Parati
	Tekoha Kaaguy Hovy Porã	Guarani Mbya	
	Tekoha Ierv		

RIO GRANDE DO NORTE

Situation	Indigenous Land	People	Municipality
Pending Identification (1)	Sagi/Trabanda	Potiguara	Baía Formosa

RONDÔNIA

Situation	Indigenous Land	People	Municipality
No Action (22)	Arikem (C. Estivado)	Not in villages	Ariquemes
	Cabeceira River Marmelo	Not Contacted	Machadinho d'Oeste
	Cascata-Cassupá-Salomã	Cassupá; Salamã	Corumbiara; Chupinguaia
	Guarasugwe	Guarasugwe	
	Igarapé Karipuninha/Serra Três Irmãos	Not Contacted	Lábrea (AM); Porto Velho (RO)
	Jabuti	Jaboti; Djeoromitxi	Alta Floresta do Oeste
	Kampé	Kampé	Pimenteiras do Oeste
	Makurap	Makurap	Rolim de Moura
	Mata Corá	Desaldeados	Costa Marques
	Oro Mon	Waran	Guajará-Mirim; Nova Mamoré
	Parque Nacional do Bom Futuro	Not Contacted	Porto Velho; Alto Paraíso; Buritis
	Pântano do Guaporé		Pimenteira
	Paumelenhos	Paumelenhos	Costas Marques
	Rebio Jaru	Not Contacted	Ji-Paraná
	River Candeias		Porto Velho
	River Cautário/Serra da Cutia		Costa Marques; Guajará-Mirim
	River Jacundá		Cujubim; Itapuã do Jamari; Candeias do Jamari; Porto Velho
	River Formoso/Jaci Paraná		Nova Mamoré; Guajará-Mirim; Campo Novo; Buriti
	River Muquim Paraná/Karipuna		Porto Velho; Nova Mamoré
	River Muqui/Serra da Onça		Alvorado d'Oeste; Urupá
	River Novo and Cachoeira do River Pacaas Novas		Guajará-Mirim
	Wayaro	Wayaro	Alto Alegre do Parecis; Alta Floresta
Pending Identification (3)	Cujubim	Kujubim	Guajará-Mirim; Costa Marques
	Migueleno (River São Miguel)	Migueleno	Costa Marques; São Francisco; Ariquemes; Guajará-Mirim
	Puruborá do River Manuel Correia	Puruborá	Seringueiras; São Miguel; São Francisco
Declared (1)	River Negro de Ocaia	Pakaa Nova	Guajará Mirim
Portaria de Restriction (1)	Tanaru	Isolated	Chupinguaia; Corumbiara; Parecis

RORAIMA

Situation	Indigenous Land	People	Municipality
No Action (2)	Arapuá	Wapixana	Alto Alegre
	Lago da Praia	Makuxi; Wapixana	Boa Vista
Restriction Decree (1)	Pirititi	Not Contacted	Rorainópolis

RIO GRANDE DO SUL

Situation	Indigenous Land	People	Municipality
No Action (24)	Arenal	Guarani Mbya	Santa Maria
	Arroio Divisa		Arroio dos Ratos and Eldorado do Sul
	Caaró	Guarani Nhandeva	Caiboaté
	Cachoeira/Araçaty	Guarani Mbya	Cachoeira do Sul
	Campo do Meio	Kaingang	Gentil
	Capi Owi	Guarani Mbya	Pelotas
	Farroupilha	Kaingang	Farroupilha
	Ibicuí	Guarani Mbya	Itaqui
	Ilha Grande		Palmares do Sul
	Imbaa		Uruguaiana
	Inhacorá II	Kaingang	São Valério do Sul
	Jaguarazinho	Guarani Nhandeva	São Francisco de Assis
	Lajeado	Kaingang	Lajeado
	Lomba do Pinheiro		Porto Alegre
	Maquiné/Gruta/Espraido	Guarani	Maquine
	Mata São Lourenço	Guarani Mbya	São Miguel das Missões
	Passo da Estância		Barra do Ribeiro
	Morro Santana	Kaingang	Porto Alegre
	Raia Pires	Guarani Nhandeva	Sentinela do Sul
	Ruínas de São Miguel/Esquina Ezequiel		São Leopoldo
	Santa Maria	Kaingang	Santa Maria
	São Leopoldo		São Leopoldo
	Torres	Guarani Mbya	Torres
	Xokleng	Xokleng	São Francisco de Paula

Pending Identification (23)	Arroio do Conde	Guarani Mbya	Guaíba; Eldorado do Sul
	Borboleta	Kaingang	Espumoso
	Cacique Doble II		Cacique Doble
	Capivari/Porã	Guarani Mbya	Capivari do Sul
	Carazinho	Kaingang	Canela
	Estiva/Nhuundy	Guarani Nhandeva	Barra do Ribeira
	Estrela	Kaingang	Estrela
	Itapuã/Pindó Mirim	Guarani Mbya	Viamão
	Ka'aguy Poty (Estrela Velha)		Estrela Velha
	Kaingang de Iraí II	Kaingang	Iraí
	Lajeado do Bugre		Lajeado do Bugre
	Lami	Guarani Mbya	Porto Alegre
	Ligeiro II	Kaingang	Charrua
	Lomba do Pinheiro/Anhetegua	Guarani Mbya	Porto Alegre
	Lomba do Pinheiro	Charrua	Porto Alegre
	Monte Caseiros II	Kaingang	Muliterno; Ibiraiaras
	Morro do Coco	Guarani Mbya	Viamão; Porto Alegre
	Morro do Osso	Kaingang	Porto Alegre
	Passo Grande/Nhu Poty	Guarani Mbya	Barra do Ribeiro
	Petim/Araçaty		Guaíba
	Ponta da Formiga	Guarani Nhandeva	Barra do Ribeiro
	Taim/Ita'y	Guarani Mbya	River Grande
	Xengu/Novo	Kaingang	Novo Xingu

Chapter I

VIOLENCE AGAINST THE HERITAGE

RIO GRANDE DO SUL - continued

Situation	Indigenous Land	People	Municipality
Identified (2)	Mato Castelhano	Kaingang	Mato Castelhano
	Votouro/Kandoia		Faxinalzinho; Benjamim Constant do Sul
Declared (5)	Águas Brancas/Arroio Velhaco	Guarani Mbya	Arambaré; Camaquã; Tapes
	Irapuá		Caçapava do Sul
	Mato Preto	Guarani Nhandeva	Erebango; Erechim; Getúlio Vargas
	Passo Grande da Forquilha	Kaingang	Sananduva; Cacique Doble
	River dos Índios		Vicente Dutra

SANTA CATARINA

Situation	Indigenous Land	People	Municipality
No Action (4)	Fraiburgo	Kaingang	Fraiburgo
	Peperi Guasú	Guarani Nhandeva	Itapiranga
	Praia de Fora	Guarani Mbya	Palhoça
	Yaká Porã/Garuva		Garuva
Pending Identification (4)	Cambirela	Guarani Mbya	Palhoça
	Massiambu/Pira Rupa		São Francisco do Sul
	Reta/Itaju/Tapera		Biguaçu
	Tekoha Dju Mirim (Amâncio)		
Identified (4)	Pindoty/Conquista	Guarani Mbya	Araquari and Balneário; Barra do Sul
	Pirai/Tiaraju		Araquari
	Tarumã/Corveta I and II	Guarani Mbya	Araquari; Balneário Barra do Sul
	Morro Alto		São Francisco do Sul
Declared (6)	Guarani do Araçá'i	Guarani Nhandeva	Cunha Porã; Saudades
	Morro dos Cavalos/Itaty	Guarani Mbya; Guarani Nhandeva	Palhoça
	Toldo Imbu	Kaingang	Abelardo Luz
	Toldo Pinhal		Seara
	Xapecó Glebas A and B		Entre Rivers; Bom Jesus; Abelardo Luz; Ipuaçu
	Ibirama-La Klãnõ	Xokleng, Kaingang and Guarani Mbya	Dr. Pedrinho, Itaópolis, J. Boiteux and Vitor Mereles



Patrícia Bonilha

SÃO PAULO

Situation	Indigenous Land	People	Municipality
No Action (11)	Aldeinha	Tupi Guarani	Itanhaém
	Itapitangui	Guarani	Cananéia
	Itapu Mirim/Votupoca	Tupi Guarani	Registro
	Jacareí/Takuarity Acaraú	Guarani Mbya	Cananéia
	Juréia		Iguape
	Mboi Mirim	Guarani	São Paulo
	Paranapuã	Guarani Mbya; Tupi Guarani	Ubatuba
	Paraíso/River Cumprido/Yu Puku	Guarani Mbya; Tupi Guarani	Iguape
	Tangará	Tupi Guarani	Itanhaém
	Taquari	Guarani	Eldorado
	Tekoha Mirim	Guarani Mbya	Praia Grande
Pending Identification (12)	Araça Mirim	Guarani Mbya	
	Barão de Antonina Karuwá	Guarani Nandeva	Barão de Antonina
	Barão de Antonina Pyay		
	Guarani de Itaporanga/Tekoha Porã		Itaporanga
	Itaguá		Iguape
	Itapé	Tupi Guarani; Guarani Mbya	Iguape
	River Branquinho de Cananéia/Tapy í	Guarani Mbya	Cananéia
	Tekoha/Amba Porã	Guarani Mbya; Guarani Nhandeva	Miracatu
	Tekoha Itapuã/Yvy I		Iguape and Pariquera-Açu
	Tekoha Jejty (Toca Bugio)	Guarani	Iguape; Pariquera-Açu
	Tekoha Pindoty	Guarani Nhandeva	Pariquera-Açu; Iguape
	Wiutu-Guaçu/Renascença/Aldeia Renascença		Ubatuba
Identified (6)	Boa Vista Sertão do Promirim/Jaexaa Porã	Guarani	Ubatuba
	Ilha do Cardoso/ Pacurity/Yvyty	Guarani Mbya	Cananéia
	Tekoha Peguaoty		Sete Barras; Miracatu
	Ka'aguy Mirim	Guarani	Miracatu
	Tekoha Guaviraty (Subauma)	Guarani Nhandeva	Iguape; Pariquera-Açu
	Tekoha Djaiko-aty	Guarani Nhandeva	Miracatu; Sete Barras
Declared (4)	Itaoca	Tupi Guarani; Guarani Mbya	Mongaguá
	Jaraguá/Tekoha Ytu	Guarani	São Paulo; Osasco
	Tenonde Porã	Guarani Mbya	São Paulo; São Bernardo do Campo; São Vicente; Mongaguá
	Ribeirão Silveira	Guarani Mbya	São Sebastião, Bertioga and Salesópolis
Ratified (1)	Piaçaguera/Nhamandu Mirim/Tanigua/Tabaçu/Rekoypy	Guarani Nhandeva	Peruíbe

TOCANTINS

Situation	Indigenous Land	People	Municipality
No Action (2)	Kanela de Tocantins	Kanela	Araguaçu
	Mata Alagada	Krahô-Kanela	Lagoa da Confusão
Pending Identification (3)	Apinayé II	Apinayé	Tocantinópolis
	Canoanã	Javaé	Sandolândia
	Wahuri (Javaé/Avá Canoeiro)		
Declared (2)	Taego Awá/Mata Azul	Avá-Canoeiro	Formoso do Araguaia
	Utaria Wyhyma/Irodu Irana	Karajá and Javaé	Lagoa da Confusão and Pium



Driven by the dispute for land, gunmen attacked the Cahy village in Bahia destroying and burning houses, a building for handicraft sales and a Pataxó cultural center

Conflicts associated to territorial rights

In 2015 we registered 18 occurrences of conflicts associated to territorial rights in the state of Amazonas (1), Bahia (2), Maranhão (1), Mato Grosso do Sul (10), Rio Grande do Sul (1), Rondônia (2) and Santa Catarina (1).

In Mato Grosso do Sul, the state with the highest number of occurrences we registered at least ten attacks on the Guarani and Kaiowá, Nhandeva and Terena peoples some of which were repeated for several days. The targets of the attacks were indigenous camps mostly in areas that had been re-occupied by the indigenous people. Various people were shot, and some were tortured. In some cases the camps were destroyed. In Pyellito Kue, ten Indians were injured including one pregnant woman and a healer. In the Guyra Kambi'y *tekoha* ranchers ignored the pact for peace that had been signed with the Ministry of Justice and the Office of the Federal Public Prosecutor and attacked the GUARANI and Kaiowaá.

In Santa Catarina state a group invaded the Morro dos Cavalos Indigenous Land declared by the Ministry of Justice in 2008, expelled the Guarani families living there and took possession of the houses. The invasion was originated by the stimulus and incitement of parliamentarians who recommended the occupation of the areas claimed by the indigenous peoples and went so far as to defend the use of force to do so.

In Bahia, a Tupinambá village was attacked and two houses and part of a plantation were burned. The attacks against that community began to intensify at the end of 2013 when the identification and territorial delimitation studies of the area were published.

In Maranhão the Gamela people were attacked with gunfire after they had managed to take back two farms in what they considered to be their traditional area. According to the Indians themselves, some men in a pickup shot at their camp.

CONFLICTS ASSOCIATED TO TERRITORIAL RIGHTS

18 Cases

Amazonas – 1 Case

INDIGENOUS LAND: ALDEIA EBENEZER

PEOPLE: MIRANHA

TYPE OF HARM/CONFLICT: Failure to regularize land tenure

DESCRIPTION: Leaders of the Miranha who inhabit the area reported that their people have been calling for their ethnic and territorial recognition for a long time. From the moment the community brought suit to obtain recognition the conflicts with riverside dwellers that did not agree with it began. Environmental agents of the Amanã Sustainable Development Reserve (SDR) took possession of a canoe belonging to a village resident and, his only means of transport for fishing and getting to his field because the village is located in floodplain land. Furthermore, armed with a gun to intimidate the village residents, they insulted them and used discriminatory language. In response, those responsible for the SDR, without consulting the community installed signboards in an area that overlaps the indigenous land claimed by the community.

Source of information: Cimi Regional Norte (North) I, Tefé team, 10/11/2015

Bahia – 2 Cases

INDIGENOUS LAND: TUPINAMBÁ DE BELMONTE

PEOPLE: TUPINAMBÁ

TYPE OF HARM/CONFLICT: Burning; property destruction

DESCRIPTION: The village which is on the banks of the River Jequitinhonha was attacked while the residents were reaping their cocoa harvest. Two houses and part of the plantation were burned. The attacks on the village intensified in 2013 when the Circumstantiated Identification and Delimitation Report produced by Funai was published in the Official Gazette of the Federal Union which was proof of the traditional nature of the land and of the presence of indigenous people in that region.

Source of information: Communication Advisory body of Cimi, 7/5/2015

INDIGENOUS LAND: COMEXATIBA (CAHY VILLAGE)

PEOPLE: PATAXÓ

TYPE OF HARM/CONFLICT: Damage to property

DESCRIPTION: Gunmen attacked the village, burning and destroying houses, stands where handicrafts were displayed for sale and an indigenous cultural center. According to one Indian named Xawã, after setting fires they moved off firing shots in the air down the avenue that goes through the middle of the village. According to Funai, the attack took place in an area of the community that is coveted by a woman named Catarina, the owner of a hotel improperly built on indigenous land. The limits of the indigenous area were identified, delimited and approved by Funai in an official dispatch published in the Official Gazette of the Union on July 27, 2015. The indigenous residents believe that the attacks are a criminal reprisal for the official recognition of their land. There was also a denunciation that in the week the dispatch was published, gunmen and a supposed policeman had attacked an indigenous school.

Source of information: Cedefes, 13/8/2015

Maranhão – 1 Case

INDIGENOUS LAND: GAMELA

PEOPLE: GAMELA

TYPE OF HARM/CONFLICT: Attack on an indigenous camp

DESCRIPTION: The Indians took back two farms that are superimposed on their territory and that they had already denounced as land occupied under false pretenses. According to those who were on the spot at the time, some men in a pickup fired off various shots at the camp. According to one leader the Indians were already fearful of an attack because of the threats they had been receiving from the ranchers and the presence of strange vehicles circulating in the area. Even those Gamela people that are not participating directly in the reoccupation have been receiving threats in their homes.

Source of information: Cimi Regional Maranhão



Criminal burning of forest to facilitate illegal logging

Mato Grosso do Sul – 10 Cases

INDIGENOUS LAND: ÑHANDERU MARANGATU

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Attacks, threats and provocations have been part of the routine of the Guarani and Kaiowá Indians of the Ñhanderu Marangatu tekoha (sacred land) in the municipality of Antônio João. On November 29, a rancher and his henchmen arrived firing shots at the camps set up in areas taken back from ranches. The aggression occurred just three months after the killing of Semião Vilhalva on August 29. Attacks began as soon as the army left the region and less than one month after the assassination. “When they came in they were firing at the camp and they went straight to the hut of Loreto. He seems to be the target. The Government needs to take action. The ranchers know that he is an important leader for us” denounced one of Guarani and Kaiowá that we heard.

Source of information: Communication Advisory Body - Cimi, 2/12/2015

INDIGENOUS LAND: KURUSU AMBÁ

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Two Guarani and Kaiowá children were missing for nine days after a paramilitary attack against a re-possession in Kurusu Ambá. The chairman of the Standing Committee for Human Rights and Minorities of the Federal House of Representatives, Paulo Pimento, was in the area retaken by the Guarani and Kaiowá in the southern cone of the state and confirmed the children’s disappearance after the attack unleashed by 30 armed individuals. While they were being shot at, the approximately 60 indigenous individuals fled the spot. In the confusion the children G.M aged 11 and D.P. aged 10 disappeared.

Source of information: Communication Advisory Body - Cimi, 25/6/2015

INDIGENOUS LAND: KURUSU AMBÁ

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Armed men made several attacks on the Guarani and Kaiowá camp located inside the Kurusu Ambá tekoha (sacred land) situated between the municipalities of Coronel Sapucaia and Amambai. According to indigenous leaders, the individuals also verbally threatened the community speaking in Spanish and Guarani, the official languages of Paraguay where Guarani is habitually used by non-Indians. The offensives were registered by the indigenous group during 30 days and every time with the gunmen seeking for the indigenous leader Eliseu Guarani and Kaiowá. The indigenous camp is in an area they have taken back from ranchers. “they said to us in Guarani, ‘I am going to kill anyone that does not get out of here. If you carry on we will kill the children and then the pregnant women. We will hunt down Indians like animals’ just like that”, said one of the indigenous leaders that we heard.

Source of information: Communication Advisory Body - Cimi, 15/12/2015

INDIGENOUS LAND: MBARAKA’Y

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: A group of Guarani and Kaiowá families occupied a small area of forest (less than one hectare) in the Iguatemi-pegua I Indigenous Area. Occupied by around 20 persons,

most of them old people or children, the area belongs to the Mbaraka’y tekoha. The indigenous people entered the area to access their basic rights to water, food, natural medicines and a little peace. It was not a bid to retake the land. Even so the group was attacked, and tortured by a group of heavily armed gunmen. In tears and despair children, young people, men and women and especially older people were beaten up and tortured. The victims told how they had been beaten indiscriminately with blows from gun butts, punches and kicks. One youngster had his hair pulled out while the women on their knees begged the head thug (capanga chefe) to spare the lives of the group. After hours of terror, some witnesses declared that some of the old people had their ankles crushed before being expelled from the place and the camp was burned to the ground. The indigenous people then set off on the long walk to the highways. On the road the vehicles began to circle them again and threaten them again and so the group, disorientated and afraid fed into the forests to hide and there they remained until daybreak. When they were found the next morning by staff of the Funai’s Operação Guarani they had already walked a long distance towards the village of Limão Verde in the municipality of Amambai and they were extremely weak and frightened. The Mbaraka’y tekoha was identified by Funai as being traditionally occupied by the Guarani and Kaiowá (Section 1 of the Official Gazette of January 8, 2013).

Source of information: Communication Advisory Body - Cimi, 16/10/2015

INDIGENOUS LAND: POTRERO GUASU

PEOPLE: GUARANI NHANDEVA

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: An attack against the Potrero Guasu tekoha community left three Guarani and Kaiowá with gunshot wounds. The community chief Celso Benites was shot in the left leg, Meterio Morales in the arm and Celso Benites was shot three times in the back. “The attack began when I was about 100 meters from the sacred spot where we go to pray. There was a group of ranchers. One of them started shooting at us and I was hit. They were trying to kill me. The tragedy, the injustice! The ranchers torment the Indian, they massacre us. I feel shame. The government seems to say ‘go ahead, attack these Indians and kill them’. Let them all die right here. Tell Funai to send some coffins” said Elpideo.

Source of information: Communication Advisory Body - Cimi, 19/9/2015

INDIGENOUS LAND: PYELLITO KUE

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Gunmen attacked the Pyellito Kue/Mbaraka’y tekoha (sacred land). Indigenous leaders reported that some hours before the attack the thugs had warned that they “would all be killed”. According to the indigenous leaders, ten indigenous individuals were wounded, including a pregnant woman and a healer. In the same way as in Ñhanderu Marangatu, the Guarani and Kaiowá denounced the use of rubber bullets, supposedly of restricted use, in addition to the usual firearms and ammunition.

Source of information: Communication Advisory Body - Cimi, 18/9/2015

INDIGENOUS LAND: GUYRA KAMBY’I

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Ranchers attacked a group of Guarani and Kaiowá from

the Guyra Kambi'y tekoha located between the municipalities of Douradina and Itaporã, about 30 km from Dourados. The incident occurred just five days after another criminal attack organized by farmer/ranchers, parliamentarians and members of rural landowners unions against the Indigenous Land of Nhanderu Marangatu in the municipality of Antônio João, when 24 year old Semião Vilhalva was murdered. Under a hail of bullets, the Indians hid wherever they could in the nearby woods. Guyra Kambi'y is a tekoha located inside the indigenous land Lagoa Rica/Panambi, with an area of 12,169 hectares, duly identified, delimited and recognized by the Brazilian State in the form of Funai Decree nº 524, dated December 12, 2012.

Source of information: Communication Advisory Body -Cimi, 3/9/2015

INDIGENOUS LAND: NHANDERU MARANGATU

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Guarani and Kaiowá indigenous people denounced an attack made by rancher/farmers and their gunmen on areas taken back by the Indians in the Indigenous area of Nhanderu Marangatu. Prosecutors of the Office of the Federal Public Prosecutor confirmed the information. A National Force squad was sent to the area. All the areas retaken by the Indians are within the limits of the 9,300 hectares of land ratified in 2005.

Source of information: Indigenous Missionary Council, 31/8/2015

INDIGENOUS LAND: CACHOEIRINHA

PEOPLE: TERENA

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: Jolinel Leôncio Terena, his brother Josimar and some other Indians were working in their field within the limits of the Cachoeirinha Indigenous Land when they were surprised by shots fired by individuals in white. Jolinel Leôncio was shot in the side. They went to the local police station to report the incident but according to their denunciation, the police were reluctant to take any notice of it.

Source of information: Cimi Regional Mato Grosso do Sul, 29/5/2015

INDIGENOUS LAND: SANTIAGO KUE/KURUPI

PEOPLE: GUARANI and KAIOWÁ

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: According to a denunciation filed with the Office of the Federal Public Prosecutor, a 17 year-old Kaiowá was kidnapped by an armed group in the vicinity of Naviraí and submitted to sessions of torture – beatings and psychological pressure. He lives in the camps that make up the indigenous land of Santiago Kue, located along the BR-163 Federal Highway in the stretch between the towns of Juti and Naviraí. The incident underscores the existence of armed militias constituted for the purpose of attacking indigenous communities and their leaders and of impeding the access of indigenous peoples to their traditional territories, above all to those that Funai has already ready demarcated or identified.

Source of information: Cimi Regional Mato Grosso do Sul, 19/2/2015

Rio Grande do Sul – 1 Case

INDIGENOUS LAND: IRAPUÁ

PEOPLE: GUARANI MBYA

TYPE OF HARM/CONFLICT: Removal of an Indigenous Community

DESCRIPTION: Funai identified the Indigenous Land Irapuá, located in the municipality of Caçapava do Sul, in 2011 and from then till now, the indigenous community has been awaiting the publication of the Declaratory Decree by the Ministry of Justice. Considering the strong opposition to the demarcation that exists, including the opposition of the state government, the community is under pressure to leave the land where it has been camped along the edge of the BR-290 Federal Highway, Km 299. After much pressure and in fear of possible attacks from rancher/farmers against the demarcation, the Guarani people were removed from their camps and taken to an area more than 60 km away from the area identified by Funai.

Source of information: Cimi Regional Sul (South)

Rondônia – 2 Cases

INDIGENOUS LAND: KARITIANA

PEOPLE: KARITIANA

TYPE OF HARM/CONFLICT: Illegal logging

DESCRIPTION: Farmers and loggers frequently extract wood from the area that is the object of demarcation. Questioned by the cacique and by other community leaders, the illegal extractors declare that they are going to carry on taking out wood and if there is any denunciation on the part of the indigenous people they will wipe out the people of the village. In their words to the Indians "you have already lost the land".

Source of information: Cimi Regional Rondônia

INDIGENOUS LAND: KARITIANA

PEOPLE: KARITIANA

TYPE OF HARM/CONFLICT: Land tenure conflict

DESCRIPTION: According to the denunciations, the community has been under pressure from farmers/ranchers to evacuate the area it has taken back (Joari village). At the end of March 2015, at a meeting with representatives of the Office of the Federal Public Prosecutor, some leaders and some ranchers signed an agreement to leave the re-possessed area so that in exchange they could receive the benefit of the Santo Antônio Energy Consortium, which is the concession holder responsible for the Santo Antônio Hydroelectric Plant. The community leaders also denounced the actions of a farmer who is blocking access of the community, denying its right to come and go threatening members of the association and causing internal conflicts in the community.

Source of information: Cimi Regional Rondônia

Santa Catarina – 1 Case

INDIGENOUS LAND: MORRO DOS CAVALOS

PEOPLE: GUARANI MBYA

TYPE OF HARM/CONFLICT: Invasion to take possession

DESCRIPTION: The Indigenous Land Morro dos Cavalos was the target of a new invasion. This time a group of people occupied the area which was declared by the Ministry of Justice in 2008. They evicted the Guarani families and took possession of their houses. This criminal act was stimulated by incitement on the part of parliamentarians who in the communication media and in the courts defend the occupation of the lands claimed by the indigenous peoples. They even urge that it should be done with the use of force. The invasion could be seen as a protest on the part of those who occupied indigenous land in bad faith but in fact it has become part of a strategy on the part of agribusiness and corporate sectors who are acting in coordination to reduce indigenous rights via the National Congress.

Source of information: Cimi Regional Sul (South), 2/11/2015

Invasions to take possession, illegal exploitation of natural resources and various forms of heritage damage

In the 2015, the Indigenist Missionary Council (Cimi) registered 55 cases related to invasions to take possession, illegal exploitation of natural resources and various kinds of damage to the heritage in the states of Alagoas (1), Amazonas (6), Espírito Santo (1), Maranhão (18), Mato Grosso (3), Mato Grosso do Sul (2), Pará (12), Rondônia (5), Roraima (3), Santa Catarina (2), São Paulo (1) and Tocantins (1).

The most common types of destruction and/or attacks on indigenous territories in 2015 were invasions, deforestation, destruction of property, illegal exploitation of natural resources, contamination of water courses, burning and setting fires, illegal hunting, contamination from agro-chemicals, and other actions that affected indigenous lands.

The greatest environmental disaster in Brazilian history affected three indigenous peoples in two states: the Tupiniquim and the Guarani, in Espírito Santo, and the Krenak, in Minas Gerais. In Espírito Santo, the mining waste from the Samarco company's Fundão dam which burst on November 5, 2015 reached the Monsarás lake in the district of Povoação, in Linhares. Since then the indigenous people have been unable to carry out their traditional fishing activities to obtain their main means of subsistence. The lake had always been used for the production and reproduction of fish and for irrigating pastures. The indigenous leaders denounced the fact that the

mud had jeopardized not only the entire indigenous area located in the municipality which embraces nine villages but also the rivers and the sea and it has entirely wiped out the local fisheries. The indigenous people are also no longer able to collect shellfish and obtain their subsistence from the Doce River and its tributaries.

In Minas Gerais, the bursting of the dam had a severe impact on the Krenak people because their lives and their history are intimately bound up with the river. So much so, that they were once known as Indians of the River Doce. Today those Indians live in the desperate situation of having been hit by the biggest environmental crime in the history of Brazil. According to Itamar Krenak, "... our river is like this today because of those who think in terms of progress, in terms of the future but it is a progress that is detonating the people, that destroys, that has no future. It has killed all our fish, killed our river, our game. It has all been jeopardized. We do not have any of that any more. And there is our close connection to the river, the religious, social and spiritual part. That is just as important and it has all been detonated, all impacted". To at least have their voice heard, the Krenak were obliged to paralyze activities on the railway that cuts across their land and belongs to the Vale mining company, one of the controlling companies of Samarco.

Francisco Gamaleia



In the case of the indigenous peoples in Maranhão who have areas of forest inside their territories, they continue to be the target of invasions, deforestation and illegal exploitation of resources, in addition to criminal actions such as setting fires in the Arariboia lands of the Awá and Guajajara peoples; and in Alto Turiaçu, in lands of the Awá, Ka'apor, Tembê, Timbira and Urubu Ka'apor peoples. In the case of Arariboia Indigenous Land, the fires destroyed more than 200 thousand hectares of forest, more than half their traditional area, and burned for more than two months. Furthermore, no financial resources were available even to provide meals for the firefighters who worked in a valiant effort to contain the blaze.

On October 16, even agents of the Brazilian Institute for the Environment and Renewable Natural Resources (Ibama) who were combating the fires were the victims of criminal

acts perpetrated by illegal loggers. In an ambush, the head of environmental inspection and surveillance, Roberto Cabral, was shot in the arm and the incident was classified as attempted murder. In Ibama's opinion, the attempted homicide was the act of loggers who illegally exploit the forest inside the limits of the reservation. The same government body declared that the fire was criminally set. In October, 250 firefighters were engaged in an effort to contain a line of fires that at one point was over 100 kilometers long. In October the Maranhão state government declared a state of emergency in 11 indigenous lands in the state. In addition to the Arariboia and Alto Turiaçu land, the situation extended to the indigenous lands of Geralda Toco Preto, Canabrava Guajajara, Governador, Krikati, Lagoa Comprida, Bacurizinho, Urucu, Juruá, Porquinhos and Kanela.

INVASIONS TO TAKE POSSESSION, ILLEGAL EXPLOITATION OF NATURAL RESOURCES AND DAMAGE TO PROPERTY

55 cases

Alagoas – 1 Case

INDIGENOUS LAND: XUKURU-KARIRI

PEOPLE: XUKURU-KARIRI

TYPE OF HARM/CONFLICT: Water contamination/exploitation

DESCRIPTION: The indigenous community denounced that the rancher has been contaminating the water they consume with agro-chemicals. They also reported the deforestation carried out by the rancher near to the headwaters, to form pasture for the cattle. According to them, the priority action needed is to recuperate the local vegetation.

Source of information: MPF (Office of the Federal Public Prosecutor), 25/11/2015

Amazonas – 6 Cases

INDIGENOUS LAND: KAXARARI

PEOPLE: KAXARARI

TYPE OF HARM/CONFLICT: Illegal logging

DESCRIPTION: Ibama inspectors seized more than 100 m3 of hardwoods and a loaded truck in an area of illegal deforestation inside this indigenous area. In the track there were small plaques of the kind used to identify trees and logs in areas of forest management which indicated a scheme to disguise the wood from indigenous lands as if it were from managed forests and deliver it to local sawmills.

Source of information: Ecodebate, 6/4/2015

INDIGENOUS LAND: SISSAIMA

PEOPLE: MURA

TYPE OF HARM/CONFLICT: Invasion

DESCRIPTION: The Indigenous Land was invaded, deforested and degraded. The action could not have been more aggressive and 200 hectares of forest were destroyed within an ancestral area, to make way for a cattle ranch. The community took a stance against it and denounced the act but the public authorities responsible took no steps to curb the environmental crime or guarantee protection for the Indians' lands.

Source of information: Cimi Regional Norte (North) I

INDIGENOUS LANDS: VARIOUS

PEOPLE: MURA

TYPE OF HARM/CONFLICT: Invasion

DESCRIPTION: This Indigenous Land has been the target of frequent invasions, deforestation and depredation. In view of the omission of the authorities responsible, the invaders are advancing into the ancestral territory, enticing the Indians to work for them in clearing forest land, destroying areas of Brazil nut trees that the community uses and areas where they collect other forest products. The cattle of the invaders are raised on a free range system, invade the indigenous peoples' plantations and make their traditional form of agriculture impracticable. Ibama and Funai both inspected the area affected and some of the aggressors were charged and fined but the effects of that do not last very long. As soon as the official bodies leave the area, the crimes begin again, often accompanied by the intimidation of those that made the denunciations and there have been accusations filed with Funai that it is the Indians who are doing the deforestation. No steps are taken to remove the invaders from the demarcated areas and furthermore, the sluggishness in concluding the regularization procedures encourages new invasions and other forms of aggression.

Source of information: Cimi Regional Norte (North) I; Community/ OLIMCV

INDIGENOUS LAND: GUAPENU

PEOPLE: MURA

TYPE OF HARM/CONFLICT: Deforestation

DESCRIPTION: Deforestation was carried out in an area that the communities use which is the object of a demarcation study. The deforestation was unauthorized and it affects areas of permanent protection under the terms of the Forest Law in force, especially gallery forest.

Source of information: Cimi Norte (North) Regional I; Muiray Village

INDIGENOUS LAND: TUCANO VILLAGE

PEOPLES: MADIJA-KULINA and TUKANO

TYPE OF HARM/CONFLICT: Destruction of the heritage

DESCRIPTION: The indigenous community of 80 persons was the victim of an invasion by a resident of the town of Uarimi who set fire to an area in land claimed by the people. The fire burned their fields and their plantations of assai (Euterpe palm), pupunha and other fruit bearing trees cultivated by the families. The Indians sought to converse with the accused and dissuade him from such acts but he would not listen. In addition to the loss caused by the burning of their plantations there was also the deforestation of an area that the villagers preserved as a green area. The community also denounced the activities of a micro-entrepreneur from the town who is taking high quality woods like acapú, cedar, brazil nut and others from inside the indigenous area. Even with all the inspection and surveillance of the village residents, the accused has no respect for nature in the indigenous land.

Source of information: Cimi Regional Norte (North) I - Tefé Team, 10/11/2015

INDIGENOUS LAND: ITIXI MITARI

PEOPLE: APURINÃ

TYPE OF HARM/CONFLICT: Illegal Exploitation of Natural Resources

DESCRIPTION: Leaders have denounced the invasion of Indigenous Land by loggers, settlers and fishermen to cut wood, make fields and carry out illegal fishing. A tent was set up to sell fish at the entrance to the Jenipapo Lake where the São Raimundo Village is located. The Indians are threatened when they warn the invaders about the illegality of their acts. Furthermore the invaders have filed a suit in the courts against the chief of the São Raimundo village for possession of the land.

Source of information: Cimi Regional Norte (North) I; Indigenous leaders

Espírito Santo – 1 Case

INDIGENOUS LAND: TUPINIQUIM

PEOPLES: GUARANI and TUPINIKIM

TYPE OF HARM/CONFLICT: Inundation by mining waste mud

DESCRIPTION: the mining waste from the Samarco company's Fundão dam which burst, reached the Monsarás lake in the district of Povoação, in Linhares. Since then the indigenous people have been unable to carry out their traditional fishing activities to obtain their main means of subsistence. The lake had always been used for the production and reproduction of fish and for irrigating pastures. The indigenous leaders denounced the fact that the mud had jeopardized not only the entire indigenous land located in the municipality which embraces nine villages, but also the rivers and the sea in the municipality and entirely wiped out the local fisheries. The indigenous people are also no longer able to collect shellfish and obtain their subsistence from the River Doce and its tributaries.

Source of information: Cimi Regional East

Maranhão – 18 Cases

INDIGENOUS LAND: ALTO TURIAÇU

PEOPLE: KA'APOR

TYPE OF HARM/CONFLICT: Illegal Exploitation of Natural Resources

DESCRIPTION: Seven trucks carrying illegally extracted logs from the indigenous area were seized. According to the police, two people actually exchanged shots with them during the seizure operation. Shotguns and a chain saw were also seized

Source of information: G1-MS, 3/8/2015

INDIGENOUS LAND: GAMELA

PEOPLE: GAMELA

TYPE OF HARM/CONFLICT: Deforestation

DESCRIPTION: Various hectares of native vegetation containing important plant species are being cleared and burned by invaders of a territory claimed by the Gamela people. The species have been used for centuries by the Gamela not only for food but for the manufacture of their handicrafts. In addition to the severe impacts on the fauna, local streams are being obliterated and the rivers are beginning to silt up. Local leader Inaldo explains that the ranchers' intention is to transform the area into pasture land for raising cattle on. According to a letter of denunciation signed by various entities, the environmental destruction is being carried out under the protection of armed men. The indigenous residents report that different invaders of the territory have presented land registry documents referring to the same area which fact, in addition to creating a situation permanent conflict and threats against the people, constitutes a clear violation of the indigenous rights guaranteed by the Constitution.

Source of information: Communication Advisory Body -Cimi, 24/9/2015

INDIGENOUS LAND: ALTO TURIAÇU

PEOPLES: AWÁ, KA'APOR, TEMBÉ, TIMBIRA and URUBU KA'APOR

TYPE OF HARM/CONFLICT: Destruction of the forest

DESCRIPTION: The indigenous people report that since the death of one of their leaders, the conflicts have been intensifying and the situation has reached an unsustainable point. They say that their land is surrounded by gunmen at the service of the loggers, threatening the Indians' lives and restricting the population's right to come and go. It is suspected that it was the invaders who set fires in the forest inside the boundaries of the indigenous area threatening the survival of the families. The Federal courts had determined that Funai and other government bodies whose responsibility it was, should present a plan of inspection and surveillance for the area and for the installation of security posts but none of that has been done up till now.

Source of information: Canal Notícia, 27/10/2015

INDIGENOUS LAND: ARARIBOIA

PEOPLES: AWÁ and GUAJAJARA

TYPE OF HARM/CONFLICT: Fires

DESCRIPTION: A forest fire that lasted almost two months devastated more than half of the indigenous land. The area of the region destroyed was around 200 thousand hectares and the harm to fauna and flora and indigenous peoples in the region was enormous. Fields were entirely lost and houses destroyed. State assistance only arrived one month later with the presence of aircraft and 200 men of the Fire Brigade, Ibama and the Army to fight the fires. The various entities involved in fighting the fire were incapable of coordinating their actions and indeed there were no financial resources to sustain the action. There was not even enough money to provide meals for the firefighters. Environmentalists and Ibama itself are sure that the fire was a deliberate criminal act and a form of retaliation because the indigenous land which is the object of intense speculation. In spite of the fires, invasions are a constant occurrence and so is the presence of illegal loggers in the area. Various confrontations and assassinations have already occurred. During one of Ibama's operations to curb the fire in the Indigenous area, its agents were attacked by loggers and one Ibama agent was shot.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: KANELA**PEOPLE:** MEMORTUNRÉ-KANELA**TYPE OF HARM/CONFLICT:** Damage to the environment

DESCRIPTION: This Indigenous Land suffers the impacts of the extraction of lateritic gravel to pave roads being constructed by the municipal authority of Fernando Falcão in partnership with the government of the state. In spite of the indigenous peoples' denunciations, Funai has not inspected the area.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: PORQUINHOS - CANELA APÃNJEKRA**PEOPLE:** KANELA APANIEKRA**TYPE OF HARM/CONFLICT:** Illegal logging and predatory hunting

DESCRIPTION: The region where this Indigenous Land is located lies within the boundaries of an area where the Matopiba Agriculture and Livestock Development Plan (Plano de Desenvolvimento Agropecuário Matopiba), the last frontier of agricultural expansion in Brazil, is being implemented. The population suffers with the direct impact of the deforestation of the Cerrado savannahs and the consequent drying up of lakes and rivers. The indigenous people have denounced the invasions and environmental crimes to the appropriate authorities but the practices continue. In addition hunters invade their area and kill animals to sell the meat or capture them alive for illegal trading in wild animal species. Indigenous forestry agents have intensified their inspection and surveillance and seized meat and captured animals as well as shotguns, inside the indigenous area.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: KRIKATI**PEOPLE:** KRIKATI**TYPE OF HARM/CONFLICT:** Illegal logging, predatory hunting

DESCRIPTION: The Indigenous Land suffers constant invasions by loggers. There is a loss of forest vegetation and consequently of animal species. Furthermore, hunters invade the indigenous land and kill animals to sell the meat or capture them to sell alive in illegal markets. The indigenous inhabitants have denounced the occurrences to Funai but that body has not taken the necessary steps. The indigenous people themselves are now conducting surveillance exposing themselves to threats and risks, even the risk of being killed.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: KANELA**PEOPLE:** KANELA**TYPE OF HARM/CONFLICT:** Illegal hunting

DESCRIPTION: residents in areas neighboring the Indigenous Land invade the area every day, kill animals to sell the meat and capture others alive to sell in illegal markets. Indigenous forestry agents have maintained surveillance of the area and seized wild animal meat and shotguns inside indigenous territory.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: ARARIBOIA**PEOPLE:** GUAJAJARA**TYPE OF HARM/CONFLICT:** Illegal hunting

DESCRIPTION: The practice of hunting and capturing wild animals to sell their meat or sell them alive for trafficking in wild species is constant in this indigenous land. There is no inspection or repression on the part of the State to combat such criminal actions.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: GERALDA/TOCO PRETO**PEOPLE:** TIMBIRA**TYPE OF HARM/CONFLICT:** Illegal Exploitation of Natural Resources

DESCRIPTION: Loggers invade Indigenous Land with chain saws, trucks, and tractors and open up roads to haul out logs, destroying many valuable woods in the process. The invaders also set fires, destroying parts of the forest and causing the death of animals. There is also illegal hunting going on to sell the animals' meat or sell them alive.

Source of information: Cimi Regional Maranhão 0 Imperatriz Team

INDIGENOUS LAND: BACURIZINHO**PEOPLE:** GUAJAJARA**TYPE OF HARM/CONFLICT:** Illegal logging

DESCRIPTION: Loggers open up roads inside the Indigenous Land to extract wood, provoking severe social and environmental damage.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: ARARIBOIA**PEOPLE:** GUAJAJARA**TYPE OF HARM/CONFLICT:** Contamination by agri-chemicals

DESCRIPTION: The Indians filed a denunciation with the Office of the Federal Public Prosecutor that a rancher had installed a water capture system to draw from the Buriticupu River to irrigate maize crops that make use of agri-chemicals. The community fears the water will be poisoned.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: VARIOUS**PEOPLES:** AWÁ and ISOLATED GROUPS**TYPE OF HARM/CONFLICT:** Illegal Logging

DESCRIPTION: Indigenous people with no contact with the surrounding society have suffered the effects of invasions by loggers of the lands they wander in. Furthermore the loggers' actions reduce the availability of game and forest products they gather.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: KANELA**PEOPLE:** MEMORTUNRÉ-KANELA**TYPE OF HARM/CONFLICT:** Highway construction and paving

DESCRIPTION: The Indigenous Land suffers the impacts stemming from the building of a road linking the settlements of Leandro and Pau Grosso and which passes through the middle of the indigenous village. Built by the municipal authority of Fernando Falcão and the State Government, the road is being implanted without the necessary prior studies and the community in question was not consulted. The pressure on indigenous land has intensified with an increase in hunting and the passage of non-indigenous through the territory. There is no inspection or surveillance on the part of the bodies responsible for such action.

Source of information: Cimi Regional Maranhão - Imperatriz Team

INDIGENOUS LAND: ALTO TURIAÇU**PEOPLE:** KA'APOR**TYPE OF HARM/CONFLICT:** Illegal Logging

DESCRIPTION: Two indigenous from the Waxigyrenda village warned Ka'apor leaders that a logger was extracting wood from indigenous land during the early hours before morning in an area known as quadra 50 or Cinquentinha. Exploitation

of wood has intensified in the region but there has been no action to curb this criminal practice on the part of the government bodies responsible.

Source of information: Cimi Regional Maranhão; Ka'apor Indians

INDIGENOUS LAND: ALTO TURIÇA

PEOPLES: AWÁ and KA'APOR

TYPE OF HARM/CONFLICT: Illegal Logging

DESCRIPTION: The indigenous residents denounced the fact that three trails they had closed in actions to protect their territory had been reopened by loggers. The latter are escorted by armed men and operate in the vicinity of the municipalities of Zé Doca, Nova Olinda and Centro do Guilherme. The stealing of logs and posts goes on during the early hours before morning.

Source of information: Cimi Regional Maranhão; Indigenous community

INDIGENOUS LAND: ALTO TURIÇA

PEOPLES: AWÁ and KA'APOR

TYPE OF HARM/CONFLICT: Fires

DESCRIPTION: In revenge for the activities of inspection and surveillance carried out by the indigenous people who risk their lives due to the omission of the state bodies responsible for protecting the areas, and in reprisal for the seizure of equipment used to steal wood, ranchers and loggers in the region set fires around the borders of the indigenous lands which affected various villages. Some leaders and forestry agents were affected with respiratory problems.

Source of information: Cimi Regional Maranhão; Indigenous community

INDIGENOUS LAND: CARU

PEOPLE: AWÁ

TYPE OF HARM/CONFLICT: Roads – construction and paving

DESCRIPTION: In the 1980 this indigenous people had part of their territory occupied by the Grande Carajás Program. In the 30 years that have passed since that mining project was installed, the Awá have continued to live with the same problems as then, namely, invasion of their territory by loggers, hunters and extractors of forest products who have set up settlements along the course of the railway track. Currently the Vale Corporation is implementing a project to duplicate the railway line in flagrant disrespect for the Indians' position against it insofar as it will have serious environmental, social and cultural impacts on the indigenous people and traditional communities in the region.

Source of information: Cimi Regional Maranhão; Awá Community

Mato Grosso do Sul – 2 Cases

INDIGENOUS LAND: KADIWÉU

PEOPLE: KADIWÉU

TYPE OF HARM/CONFLICT: Invasion for illegal logging

DESCRIPTION: An Ibama operation uncovered an illegal deforestation scheme and the sale of Aroeira (*Schinus* sp.) wood functioning on the São Sebastião property which overlaps indigenous land. Vast deforested areas were found and logs ready to be transported, as well as fragments of wood and platforms to facilitate transportation from one trail to another as the narrow tracks for removing logs are inside dense forest to conceal them from satellite surveillance.

Source of information: Campo Grande News, 28/9/2015

INDIGENOUS LAND: KADIWÉU

PEOPLE: KADIWÉU

TYPE OF HARM/CONFLICT: Invasion for illegal logging

DESCRIPTION: A load consisting of 50 posts of Aroeira wood (*Schinus* sp.), which is protected by law, and 200 planks of Ipê wood (*Tabebuia* sp.) illegally extracted from indigenous land was seized. The wood was being transported on a truck. Two people were present, one being an indigenous individual who had sold the wood. In another vehicle was the man who purchased the wood and he was arrested; both were charged with an environmental crime.

Source of information: G1/MS, 27/11/2015

Mato Grosso – 3 Cases

INDIGENOUS LAND: URUBU BRANCO

PEOPLE: TAPIRAPÉ

TYPE OF HARM/CONFLICT: Illegal logging

DESCRIPTION: A federal Police operation seized weapons, chain saws and documents proving the occurrence of illegal trading in wood inside the indigenous territory. The land was recognized as being traditionally occupied by the Tapirapé by means of Ministry of Justice Decree 599 and the demarcation was ratified in September 1990. The expansion of pastures and the number of illegal squatters make it difficult for the indigenous people to make good use of their area.

Source of information: MPF/MT, 28/4/2015

INDIGENOUS LAND: MARÁIWATSÉDÉ

PEOPLE: XAVANTE

TYPE OF HARM/CONFLICT: Setting fires; destruction of natural heritage

DESCRIPTION: At least 47% of the indigenous area was swept by fire, an area of 78 thousand hectares. According to the Opan and ISA organizations who produced a report on the question, the fires have all the characteristics of a criminal act. Ever since the indigenous land underwent a process of disintrusion which was finalized in 2013, they have been recurrent. In that very year the firefighters who were called in to fight a fire that affected 31 thousand hectares of vegetation were threatened by people in pickups. The criminals install themselves nearby the roads that traverse the region, like Federal Highway BR-158, and in areas where the Xavante do not usually go.

Source of information: Agência da Notícia/MT, 7/9/2015

INDIGENOUS LAND: PARQUE INDÍGENA DO XINGU

PEOPLE: KALAPALO

TYPE OF HARM/CONFLICT: Damage to the environment

DESCRIPTION: Leader Amantú Kalapalo denounced the use of agro-chemicals in their crops by farmers in the areas surrounding the indigenous land, contaminating the waters the Indians use to drink and for fishing. Furthermore an extensive area has been deforested up to the limits of the Xingu National Park. The contamination of the water with pesticides and the deforestation have caused irreparable harm to nature in addition to causing respiratory problems especially in old people and children.

Source of information: Cimi Regional Mato Grosso

Pará – 12 Cases

INDIGENOUS LAND: ALTO RIO GUAMÁ

PEOPLE: GUAJAJARA

TYPE OF HARM/CONFLICT: Illegal Logging

DESCRIPTION: Denunciation led to the seizure of 1,300 m3 of wood illegally extracted from the indigenous area as well as a truck. The area from which the logs were taken is considered to be one of the last stands of primary forest of the Belém Center of Endemism, a refuge for the majority of species under threat of extinction in the state of Pará.

Source of information: G1/PA, 15/1/2015

INDIGENOUS LAND: KAYAPÓ

PEOPLE: KAYAPÓ

TYPE OF HARM/CONFLICT: Illegal artisanal mining

DESCRIPTION: Artisanal miners who exploit the indigenous area illegally are heavily armed to intimidate and offend persons who are against the mining activity. In addition they promote the enticement of indigenous girls and women. According to Funai staff member Paulo Roberto de Azevedo Júnior, the majority of the villages is against this kind of activity. Out of the 29 villages within the indigenous area, 24 are completely against any such mining activity in their area. The helicopter that the Ibama and Funai agents and the uniformed police use to detect hydraulic excavators in the area was hit by bullets.

Source of information: DW.DE, 17/4/2015

INDIGENOUS LAND: VÁRIAS

PEOPLES: ARARA, KA'APOR, APYTEREWA, ARARA, ARAWETÉ, ASURINI, XIKRIM, KAYAPÓ and XIPÁYA

TYPE OF HARM/CONFLICT: Failure to comply with compensation orders

DESCRIPTION: Accompanying an inspection carried out by the Office of Federal Public Prosecutor, a team from Plataforma Dhesca [Human Rights NGO] with the participation of members of the National Human Rights Council carried out a series of visits, public hearings and meetings with communities affected by the construction of the Belo Monte Hydroelectric plant. During their mission they observed various violations such as 1) the des-aggregation and rupture of family and neighborhood bonds in the process of removing the affected families, in addition to conflicts among leaders and division among members of villages, 2) failure on the part of Norte Energia to comply with the social and indigenous conditioning factors stipulated in the basic project which is necessary and obligatory for the concession of the Operating License pending liberation, 3) the low amount paid as compensation to families affected by the dam who, in most cases, were coerced into accepting those low compensations, 4) the critical situation of the Indigenous Health Clinic (Casa da Saúde Indígena) currently extremely overloaded with patients, 5) generalized food and nutritional insecurity; the basic food baskets offered to the Indigenous people contain foods that are strange to indigenous cuisine, 6) a lack of potable water because only half of the water supply systems for the villages have been installed, 7) alcoholism and depression.

Source of information: Informe Plataforma Dhesca Brasil and the Office of the Federal Prosecutor in Pará MPF-PA

INDIGENOUS LAND: CACHOEIRA SECA

PEOPLES: ARARA, KA'APOR and KAYAPÓ

TYPE OF HARM/CONFLICT: Deforestation

DESCRIPTION: This Indigenous Land suffers continual illegal deforestation. Ibama inspectors travelled along a 100 km dirt road installed by invaders in the interior of indigenous land and they found dozens of logs of high quality woods such as Ipê (Tabebuia sp.), Maçaranduba (Manilkara sp.) and Angelim (Dinizia sp.) ready to be transported as well as surprising various trucks entering and leaving the forest. A denunciation has been made that the loggers are using falsified billing documents. Various sawmills were identified in the southwest of Pará state that supply wood to the national market and also for exportation.

Source of information: Bom Dia Brasil, 2/10/2015

INDIGENOUS LAND: MÃE MARIA

PEOPLE: AKRĀTIKATĒJE

TYPE OF HARM/CONFLICT: Inadequate Constructions

DESCRIPTION: The construction of a canal to run off water from an urban nucleus - which was begun with only a municipal environmental license, which is not only invalid but full of serious flaws. The canal runs directly to the River Flecheira which is the natural limit of the territory of the Akrātikatēje people. Insofar as it affects indigenous lands, then according to Brazilian and international law, the licensing needs to be Federal and requires previous studies of the impacts of the projected works and the intervention of Funai. Documents presented by the municipal authority of Marabá in response to its notification by Ibama do not prove the existence of any such license and indeed contain no reference whatever to the Indians even though the works are located a mere 700 meters from the indigenous area.

Source of information: MPF/PA, 2/12/2015

INDIGENOUS LAND: CACHOEIRA SECA

PEOPLE: ARARA

TYPE OF HARM/CONFLICT: Invasion

DESCRIPTION: The illegal extraction of wood, the illegal occupation and false registration of lands and the creation of cattle farms have caused extensive devastation inside the indigenous land. Also roads have been opened up inside the area to facilitate the illegal removal of logs and they end up making it easy for invaders to come in. Fishermen make illegal deals with some indigenous individuals in order to carry out predatory fishing in the indigenous area. The official bodies responsible for the inspection and maintenance of the area have taken no steps to curb these violations even though they are well aware of them.

Source of information: Cimi Regional Norte II (North) – Altamira Team

INDIGENOUS LAND: ARARA DA VOLTA GRANDE DO XINGU

PEOPLES: ARARA, ARAWETÉ, ASURINI, JURUNA, KAYAPÓ, KURUAYA, PARAKANĀ, XIKRIM and XIPÁYA

TYPE OF HARM/CONFLICT: Fires

DESCRIPTION: Deforestation associated to illegal logging, the illegal occupation and false registration of land and the opening of local access roads all facilitate the access of other invaders to the interior of the indigenous lands. There are also fishermen present inside the traditional area making illegal agreements with indigenous individuals to allow them to practice their predatory form of fishing. All of that has contributed to the social and cultural degradation and disorganization of the communities.

Source of information: Cimi Regional Norte (North) II – Altamira Team

INDIGENOUS LAND: SARAUA**PEOPLE: AMANAYÉ****TYPE OF HARM/CONFLICT: Invasion**

DESCRIPTION: Representatives of the Office of the Public Prosecutor, in a visit made to the indigenous area observed that the land had been invaded and the community obliged to flee from their own land because of the conflict with the invaders. The invaders in turn tried to persuade the representatives of the Public Prosecutor that the land should be handed over to them. The Office of the Public Prosecutor is of the opinion that the land belongs to the Amanayé and that they are only living outside of it because they were forcefully expelled from it.

Source of information: Cimi Regional Norte (North) II; MPF; Indigenous Community

INDIGENOUS LAND: DAJE KAPAP EIP**PEOPLE: MUNDURUKU****TYPE OF HARM/CONFLICT: Illegal Logging**

DESCRIPTION: The indigenous people came across three piles of sawn wood abandoned inside their territory probably because the loggers could not get it out due to the local geography. The region is a swamp.

Source of information: Chief Walto Saw; Cimi Regional Norte (North) II

INDIGENOUS LAND: PRAIA DO MANGUE**PEOPLE: MUNDURUKU****TYPE OF HARM/CONFLICT: Invasion**

DESCRIPTION: A businessman has built a private leisure area near to the village and access to it is usually through the middle of the community. On weekends there is usually a large number of vehicles circulating inside the area of the community which, apart from disturbing the peace of village residents, enter without permission. The community has not been consulted and does not wish to have a disorderly access of vehicles inside its territory representing a threat to the physical integrity of residents. The case has been denounced to the local office of Funai.

Source of information: Indigenous leader Raimundinho Saw; Cimi Regional Norte (North) II

INDIGENOUS LANDS: VARIOUS**PEOPLES: VARIOUS****TYPE OF HARM/CONFLICT: Illegal Exploitation of Natural Resources**

DESCRIPTION: The Federal Police arrested two suspects supposed to be involved in a fraudulent scheme to obtain approval of irregular Forest Management Plans and the exploitation of wood. According to Police Chief Everaldo Eguchi, the arrests were made when the suspects turned themselves in to the police. Altogether the operation "Tabebuia" has arrested sixteen people. The fraud consisted of creating ghost companies using falsified documents of the Para State Lands Institute to obtain approval for forest management plans from the Environment Department of the state government. The respective projects were altered and changes were made to the species specified, the quantities of trees to be extracted and the areas to be exploited for wood. The trees that were identified in the plan became "wood credits"; a monetary balance in the accounts of companies registered in the Sisflors virtual system for trading and transporting forest products. With those credits in hand, the fraud perpetrators managed to obtain the necessary documents to sell valuable woods such as Ipê (Tabebuia sp.). The wood, however, was actually taken from forbid-

den areas including the indigenous reserves in the state of Pará. One cubic meter of Ipê is worth US\$ 3,800 making the scheme extremely lucrative. The companies involved in the criminal scheme managed to send wood to the United States and to some European countries. The police believe that those companies negotiated amounts of somewhere around 28 million Brazilian reals and left behind them irreparable damage to the environment.

Source of information: G1/Santarém, 9/12/2015; Cimi Regional Norte (North) II

INDIGENOUS LAND: MUNDURUKU**PEOPLE: MUNDURUKU****TYPE OF HARM/CONFLICT: Illegal Exploitation of Natural Resources**

DESCRIPTION: There are various artisanal mining operations installed in the Indigenous Land. There are many dredges operating on the Jamanxim River and its tributaries contaminating the river basin with Mercury which gets into the water, plants, fish, animals and the indigenous people who feed on them. There is also mining going on inside the forest away from the river and in lowlands, small streams and caves, all inside the limits of the indigenous territory. One of the operations, which is accessed from the left bank of the Jamanxim has a particularly violent impact on the environment. In regard to illegal logging, the land has been invaded by groups that extract great quantities of that natural resource. Some of the logging trails are open and readily visible in satellite images. Others are narrow, carefully made under dense treetops to remain undetected and the logs are removed selectively so that the damage is not visible in satellite images or from aircraft flying over the area. In addition to such violence the indigenous land is threatened by an attempt to implant a gigantic hydroelectric complex; more than 40 large-scale dams. They want to cut the flow of the Tapajos River and create a great waterway to ship out all the production of Agri-business in the state of Mato Grosso and all the mineral production in the region.

Source of information: Cimi Regional Norte (North) II

Rondônia – 5 Cases**INDIGENOUS LAND: CINTA LARGA (R.PRETO)****PEOPLE: CINTA LARGA****TYPE OF HARM/CONFLICT: Illegal Artisanal Mining**

DESCRIPTION: Around 500 artisanal miners, 250 sets of mining equipment and 16 mechanical shovels are in activity in an illegal diamond mine in indigenous lands. There are reports of the dissemination and consumption of alcoholic beverages including by minors, of prostitution, disorder and threats to the physical integrity of the Indians. A confrontation seems imminent because the miners are all armed and the Indians want to close down the operation.

Source of information: MPF/RO; 11/5/2015

INDIGENOUS LAND: SETE DE SETEMBRO**PEOPLE: SURUÍ****TYPE OF HARM/CONFLICT: Illegal Logging; damage to the environment**

DESCRIPTION: Representatives of the indigenous communities denounced the actions of loggers illegally extracting wood on a grand scale inside the indigenous area and they report the exit of trucks during the night and the early hours before morning carrying out enormous numbers of logs.

Source of information: 6ª Câmara de Coordenação and Revisão, PGR, 10/8/2015

INDIGENOUS LAND: MEQUÉNS RIVER**PEOPLE:** SAKURABIAT**TYPE OF HARM/CONFLICT:** Illegal Logging

DESCRIPTION: The territory is constantly being invaded by economic groups and loggers along line 90 and in the depths of the indigenous land. Those actions have intensified and their main aim is to extract wood and sell it.

Source of information: Indigenous Leaders; Cimi Regional Rondônia

INDIGENOUS LAND: TUBARÃO LATUNDÊ**PEOPLES:** KWAZÁ, LATUNDÊ and SABANÊ**TYPE OF HARM/CONFLICT:** Invasion

DESCRIPTION: the territory is suffering the invasions of economic groups and loggers. In recent months the illegal activities have intensified as has the stealing of wood. Even though they have been informed, the authorities do nothing about it and that increases internal pressures in the communities.

Source of information: Indigenous Leaders; Cimi Regional Rondônia

INDIGENOUS LAND: RIO GUAPORÉ**PEOPLES:** ARIKAPÚ, CUJUBIM, JABUTI, MAKURAP and WAJORO**TYPE OF HARM/CONFLICT:** Artisanal Mining

DESCRIPTION: Bolivian dredges are extracting minerals from the bed of the Guaporé River which marks the frontier between Brazil and Bolivia. That is taking place at a point nearby the Baía das Onças village in the Guaporé Indigenous Land. It is not known what mineral they are extracting. Every year the number of dredges increases. Each dredge tows behind it various 20 meter-long barges. The mineral is shipped to Guayamerin on the Bolivian shore and unloaded there or in other cities up the Mamoré River. Most of the dredges work day and night. The environmental damage is tremendous with the collapse of the river banks, diversion of the channel of the river, disappearance of fish and the constant beat of the motors day and night, among other kinds of harm. The indigenous people have denounced the situation and some vessels were seized but that only led to a wave of threats to the indigenous people. In February, on the Mamoré River, a dredge and its accompanying barges deliberately swamped a boat belonging to the Sagarana village, leaving some people hurt. The inspection and surveillance bodies that have been to the place declare that the dredges are on the Bolivian side of the river or in the middle and so they can do nothing.

Source of information: Indigenous Leaders; Wari Organization; Cimi Regional Rondônia

Roraima – 3 Cases**INDIGENOUS LAND: YANOMAMI****PEOPLE:** YANOMAMI**TYPE OF HARM/CONFLICT:** Artisanal Mining; damage to the environment

DESCRIPTION: An operation was carried out to dismantle a criminal scheme illegally extracting minerals from the Yanomami lands. The operation discovered that businessmen, civil servants, mine owners, jewelers and aircraft pilots were responsible for installing the operations for extracting gold, industrial minerals and other precious stones from the area. They also showed that about 160 kilos of gold are taken out every month. The ecosystem is being harmed by the extractive activity which is highly pollutant releasing Mercury and other heavy metals into the environment and destroying fauna flora and the very lives of the Indians and their cultures.

Source of information: Estadão, 7/5/2015

INDIGENOUS LAND: YANOMAMI**PEOPLE:** YANOMAMI**TYPE OF HARM/CONFLICT:** Artisanal Mining; Damage to the Environment

DESCRIPTION: In a Brazilian Army operation four artisanal miners were arrested for working illegally inside the Yanomami area. Also seized were batteries, precision scales and other materials typically used in such mining activities.

Source of information: G1/RR, 9/8/2015

INDIGENOUS LAND: YANOMAMI**PEOPLE:** YANOMAMI**TYPE OF HARM/CONFLICT:** Illegal Logging, mining and trafficking in wild animal species

DESCRIPTION: The Funai Protection Front withdrew its staff from the area alleging that it lacked material and logistics conditions to maintain the support base in activity. They therefore left the community without protection. Accordingly the miners occupied once more the Serra da Estrutura (Mountains) and operated weekly flights to fly in food and equipment for the miners. These last, not satisfied with their invasion took over the equipment abandoned by Funai in its support base. The presence of artisanal miners in the Serra da Estrutura is a constant threat to the existence of isolated Yanomami groups that inhabit the region. They are particularly vulnerable to diseases. The miners destroy the forest and pollute the soil and the rivers. It has been reported that miners have been enticing young Yanomami to work in the mining activity, offering them food, radios, cell phones and personal objects and threatening to destroy their villages if they refuse to cooperate. According to indigenous leader Gerson da Silva, more than 5 thousand people live in the communities nearby: Sikamabiú, Alto Mucajá, Pawaú, Waikai, Uxiú, Kaianu and Buriti.

Source of information: Cimi Regional Norte (North) I; Folha de Boa Vista, 9/11/2015; Hutukara Association

Santa Catarina – 2 Cases**INDIGENOUS LAND: CONQUISTA****PEOPLE:** GUARANI**TYPE OF HARM/CONFLICT:** Destruction of property

DESCRIPTION: The community was surprised by fire that broke out in their Opy (prayer house). According to the report of one indigenous leader, they had just left the Opy after their religious activities when they heard steps and voices and right after that an explosion that sounded like fireworks. When they looked round the Opy was in flames. They suspect that it was an act of non-indigenous individuals.

Source of information: Leader Celina da Silva, 24/9/2015; Cimi Regional Sul (South)

INDIGENOUS LAND: IBIRAMA - LA KLÃO**PEOPLE:** XOKLENG**TYPE OF HARM/CONFLICT:** Destruction of the Heritage

DESCRIPTION: The northern contention dam to control flooding was constructed by the military government without due studies of the environmental impacts and without hearing what indigenous communities had to say. The objective of the dam was to control flooding in the municipalities downstream. In 2015 four villages were flooded and cut off by the waters. The roads were impassable. Schools were closed and health teams were unable to reach the families. All those problems occur because of the seasonally high waters levels in the rivers. The dam holds back the waters during the high water period and avoids the flooding of nearby towns.

However, the water that accumulates above the dam invades the indigenous territory. The water level rose shockingly fast invading and inundating many houses. Various indigenous families had to move out fast and others left their homes for fear of landslides. The Civil Defense service had condemned some villages because of that risk.

Source of information: Indigenous leader; Cimi Regional Sul (South)

São Paulo – 1 Case

INDIGENOUS LAND: JARAGUÁ

PEOPLE: GUARANI

TYPE OF HARM/CONFLICT: Water contamination; exploitation

DESCRIPTION: The polluted waters of the river that runs through this indigenous territory pose a health and sanitation risk for the community. In an inspection carried out by the Office of the Federal Public Prosecutor, one technical expert identified the main sources of the pollution and recommended that São Paulo municipal sub-authority should channel off the water used for car washing to avoid its polluting the headwaters of the water course.

Source of information: MPF-SP, 17/8/2015

Tocantins – 1 Case

INDIGENOUS LAND: APINAYÉ

PEOPLE: APINAJÉ

TYPE OF HARM/CONFLICT: Deforestation

DESCRIPTION: Deforestation of the Cerrado vegetation in the areas around the indigenous lands is advancing on the gallery forest formations and putting the springs and headwaters that flow into the Apinajé area at risk insofar as the water course could become polluted by pesticides, or silt up or even dry up altogether. The indigenous people have been claiming the area that is being deforested ever since the 1980s. The license permitting the deforestation was issued by the Tocantins state environment department, Naturatins, and according to the indigenous leaders, the indigenous organizations were not consulted, nor was the fact communicated to the Federal Government administration bodies Funai and Ibama or to the Office of the Federal Public Prosecutor.

Source of information: Communication Advisory Body -Cimi, 6/1/2015; União Aldeias Apinajé Association, 28/1/2015.

CHAPTER II

Violence against the Person



83	Assassination
92	Attempted Murder
99	Manslaughter
101	Threat to Kill
104	Various types of threat
109	Deliberate Bodily Harm
111	Abuse of Power
114	Racism and ethnic-cultural discrimination
117	Sexual violence



Assassination

Official data

Based on the Access to Information Act (12.527/2011), Cimi presented a request to the Special Department for Indigenous Health (*Secretaria Especial de Saúde Indígena - Sesai*) a request for the data regarding the assassinations of indigenous people throughout Brazil in 2015. In response the Sesai sent an official communication admitting that the data were not updated and that "the data still lack proper qualification, not only because they do not take into account the information of the FormSUS but also because of the persistent deficiency in the input of the Indigenous Health Care Information System (*Sistema de Informação da Atenção à Saúde Indígena - Siasi*) and in the qualification of the data itself, as has already been stated".

In Brasília, the Sesai limited itself to sending us a table showing the total numbers of deaths registered, but the information was limited to identifying the DSEI (Indigenous Health District) and, among the causes of death, "Aggressions". In the case of Mato Grosso do Sul we took the liberty of considering the data presented by the Mato Grosso do Sul Dsei which registered 36 cases of homicide.

Thus the official data for homicides in the whole of Brazil in 2015 register 137 victims. The data do not enable a more in-depth analysis to be made because they fail to present details of the occurrences such as age group of the victims, ethnic group, location of the occurrence, etc. The fragility of the data makes it difficult to perceive the authorship of the killings or whether the background for the occurrence was a land dispute or a consequence of the Indians' not living in their traditional lands. According to information supplied by the Mato Grosso do Sul Dsei, 94% of the 36 homicide victims were males and 6% were

females. The age group with the highest incidence of victims is from 20 to 29 years old (36%). 33% of the homicides involved persons with ages from 10 to 19 years old. Dourados continues to be the municipality with the highest number of cases (38%) followed by Amambai (27%).

Data collected by the Cimi

In 2015, the Indigenist Missionary Council (*Conselho Indigenista Missionário - Cimi*) registered 52 cases with 54 victims of assassination in the following states: Acre (1), Amapá (3), Amazonas (5), Bahia (5), Goiás (1), Maranhão (3), Mato Grosso do Sul (20), Minas Gerais (1), Pará (2), Paraná (5), Pernambuco (1), Rondônia (1), Santa Catarina (1) and Tocantins (5). The data were collected based on information supplied by the teams that act in Cimi's eleven regions and from various communication media entities.

Eight of the 54 victims were females with ages ranging from 9 to 82 years, thus one nine-year old child was among the victims. The other 46 male individuals had ages ranging from 2 to 75. Nine of the total number of victims were minors aged from 2 to 17.

At least fifteen of the deaths were the result of fights and/or alcohol consumption. In five cases it was clear that the deaths were directly related to land tenure conflicts. The main weapons used were knives in 21 occurrences and firearms in 15.

Among the cases associated to land tenure disputes we would underscore three that took place in Bahia, one in Maranhão, and one in Mato Grosso do Sul. The macabre assassination of Vitor Kaingang, a child just two years old, in Santa Catarina, also stands out among the cases of indigenous homicides in 2015.

In the Tupinambá indigenous lands of Olivença, Adenilson da Silva Nascimento, known as Pinduca and an important leader of his people who fought bravely for the regularization of the tenure of their traditional territory was assassinated by gunshots in an ambush. The same attack also seriously wounded his wife. In Olivença, Bahia, again, an indigenous

Assassinations in Mato Grosso do Sul - 2015

Incidence by age groups						
Aged 10-14	Aged 15-19	Aged 20-29	Aged 30-39	Aged 40-49	Aged 50-59	Aged > 60
3%	30%	36%	16%	3%	6%	6%

Incidence by localities						
Dourados	Amambai	Caarapó	Antônio João	Bodoquena	Iguatemi	Aquidauana
38%	27%	8%	6%	6%	6%	3%

Fonte: Dsei-MS

Assassinations in Brazil and in Mato Grosso do Sul (MS) – 2003 to 2015

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total	Avg
Total in Brazil	42	37	43	58	92	60	60	60	51	60	53	138 ¹	137 ²	891	68
Absolute numbers MS	13	16	28	28	53	42	33	34	32	37	33	41 ³	36 ⁴	426	32
Remainder – Absolute Numbers	29	21	15	30	39	18	27	26	19	23	20	97	101	465	36
MS (%)	31%	43%	65%	48%	58%	70%	55%	57%	63%	62%	62%	29%	26%	47%	47%

1 Official Sesai data - 2 Official Sesai and Dsei-MS data - 3 Official Sesai data - 4 Official Dsei-MS data

couple of the Tupinambá people - Jorge Carlos Amaral do Nascimento and Maraci Oliveira da Costa – was found dead in patch of woodland. They had been receiving threats and on the day of the assassination they were forcefully taken from their home by five men. Another assassination associated to land disputes in Bahia involved the area of the Tumbalala people. Gilmar Alves da Silva was travelling on his motorbike when another vehicle ran into him from behind throwing him off. He was then shot dead.

In the state of Maranhão, in the Indigenous Land of Alto Turiaçu, Euzébio Ka'apor, leader of his people in the defense of their land and especially against illegal logging, was shot down when he was in the town of Centro de Guilherme. Due to the absence of the State's inspection and surveillance bodies the Ka'apor themselves take the risk and expose themselves to the danger of being killed in defense of their traditional land and its natural assets. Over the last few years hundreds of loggers have been expelled from their territory. Nevertheless there is a veritable criminal organization in the region that includes municipal authorities, loggers, and traders and promotes the invasion of indigenous land and the illegal exploitation of wood. Official state entities connive with the group and fail to exercise their functions in the face of crimes against the indigenous people and the environment. The promiscuity between loggers and local authorities stimulates the illegal exploitation of wood, making it a lucrative crime.

In August 2014, the Ka'apor Guardians of the Forest expelled various loggers from inside their indigenous lands destroying the invaders camps and setting fire to the trucks transporting logs illegally extracted from their territory. Violence against the indigenous people intensified after they closed the last of the loggers' trails in December 2014. Various villages were invaded in revenge for the Indians' actions of surveillance. According to the head of the Ka'apor Council, "we closed all the trails and set up eight villages at the entrances to prevent them from coming back. From then till now there have been three thefts of motorbikes followed by aggressions and always carried out by two or three masked individuals with shotguns", According to the indigenous leader "they are saying that it is better to liberate the logging before more people get killed", and "the State does nothing about it".

In Mato Grosso do Sul, the Guarani and Kaiowá Simeão Vilhalva was murdered after ranchers and politicians in the region of Antônio João promoted a public act in which they incited the population to rebel against the indigenous community of Nhanderu Marangatu. The Indians had carried out several actions to recover parts of their territory which had been ratified in 2005 but were still occupied by non-Indians. Ranchers, politicians and their henchmen, escorted by the Department of Frontier Operations (*Departamento de Operações de Fronteiras - DOF*) advanced on the Guarani and Kaiowá community. Some hours later when Simeão Vilhalva went to find his son he was shot in the face. In this case, in addition to

the assassination there are other serious facts such as the public incitement to violence on the part of politicians, the use of firearms by ranchers and their thugs, none of which was restrained by the police, and the connivance of federal authorities and the security forces with the acts of violence openly recommended by the landholders' associations, in radio programs, in the internet and television channels that transmit local programs.

A shocking fact occurred in Santa Catarina on December 30 in the municipal bus station of Imbituba. A Kaingang mother was nursing her two-year-old son Vitor when a youth approached and stuck the child in the neck with a knife. The desperate mother could do nothing to save her child who died in a pool of blood in her lap. That fact should not be seen as an isolated incident. In the first place it shows how a life is apparently "insignificant" especially when it is the life of an "Indian" in the South, Southeast and Central-west of Brazil. Secondly it shows how vulnerable indigenous people are, being obliged to live in improvised camps alongside the highways outside of their lands.

Our attention was drawn to the increase in the number of assassinations registered for the state of Tocantins, five cases, and Paraná, five cases. In those two states there are strong incentives for agribusiness projects that are superimposed on indigenous lands in the process of demarcation or being claimed as territories of traditional occupation. The expanding agricultural frontier brings with it the consumption of alcohol and drugs, discrimination and prejudice and other factors that generate violence. In that context, the native people become highly vulnerable and in addition to external problems, internal problems arise among the Indians themselves associated to the dispute for the land.

Assassinations in 2015 – Cimi Data

State	Indigenous people	Nº of Victims
Mato Grosso do Sul	Guarani and Kaiowá and Guarani Nhandeva	20
Tocantins	Apinajé, Karajá, Krahô and Xerente	5
Paraná	Guarani and Kaingang	5
Bahia	Tumbalalá and Tupinambá	5
Amazonas	Apurinã, Mura and Tikuka	5
Maranhão	Guajajara, Ka'apor and Timbira	3
Amapá	Galibi and Karipuna of Amapá	3
Pará	Arapium and Munduruku	2
Goiás	Karajá	1
Pernambuco	Xukuru	1
Minas Gerais	Pataxó	1
Santa Catarina	Kaingang	1
Rondônia	Oro Waram (Oro Wari)	1
Acre	Kaxinawá	1
Total victims		54



In front of the Presidential Palace indigenous people denounce the impunity for the assassination of Simeão Vilhalva Guarani and Kaiowá

ASSASSINATIONS

52 Cases - 54 Victims

Acre – 1 Case

8/3/2015

VICTIM: Carlos Alberto Domingos Kaxinawá

PEOPLE: KAXINAWÁ

INDIGENOUS TERRITORY: KAXINAWÁ DO RIO JORDÃO

MUNICIPALITY: TARAUCÁ

PLACE OF OCCURRENCE: Central square

DESCRIPTION: The indigenous victim was beaten with a brick. The motive of the crime was to steal a wallet. Other crimes have occurred with indigenous people in the municipality and the communities and their leaders are very worried about the situation. In March 2013, three Kaxinawá Indians were attacked when attended a football match in the city's indoor sports court.

MEANS USED: Beating with a Brick

Source of information: Racismoambiental.net.br, 9/3/2015; G1/AC

Amazonas – 4 Cases

12/4/2015

VICTIM: Ari Pakidai Yanomami

PEOPLE: YANOMAMI

INDIGENOUS TERRITORY: YANOMAMI

MUNICIPALITY: BARCELOS

PLACE OF OCCURRENCE: Hemahepiwei Village

DESCRIPTION: The Indian got involved in a fight in the village where he lived and was beaten up. The doctors found it difficult to define the cause of death because the Yanomami culture does not permit autopsies.

MEANS USED: Beating up

Source of information: Folha de Boa Vista, 14/4/2015

17/6/2015

VICTIM: Grazielly Santos da Costa

PEOPLE: MURA

INDIGENOUS TERRITORY: PANTALEÃO

MUNICIPALITY: AUTAZES

DESCRIPTION: Even though a court order had been issued, the child's father refused to take the DNA test to confirm paternity. To avoid the payment of a child support pension, the wife of the accused premeditated the death of the child who was abducted on her way to school and murdered by the father and his brother. The child's body was found three days later.

MEANS USED: Strangulation

Source of information: Cimi Regional Norte I

9/7/2015

VICTIM: Adolescent

PEOPLE: TIKUNA

MUNICIPALITY: TABATINGA

PLACE OF OCCURRENCE: Market in the port area of Tabatinga

DESCRIPTION: The indigenous adolescent was shot in the head while waiting for his cousin in the market. He was approached by an unidentified man who fired the shot and ran away. The adolescent's cousin said that she saw when the man approached the adolescent, said something to him and then fired the shot.

MEANS USED: Firearm

Source of information: G1/AM, 11/7/2015

5/8/2015

VICTIM: Demerson Oliveira Salgado

PEOPLE: APURINÁ

MUNICIPALITY: CAREIRO

PLACE OF OCCURRENCE: Careiro Castanho

DESCRIPTION: According to the non-uniformed police of the 34th precinct, the accused, who is a investigator attached to the same precinct fired his gun in self-defense when he was threatened by the victim during investigations of denunciations of thefts in the region. According to the indigenous victim's sister, the investigator had a score to settle with the youngster ever since 2014 when he had tried to serve notice on him to make a statement at the police station in regard to the theft of a boat in the municipality. She also stated that the indigenous victim was sitting in the doorway of his home when the investigator drove up in a car, stopped, got down and shot him three times.

MEANS USED: Firearm

Source of information: Dez Minutos/AM, 7/8/2015; G1/AM, 6/8/2015

7/10/2015

VICTIM: Anderson Rodrigues de Souza

PEOPLE: MURA

INDIGENOUS TERRITORY: CITADINO

MUNICIPALITY: MANAUS

PLACE OF OCCURRENCE: Paxiubau Indigenous Reserve

DESCRIPTION: The victim died after being shot in the head. Everything goes to show that the shot was fired by a member of the civil police force of the state of Amazonas during an operation with the code name "Blackout" in the Paxiubay Indigenous Reserve, in an area occupied by a housing invasion called Cidades das Luzes in the Santa Etelvina neighborhood in the north of Manaus. Operation "Blackout" was unfolded in order to capture the indigenous individual Sebastião Catilho Gomes known as Sabá Kokama for whom there was an arrest warrant issued and who was considered to be a fugitive from the law. The operation involved 500 policemen of both the military and civil forces and members of the office of the State Public Prosecutor. It was believed that in the "Cidade das Luzes" a criminal organization known as "Família Norte" was responsible for drug trafficking, the invasion of public lands, environmental crimes and larceny. According to the Public Security Department of the State of Amazonas, Anderson Mura was assassinated during this operation and six indigenous men and two indigenous women were arrested. According to the electronic site Amazônia Real those witnesses that were interviewed suspected that Anderson's death was related to the dispute for possession of the land between the occupants and people who say they own the land.

MEANS USED: Firearm

Source of information: Cimi Regional Norte I

Amapá – 3 Cases

MAY

VICTIM: Man

PEOPLE: GALIBI

MUNICIPALITY: OIAPOQUE

PLACE OF OCCURRENCE: Kumarumã Village

DESCRIPTION: Indigenous leaders carried out a demonstration in the streets of Oiapoque against the lack of support from the public authorities, especially protection against violence. One indigenous man was stabbed to death by a woman with a knife after a drinking spree. Two other Indians had previously been killed in the region.

MEANS USED: Knife

Source of information: SelesNafes.Com, 11/6/2015

3/5/2015

VICTIM: Sidney dos Santos Narciso

PEOPLE: KARIPUNA DO AMAPÁ

INDIGENOUS TERRITORY: UAÇA

MUNICIPALITY: OIAPOQUE

DESCRIPTION: According to information received, the suspect said that she had been dating the victim for two days and that she had stabbed him in legitimate self-defense because the victim was attacking her from fits of jealousy. The victim received medical assistance but died in the Oiapoque hospital.

MEANS USED: Knife

Source of information: G1/AP 4/5/2015; Cimi Regional Norte II

8/6/2015

VICTIM: Romário Getúlio Santos

PEOPLE: GALIBI

INDIGENOUS TERRITORY: UAÇA

MUNICIPALITY: OIAPOQUE

PLACE OF OCCURRENCE: In front of a bar on the BR-156 Federal Highway

DESCRIPTION: The indigenous man who was a soldier in the army was shot. The accused is a member of the military police force and alleges that he tried to break up a fight and that he fired his shot at a person, whom he says was wielding a piece of wood but the shot actually hit another person, the victim. The officer investigating the case heard various witnesses state that the behavior of the military policeman was not compatible with police standards.

MEANS USED: Firearm

Source of information: Cimi Regional Norte II

Bahia – 4 Cases – 5 Victims

1/5/2015

VICTIM: Adenilson da Silva Nascimento (Pinduca)

PEOPLE: TUPINAMBÁ

INDIGENOUS TERRITORY: TUPINAMBÁ DE OLIVENÇA

MUNICIPALITY: BUERAREMA

PLACE OF OCCURRENCE: Serra das Trempeas

DESCRIPTION: Pinduca was the victim of an ambush in which he was shot dead. His partner was seriously wounded and admitted to a hospital. The assassinated Indian was an outstanding leader in his people's fight for the regularization of their traditional lands. According the cacique there have been more than 20 assassinations in the last ten years but nothing has been done to solve the situation by finalizing the demarcation and consequently the land tenure problem of the Tupinambá Indigenous Territory of Olivença.

MEANS USED: Firearm

Source of information: Cacique José Sival T. de Magalhães, 2/5/2015; Cimi Regional Leste, 3/5/2015

3/5/2015

VICTIM: Gilmar Alves da Silva

PEOPLE: TUMBALALÁ

INDIGENOUS TERRITORY: TUMBALALÁ

MUNICIPALITY: ABARÉ

PLACE OF OCCURRENCE: On the way to the Pambúi village

DESCRIPTION: The Indian was going along on his motor cycle when a vehicle deliberately knocked him down and he was shot on the ground. The victim managed to make it as far as the village but succumbed to his wounds.

MEANS USED: Firearm

Source of information: Pastoral da Terra, ano 40, nº 220, April to June/2015

24/9/2015

VICTIM: Jorge Carlos Amaral Nascimento and Maraci Oliveira da Costa

PEOPLE: TUPINAMBÁ

INDIGENOUS TERRITORY: TUPINAMBÁ DE OLIVENÇA

MUNICIPALITY: ILHÉUS

PLACE OF OCCURRENCE: Distrito de Sapucaeira

DESCRIPTION: This indigenous couple was found dead in a wooded area 3 km from their home. According to information given by relatives, the couple had been threatened on the day of the occurrence and they were hauled out of their home by five men.

Source of information: G1/BA, 25/9/2015

24/10/2015

VICTIM: Uilson Conceição dos Santos

PEOPLE: TUPINAMBÁ

INDIGENOUS TERRITORY: TUPINAMBÁ

MUNICIPALITY: ILHÉUS

PLACE OF OCCURRENCE: Aldeia Acuípe de Baixo

DESCRIPTION: According to the victim's sister someone called for him from outside the house and as soon as he opened the door he was shot. Neither the motive for the crime nor the identity of the perpetrator are known.

MEANS USED: Firearm

Source of information: Marau Hoje, 29/10/2015; Cimi Regional Leste (East)

Goiás – 1 Case

27/6/2015

VICTIM: Man

PEOPLE: KARAJÁ

INDIGENOUS TERRITORY: KARAJÁ DE ARUANÃ I

MUNICIPALITY: ARUANÃ

DESCRIPTION: The victim was drunk and was beaten to death in a city bar.

MEANS USED: Beating up

Source of information: Cimi Regional GO/TO – Palmas Team, 30/6/2015

Maranhão – 3 Cases

2015

VICTIM: Amadeus Timbira

PEOPLE: TIMBIRA

INDIGENOUS TERRITORY: GOVERNADOR

MUNICIPALITY: AMARANTE DO MARANHÃO

PLACE OF OCCURRENCE: Rubiácea Village

DESCRIPTION: After a quarrel the victim was attacked by the aggressors. He was taken to the hospital but succumbed to his injuries.

MEANS USED: Piece of wood

Source of information: Cimi Regional Maranhão – Imperatriz Team

05/4/2015

VICTIM: Sérgio Rosa de Assis Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: CANA BRAVA/GUAJAJARA

MUNICIPALITY: BARRA DO CORDA

PLACE OF OCCURRENCE: Ribeiro Village

DESCRIPTION: The assassination occurred during a celebration in the village. Nobody knows what motivated the crime. On the same occasion an attempt was made to kill another Indian.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão; Pastoral Indigenista de Grajaú

26/4/2015

VICTIM: Euzébio Ka'apor

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: CENTRO DO GUILHERME

PLACE OF OCCURRENCE: Entrance to the Areal settlement, 3 km from

the Xiborendá village.

DESCRIPTION: The victim was shot in the municipality. According to the Ka'apor, the crime is due to the fact that they have taken on the defense of their territory themselves and that has left the loggers upset for some time now. In August, 2014, the Guardians of the Forest expelled various loggers from inside the indigenous lands, destroyed their camps and set fire to the trucks used to transport the illegally extracted logs. Violence against the indigenous people intensified after they closed the last access road for hauling logs in December 2014 and since then the villages have been invaded as a reprisal for their surveillance actions.

MEANS USED: Firearm

Source of information: Luis Antônio Pedrosa, presidente of the Human Rights Committee of the Bar Association of Maranhão OAB-MA; Diogo Cabral, lawyer of the CPT-MA, 27/4/2015;

Minas Gerais – 1 Case

23/3/2015

VICTIM: Genilson Lima dos Santos

PEOPLE: PATAXÓ

MUNICIPALITY: BELO HORIZONTE

PLACE OF OCCURRENCE: Paraíso Neighborhood

DESCRIPTION: According to statements made to the "Central de Flagrantes" (Occurrences Center), the policeman said that he was refurbishing a house when he was informed by the builders that the victim was hanging around the house in a suspicious attitude. The policeman went to the spot and found the indigenous individual there and approached him. According to the aggressor, the victim pulled out a weapon and the policemen fired off a shot as an automatic reflex. The indigenous victim's family contest that version and insist that not only was the victim unarmed but he was an honest person and a hard worker.

MEANS USED: Firearm

Source of information: Jornal Super Notícia, 26/3/2015; Cimi Regional Leste

Mato Grosso do Sul – 20 Cases

2015

VICTIM: Man

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF OCCURRENCE: Indigenous Land

DESCRIPTION: According to the information in the police registration of occurrences, the Indian went to his youngest brother's home and asked for alcoholic drinks. The brother was having a meal at the time and replied that he did not have any. On leaving his brother's house, the suspect came across the victim and promptly stabbed him in the thorax and the left axilla. The victim died on the spot.

MEANS USED: Knife

Source of information: G1/MS; Cimi Regional Mato Grosso do Sul

4/1/2015

VICTIM: Youth

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: The 18 year-old indigenous youth was wounded by a blow to the head from a billhook. He was taken to the Hospital da Vida, but succumbed to his wounds.

MEANS USED: Billhook

Source of information: O Progresso, 7/1/2015

6/1/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Vila Hilda

DESCRIPTION: According to military police Force information, the minor was involved with drugs and the house where he was found was a place where drugs were consumed.

MEANS USED: Strangulation

Source of information: O Progresso, 7/1/2015

12/1/2015

VICTIM: Simone Romeiro

INDIGENOUS TERRITORY: JAGUAPIRÉ

MUNICIPALITY: TACURU

PLACE OF OCCURRENCE: Jaguapiré Village

DESCRIPTION: The indigenous woman was at home when she was struck down. The suspect is the victim's own son who was held by neighbors until the police arrived.

MEANS USED: Physical aggression

Source of information: Aquidauana News, 13/1/2015

1/2/2015

VICTIM: Man

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF OCCURRENCE: Amambaí Village

DESCRIPTION: The indigenous man was found stabbed to death. The two brothers suspected of committing the crime were found in a house. When questioned they ran away. Later one of the suspects was captured and at the police station confessed that he had killed the victim with the help of his brother. He told the police that the victim had stolen things from them.

MEANS USED: Knife

Source of information: G1/MS, 3/2/2015

26/3/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: The accused and the victim, both adolescents, were playing a videogame and had a misunderstanding that ended in a crime.

MEANS USED: Knife

Source of information: Aquidauana News, 26/3/2015

19/4/2015

VICTIM: Man

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Jaguapiru Village

DESCRIPTION: An unidentified Indian was found dead in the village. According to information given by the forensic experts after hearing shouts some people went to see what was going on and found the victim already lifeless.

MEANS USED: Knife

Source of information: Dourados News, 19/4/2015; Cimi Regional Mato Grosso do Sul

19/4/2015

VICTIM: Larcides Flores Jara

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: AMAMBÁI

MUNICIPALITY: AMAMBÁI

DESCRIPTION: According to the victim's wife the indigenous man was drunk and was assassinated when he went out for a walk.

MEANS USED: Knife

Source of information: O Progresso, 20/4/2015

24/5/2015

VICTIM: Valdecir Rios Fernandes

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: The two Indians were drinking alcoholic beverages when a quarrel broke out and the accused attacked the victim. The accused denies it and says he only acted to defend himself.

MEANS USED: Knife

Source of information: Dourados News, 25/5/2015

9/7/2015

VICTIM: Edimar Espíndola

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: TAQUAPERÍ

MUNICIPALITY: CORONEL SAPUCAIA

PLACE OF OCCURRENCE: On the edge of the MS-289 State Highway

DESCRIPTION: After a week in hospital the victim died from wounds received when he was beaten up near to his village. The suspect is a long-standing enemy of the victim and he only stopped beating the victim because other people restrained him.

MEANS USED: Physical aggression

Source of information: Correio do Estado, 9/7/2015

22/7/2015

VICTIM: Josias Paulo

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: TEY'I JUSU

MUNICIPALITY: CAARAPÓ

PLACE OF OCCURRENCE: Gauchinho Ranch

DESCRIPTION: The victim was on a motorcycle and stopped for a moment near to the Gauchinho ranch. A couple on a bicycle came up to him assaulted him and beat him. The indigenous victim succumbed to his injuries.

MEANS USED: Assault and Battery

Source of information: Campo Grande News

27/7/2015

VICTIM: Sérgio Nunes

PEOPLE: GUARANI NHANDEVA

INDIGENOUS TERRITORY: CERRITO

MUNICIPALITY: ELDORADO

DESCRIPTION: the indigenous victim left home to go fishing armed with a shotgun but failed to return. The victim's father registered the disappearance at the police station but while doing so he received a phone call saying that his son had been found. The investigating team went to the spot and found the body already decomposing.

MEANS USED: Firearm

Source of information: Correio do Estado, 27/7/2015

31/8/2015

VICTIM: Nilda Vilhalva

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF OCCURRENCE: Amambai Village

DESCRIPTION: The victim was accompanying her husband at a party in a residence in the area. When she saw that her husband was absent she went out and found him outside the place of the party. There was a quarrel followed by a physical struggle. The aggressor armed with a piece of wood struck the victim on the head and she died.

MEANS USED: Piece of wood

Source of information: O Progresso, 31/8/2015

29/8/2015

VICTIM: Simeão Vilhalva

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: NHANDERU MARANGATU

MUNICIPALITY: ANTÔNIO JOÃO

PLACE OF OCCURRENCE: Antônio João

DESCRIPTION: Simeão's body was found on the banks of a stream with the face marked by a gunshot wound. The attack was premeditated and perpetrated by ranchers/farmers and culminated in the assassination of the indigenous victim. Simeão's death is a consequence of the Federal Government's decision to paralyze the procedures for demarcating indigenous lands. The ratification of the Nhanderu Marangatu Indigenous Land took place in 2005 but it was suspended by the Federal Supreme Court thereby submitting the families to a humanitarian crisis that has already been identified as such by international bodies as one of the most serious in the world. In addition to their situation of vulnerability, the Guarani are the daily targets of criminal actions and discourse inciting violence and hatred against them vociferated by *Ruralista* (parliamentarians who claim large tracts of land) with the aim of turning the entire society of the state against them.

MEANS USED: Firearm

Source of information: Communication Advisory Body - Cimi, 30/8/2015

20/9/2015

VICTIM: Evaristo Gonzales

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: AMAMBAI

MUNICIPALITY: AMAMBAI

PLACE OF OCCURRENCE: Amambai Village

DESCRIPTION: The victim set off to visit his brother in the village but was found by villagers with various bruises on his body showing that he had probably been clubbed to death with pieces of wood. The police also consider the possibility of robbery followed by murder.

MEANS USED: Beating up

Source of information: Dourados Informa, 21/9/2015

21/10/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: SUCURIY

MUNICIPALITY: MARACAJU

PLACE OF OCCURRENCE: Sucuriy Village

DESCRIPTION: The 17-year-old adolescent was stabbed to death during a fight. According to the information given, the suspect had been consuming alcoholic drinks and started a fight with the victim because of jealousy of his wife. The victim was stabbed in the abdomen and died from the wounds. The suspect was found at his home and taken to the police station.

MEANS USED: Knife

Source of information: Correio do Estado, 22/10/2015

1/11/2015

VICTIM: Sebastião Iraia Duarte

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: According to information given by the captain for the area, the victim had been beaten to death and thrown in the lake on a private property. The military police are investigating the case.

MEANS USED: Beating up

Source of information: Campo Grande News, 2/11/2015

17/11/2015

VICTIM: Eder Antunes Morales

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Jaguapiru Village

DESCRIPTION: The victim was found wounded in the yard of a house. The suspect, a friend of the victim's, was identified but is on the run. The police had no details of the crime but intended to investigate the case.

MEANS USED: Knife

Source of information: O Vigilante, 17/11/2015; Cimi Regional Mato Grosso do Sul

6/12/2015

VICTIM: Elionel Benitez da Silva

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: City Ring Road

DESCRIPTION: a person on a motorbike found the indigenous victim seriously wounded and the fire brigade ambulance was called in to remove him. According to the victim's family he had left home without saying where he was going and later he was found with stab wounds. The victim died on the way to hospital.

MEANS USED: Knife

Source of information: Itaporã News, 7/12/2015

19/12/2015

VICTIM: Gabriel Lopes

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: According to the police, the victim had broken off an amorous relationship with a young girl shortly before and he had been receiving threats to his life. The adolescent who killed the victim declared that he had acted on his own but there is some suspicion about the involvement of the girl's ex-boyfriend and another indigenous individual.

MEANS USED: Hanging

Source of information: Campo Grande News, 20/12/2015; G1/MS, 20/12/2015

Pará – 2 Cases

JUNE/2015

VICTIM: Youth

PEOPLE: MUNDURUKU

INDIGENOUS TERRITORY: SAI - CINZA

MUNICIPALITY: JACAREACANGA

DESCRIPTION: During the administration of the Ybureabu course, an indigenous youth was found dead on the outskirts of the city.

There are rumors that he had committed a robbery in the city and after an attempted getaway, he had been murdered.

MEANS USED: Tool

Source of information: Roseninho Saw Munduruku; Cimi Regional Norte II

26/10/2015

VICTIM: Laudenilson Imbiriba Lopes

PEOPLE: ARAPIUM

INDIGENOUS TERRITORY: BAIXO TAPAJÓS/ARAPIUNS

MUNICIPALITY: SANTARÉM

PLACE OF OCCURRENCE: Capixauã Community

DESCRIPTION: After a fight the victim was stabbed by his uncle. The community brought the aggressor to the city and he confessed the crime to the police.

MEANS USED: Knife

Source of information: G1/PA, 27/10/2015

Pernambuco – 1 Case

8/10/2015

VICTIM: José Aldenício da Silva

PEOPLE: XUKURU

INDIGENOUS TERRITORY: XUKURU

MUNICIPALITY: PESQUEIRA

PLACE OF OCCURRENCE: Massaranduba Village

DESCRIPTION: According to the military police, the 56 year-old victim was shot in the face. His body was found in the Massaranduba smallholding in the rural area of the municipality. Again according to the police, witnesses were unable to say how

the crime had occurred. An inquiry was set up to investigate the homicide.

MEANS USED: Firearm

Source of information: NE10 Interior

Paraná – 4 Cases – 5 Victims

15/3/2015

VICTIMS: Onória Agoeiro Nunes and Ananias Nunes

PEOPLE: GUARANI

INDIGENOUS TERRITORY: TEKoha PORÃ

MUNICIPALITY: GUAÍRA

PLACE OF OCCURRENCE: Bar

DESCRIPTION: According to information received the couple appeared to be drunk and the husband stabbed the woman who died on the spot. After that bystanders beat the indigenous aggressor to death.

MEANS USED: Knife and beating up

Source of information: Cimi Regional Sul – Guarapuava Team, 15/3/2015

26/7/2015

VICTIM: Man

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: BARÃO DE ANTONINA

MUNICIPALITY: SÃO JERÔNIMO DA SERRA

DESCRIPTION: The indigenous man was found dead. He worked on a rural property. The motive and the aggressor are unknown.

MEANS USED: Knife

Source of information: Cimi Regional Sul (South)



SEPTEMBER/2015**VICTIM:** Child**PEOPLE:** KAINGANG**INDIGENOUS TERRITORY:** BOA VISTA**MUNICIPALITY:** LARANJEIRAS DO SUL

DESCRIPTION: The accused for this assassination is the partner of the child's mother. The Forensic Medicine Department detected evidence of sexual abuse of the child. The deputy-cacique of the village offered assistance to help elucidate the crime and capture the aggressor who had managed to get away.

MEANS USED: Rape*Source of information:* Adriano Zeni, 14/9/2015**26/11/2015****VICTIM:** Claudir Bernardo**PEOPLE:** KAINGANG**INDIGENOUS TERRITORY:** RIO DAS COBRAS**MUNICIPALITY:** NOVA LARANJEIRAS**PLACE OF OCCURRENCE:** Edge of the PR-473 State Highway

DESCRIPTION: Indigenous witnesses told the police that the two Indians were walking along the edge of the PR-473 State Highway that connects the BR-277 highway to Quedas do Iguaçu, when they were approached by a vehicle. Two men got out and attacked the victims with knives. One of them died from his wounds.

MEANS USED: Knife*Source of information:* Cimi Regional Sul – Paraná Team**Rondônia – 1 Case****18/10/2015****VICTIM:** Student**PEOPLE:** ORO WARAM (ORO WARI)**MUNICIPALITY:** JI-PARANÁ**PLACE OF OCCURRENCE:** City of JI-Paraná

DESCRIPTION: The indigenous student was at the Federal University of Rondônia where he studied. According to witnesses, several people were consuming alcoholic drinks at the location. After hearing shouts, they went to see what was going on and they found the victim's body. The identity of the killer and the motive of the crime are unknown.

MEANS USED: Knife*Source of information:* G1/RO, 19/10/2015**Santa Catarina – 1 Case****31/12/2015****VICTIM:** Vítor**PEOPLE:** KAINGANG**INDIGENOUS TERRITORY:** KONDÁ VILLAGE**MUNICIPALITY:** CHAPECÓ**PLACE OF OCCURRENCE:** Imbituba bus station

DESCRIPTION: The child was in its mother's lap at the bus station with the father and two brothers present. The family had left the village and was looking for a spot to sell their handicrafts. A man approached, stroked the child's face and plunged a knife into its neck, cutting its throat.

MEANS USED: Knife*Source of information:* Cimi Regional Sul, 31/12/2015**Tocantins – 5 Cases****2015****VICTIM:** Rodrigo Pereira Apinajé**PEOPLE:** APINAJÉ**INDIGENOUS TERRITORY:** APINAYÉ**MUNICIPALITY:** TOCANTINÓPOLIS**PLACE OF OCCURRENCE:** Community

DESCRIPTION: The victim was killed by his son. According to information received, the victim was used to drinking alcoholic beverages and then beating up his wife. On one such occasion the son rebelled and struck the victim with a machete.

MEANS USED: Machete*Source of information:* Cimi Regional GO/TO; Indigenous leaders**20/1/2015****VICTIM:** Brandina P. Carvalho Apinajé**PEOPLE:** APINAJÉ**INDIGENOUS TERRITORY:** APINAYÉ**MUNICIPALITY:** TOCANTINÓPOLIS**PLACE OF OCCURRENCE:** Cipozal Village

DESCRIPTION: In addition to killing the victim, the accused also attacked her 6 month-old daughter who received cuts on two fingers. The motive was apparently a debt of 60 reais which the victim refused to pay. The community denounced the heavy consumption of alcoholic drinks in the villages associated to an increase in violence, especially against women and children.

MEANS USED: Knife*Source of information:* União das Aldeias Apinajé Association, 22/1/15**22/6/2015****VICTIM:** Were Sumekwa Karajá Xerente**PEOPLE:** KARAJÁ**MUNICIPALITY:** PORTO NACIONAL**PLACE OF OCCURRENCE:** Access Road in a rural area

DESCRIPTION: The indigenous youth was assassinated and his body was found in an abandoned house. The youth's family stated that he was addicted to chemical substances and was awaiting the liberation of a state government order for his compulsory internment.

MEANS USED: Firearm*Source of information:* Conexão Tocantins, 24/6/2015; G1/TO, 23/6/2015**19/7/2015****VICTIM:** Karlucia Krahô**PEOPLE:** KRAHÔ**INDIGENOUS TERRITORY:** KRAHÔ**MUNICIPALITY:** RECURSOLÂNDIA**PLACE OF OCCURRENCE:** Alto Lindo Settlement

DESCRIPTION: For unknown reasons the indigenous woman was killed by stabbing with a penknife.

MEANS USED: Knife*Source of information:* G1/TO, 20/7/2015**26/12/2015****VICTIM:** Alex de Oliveira Apinajé**PEOPLE:** APINAJÉ**INDIGENOUS TERRITORY:** APINAYÉ**MUNICIPALITY:** TOCANTINÓPOLIS**PLACE OF OCCURRENCE:** Olhos D'água Apinajé Village

DESCRIPTION: According to the police, after a quarrel the accused shot the adolescent indigenous victim in the head because he had broken the rear view mirror of his motorcycle. The adolescent was assisted by the indigenous people but died on the way to hospital.

MEANS USED: Firearm*Source of information:* Cimi Regional GO/TO; G1/TO, 27/12/2015

Attempted Murder

In 2015 Cimi registered 31 cases of attempted murder. The occurrences were registered in the states of Alagoas (1), Amazonas (2), Maranhão (7), Mato Grosso (3), Mato Grosso do Sul (12), Minas Gerais (1), Pará (1), Paraná (2), Rio Grande do Sul (1) and Santa Catarina (1).

In Mato Grosso do Sul we registered twelve assassination attempts and in addition various direct attacks on entire communities. The attempts occurred in the communities of Nhanderu Marangatu, in the municipality of Antônio João; in Guyra Kamby'i, in the municipality of Douradina; Potrero Guasu, in the municipality of Paranhos; Pyellito Kue, in the municipality of Iguatemi; Mbaracay, in the municipality of Douradina; Kurupi, in the municipality of Naviraí; Tey'l Jusu, in the municipality of Caarapó; Kurusu Ambá, in the municipality of Coronel Sapucaia; and Taquara, in the municipality of Juti.

The attacks on the communities were carried out by heavily armed men travelling in pickups with four doors and a cargo tray. In spite of the Indians' denunciations and appeals for protection, the security bodies, particularly

the Federal Police and the National Force refused to carry out surveillance of the areas in conflict. Funai staff felt themselves to be impotent in the face of those refusals to help. The Ministry of Justice was negligent at all times and in practice, that attitude legitimized the criminal actions of the farmers/ranchers and their hired thugs.

There was eventually an intervention on the part of State bodies in the municipality of Antônio João, but only after the assassination of Simeão Vilhalva when the climate of tension and violence was practically out of control. The government called in support from the Army which mounted an area of vigilance separating the indigenous area from the municipality of Antônio João.

Again in Mato Grosso do Sul, a Guarani Nhandeva community was the target of an attack with a hail of gunfire that left various people injured. Part of the community ran off to hide in the woodland. The indigenous camp that was attacked in an area that was once a farm amounted to just 6.5% of the total area declared by the Ministry of Justice as being indigenous land as far back as the year 2000.

Arquivo Cimi



A large quantity of cartridges, firearms and rubber bullet shells was found in the Guyra Kamby'i community after an attack by farmers/ranchers and their gunmen during the early hours before dawn

In 2015 the state of Maranhão was outstanding in regard to the number of attempted murders; 30 people suffered such aggressions, especially in association to the fight against the illegal exploitation of wood in indigenous lands. In that state the loggers took the extremely shocking attitude of setting fire to the forests located inside indigenous areas to instill fear in the communities and ensure that they would not react to the criminal offensive directed at felling trees and hauling out the wood. Worse than that was the Federal Government's omission in regard to the aggressions launched against the indigenous peoples. It took a long time to do anything to curb the devastation of nature. The criminally set fires devoured 200 thousand hectares of forest all within the limits of the traditional indigenous territories.

In the Indigenous land of Alto Tarauacá, one of the more combative leaders of the Ka'apor people suffered an assassination attempt when he was visiting one of the

eight areas of protection created to impede the action of the loggers. This man was pursued by two men on a motorcycle who fired shots at him. In October, Indigenous Forest Guards of the Alto Turiaçu indigenous area, also in Maranhão, seized seven invaders and set fire to two motorcycles and a truck that was used to haul out logs. In reprisal, more than twenty armed loggers invaded the indigenous territory shooting at peoples' backs and then got away and barred the entrance to the village. The following day they came back again attacking the men and expelling women and children.

In Rio Grande do Sul an attempt was made on the lives of leaders of the Kaingang people and two men fired shots at them when they were travelling by car in the direction of the indigenous community. The deputy cacique was hit in the backbone. The Indians are sure the attacks are part of the fight for possession of the land.

ATTEMPTED MURDER

31 Cases

Alagoas – 1 Case

4/2/2015

VICTIM: José Romilson Wanderley dos Santos

PEOPLE: XUKURU-KARIRI

INDIGENOUS TERRITORY: XUKURU-KARIRI

MUNICIPALITY: PALMEIRA DOS ÍNDIOS

PLACE OF OCCURRENCE: In a city square

DESCRIPTION: People fund the indigenous victim wounded and took him to the Agreste Emergency Unit in Arapiraca.

MEANS USED: Firearm

Source of information: Alagoas 24 Horas, 5/2/2015

Amazonas – 2 Cases

29/6/2015

VICTIM: Adeilson de Catro Pinheiro

PEOPLE: MURA

INDIGENOUS TERRITORY: MURUTINGA

MUNICIPALITY: AUTAZES

PLACE OF OCCURRENCE: Murutinga Tracajá Indigenous community

DESCRIPTION: The victim was working when a policeman and two municipal guards got off two motorcycles and asked him to come to the police station where there was an invader of indigenous land complaining that the victim was planting vegetables in an area that was his property. According to the community, the area had been donated to enable the victim to expand his market garden. The policeman forced the indigenous victim to sign an agreement. He entered the area in question to wait for the cacique who was bringing a document to prove that the area was indigenous. There was a scuffle and the policemen pulled out his gun and tried to shoot the victim and then attempted to handcuff him. After a heated discussion the community managed to take the gun away from the policeman and that brought more problems for the residents.

MEANS USED: Firearm

Source of information: Cimi Regional Norte I

1/1/2015

VICTIM: Ailton Cruz de Souza

PEOPLE: MURA

INDIGENOUS TERRITORY: IGARAPÉ AÇU

MUNICIPALITY: AUTAZES

PLACE OF OCCURRENCE: Igarapé Açu Village

DESCRIPTION: The victim was stabbed in the abdomen. The aggressor was under the influence of alcohol. The consumption of alcoholic beverages has been a constant problem in the community and sale of them continues even though it is prohibited by law and the majority of the residents combats it.

MEANS USED: Knife

Source of information: Cimi Regional Norte I; Angelo Moreira Tavares, 10/9/2015

Maranhão – 7 Cases

2015

VICTIM: Gael Krepunkateje

PEOPLE: KANELA

INDIGENOUS TERRITORY: GERALDA/TOCO PRETO

MUNICIPALITY: ITAIPAVA DO GRAJAU

PLACE OF OCCURRENCE: Itaipava do Grajáú

DESCRIPTION: The victim was at a party when his brother got involved in a fight with a non-Indian. When Gael tried to separate the two the non-Indian drew a gun and shot Gael twice.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão – Imperatriz Team

MARCH

VICTIM: Community

PEOPLE: AWÁ

INDIGENOUS TERRITORY: CARU

MUNICIPALITY: BOM JARDIM

PLACE OF OCCURRENCE: Forest where the Awá live

DESCRIPTION: Awá families went into the forest and were approached by a group of illegal hunters who had set up a camp near to the area the Awá usually hunt in. The hunters fired shots at

the indigenous people who went back to the village in fear. At the hunters' campsite, the people had noticed that there were animal hides and a large area planted with marijuana.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão; Indigenous Community

5/4/2015

VICTIM: José Olímpio de Souza Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: CANA BRAVA/GUAJAJARA

MUNICIPALITY: BARRA DO CORDA

PLACE OF OCCURRENCE: Ribeiro Village

DESCRIPTION: The attempted homicide took place at a party that was being held in the village. Nobody knows the motive and in the same incident another indigenous individual was assassinated.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão; Pastoral Indigenista de Grajaú

26/4/2015

VICTIM: Janalinha Nazaré Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: ARARIBÓIA

MUNICIPALITY: AMARANTE

PLACE OF OCCURRENCE: Amarante

DESCRIPTION: The victim was shot and taken to hospital in a serious condition. There is no information about the author of the crime or the motive.

MEANS USED: Firearm

Source of information: Difusora; Jornal Pequeno, 27/4/2015

16/7/2015

VICTIM: I.J. Ka'apor

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TARAUACÁ

MUNICIPALITY: ZÉ DOCA

PLACE OF OCCURRENCE: Ypahurenda Village

DESCRIPTION: The victim is one of the most combative leaders in defense of the land and suffered the attempted murder when he was visiting one of the eight areas created to protect against the actions of illegal loggers. He was alone on his motorcycle when he noticed that two men were following him, also on a motorcycle. They stopped near to a settlement and fired shots at him from a distance. The indigenous victim was not hit.

MEANS USED: Firearm

Source of information: Communication Advisory Body - Cimi, 22/7/2015

OUTUBRO

VICTIM: Indigenous Forest Guards

PEOPLE: AWÁ-GUAJÁ

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: The indigenous territory was affected by fires and during the work of clearing the tracks and mapping those areas a group of Agroforestry Guards came across trucks, and armed individuals with chain saws sawing wood inside the territory. When they became aware of the presence of the indigenous group the invaders started shooting at them. The group took refuge in the forest and one non-indigenous member of the invading group died in the conflict. After that incident the loggers in the region began inciting sawmill workers, traders and relatives of people that extract wood illegally from the areas to invade the villages.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão; Indigenous community

19/12/2015

VICTIM: Indigenous Forest Guards

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: After managing to control the fire that devastated a great portion of their territory the indigenous people came across loggers taking out logs illegally along one of the trails that had already been closed to avoid that. The Ka'apor also discovered that the loggers had built a bridge over the Turi River to facilitate their illegal activity. The Indians seized seven individuals to hand over to the Ibama and set fire to a truck and two motorcycles that participated in the operation of stealing logs. When they heard about that, more than 20 armed loggers and sawmill owners invaded the indigenous lands and held everyone up at gunpoint. They fired off shots and then got away. As a result some people were shot and others disappeared. On the same day, the invaders closed the main entrance to the village. The next day they invaded the village again beating the men and chasing out the women and children.

MEANS USED: Firearm

Source of information: Cimi Regional Maranhão

Minas Gerais – 1 Case

25/10/2015

VICTIM: Woman

PEOPLE: MAXAKALI

INDIGENOUS TERRITORY: MAXAKALI

MUNICIPALITY: LADAINHA

PLACE OF OCCURRENCE: Verde Maxakali Village

DESCRIPTION: The victim was hit on the head with a piece of wood and taken to hospital with cranial trauma. The reason for the aggression is not certain. However, in spite of the fact that it is prohibited by law, the sale of alcoholic beverages is common in the village and it has led to much internal violence. The aggressor was seized by the villagers and later taken to the police station where he was charged.

MEANS USED: Beating up

Source of information: G1/Vales de Minas Gerais, 26/10/2015

Mato Grosso do Sul – 12 Cases

25/1/2015

VICTIM: Eliezer Cabreira de Souza

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Jaguapiru Village

DESCRIPTION: The victim was riding his motorcycle along a rural access road heading towards Jaguapiru village. When he stopped to talk to a youth at the side of the road, the youth stuck a knife into the right side of his chest. The indigenous victim was very seriously injured.

MEANS USED: Knife

Source of information: Thatiana Melo, 25/1/2015

31/1/2015

VICTIMS: Eliza and Abel

INDIGENOUS TERRITORY: CERRITO

MUNICIPALITY: ELDORADO

DESCRIPTION: During a fight the aggressor fired shots at his wife and later chopped his neighbor with a machete.

MEANS USED: Firearm

Source of information: Campo Grande News, 31/1/2015

7/4/2015

VICTIM: Valdinei L.

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: The husband and wife were drunk. The man attacked the woman and in self-defense she severely wounded him.

MEANS USED: Knife

Source of information: Aquidauana News, 8/4/2015

29/5/2015

VICTIM: Man

PEOPLE: TERENA

INDIGENOUS TERRITORY: MÃE TERRA

MUNICIPALITY: MIRANDA

DESCRIPTION: The indigenous community was conducting a protest in front of the police station and the supermarket when a shot was fired and although the victim cannot confirm it, the Indians say it was a ranch owner.

MEANS USED: Firearm

Source of information: Campo Grande News, 30/5/2015

29/5/2015

VICTIM: Jolinel Leôncio Terena, Josimar Terena, Lindomar Terena and the community

PEOPLE: TERENA

INDIGENOUS TERRITORY: CACHOEIRINHA

MUNICIPALITY: MIRANDA

PLACE OF OCCURRENCE: Indigenous Land

DESCRIPTION: The victim, his brother and some other indigenous people were working in a field within the limits of the indigenous territory and nearby their village alongside the MS-488 state highway that links the community to the municipal capital when they were surprised by shots fired by individuals in a pickup. The victim was shot in the side and taken to hospital. The survivors identified the vehicle as belonging to a farmer/rancher in the region who has already been denounced dozens of times by the Terena Council of Leaders for threatening to kill Lindomar Terena and for intimidating the Terena people. Even so, no steps have been taken by the authorities. Around 120 indigenous people went in a body to Miranda to demand that the police should register the occurrence as the law requires. It is a standard procedure but the Police Officer in charge was reluctant to carry it out. Other authorities got in touch with the Officer to know why he had refused to register the occurrence. The indigenous people believe that the real target of the attack was Lindomar Terena who was nearby at the time of the attack and because he is constantly being threatened with death.

MEANS USED: Firearm

Source of information: Cimi Regional Mato Grosso do Sul

19/6/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Aldeia Bororó

DESCRIPTION: Members of the National Security Force, accompanied by indigenous leaders arrested the accused for the attempted murder of a 15 year old youth who was stabbed with a knife.

MEANS USED: Knife

Source of information: Itaporã News, 22/6/2015

10/8/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Jaguapiru Village

DESCRIPTION: According to the police registration of the occurrence, during a quarrel for unknown reasons a 17year-old adolescent stabbed another minor, a girl, three times, once in the back, once in the arm and once in the abdomen. She was taken to the Hospital das Missões and is not in danger of dying.

MEANS USED: Knife

Source of information: Diário Digital, 14/8/2015

3/9/2015

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: GUYRA KAMBY'I

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: BR 163 Federal Highway near to the district of Bacajá

DESCRIPTION: Ranchers and gunmen carried out a violent attack on the community during the night and fired off various shots. The community scattered and hid in the woods. The ranchers had rallied the night before to get ready for the attack in flagrant disregard of the agreement they had made with the Military Police Force, Funai and the Indigenous people.

MEANS USED: Firearm

Source of information: Midiamax, 3/9/2015

18/9/2015

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: PYELLITO KUE

MUNICIPALITY: IGUAATEMI

PLACE OF OCCURRENCE: Near to the Main Buildings of the Maringá farm

DESCRIPTION: According to the indigenous leader, gunmen attacked the community a few hours after hired thugs had advised them that "they would all be killed". Rubber bullets were used in the attack classified as being of restricted use, as well as standard firearm ammunition. Among the wounded were a healer and a pregnant woman..

MEANS USED: Firearm

Source of information: Communication Advisory Body - Cimi, 18/9/2015

19/9/2015

VICTIM: Community

PEOPLE: GUARANI NHADEVA

INDIGENOUS TERRITORY: POTRERO GUASU

MUNICIPALITY: PARANHOS

PLACE OF OCCURRENCE: Potrero Guaçu Tekoha

DESCRIPTION: The indigenous community was the target of a gunfire attack that left various people wounded. Part of the community ran off to hide in the woods. The area of the camp that was attacked is on what was once a ranch and occupies only 6.5% of the total number of hectares that the Ministry of Justice declared to be indigenous land in the year 2000. Part of the community refuses to leave the area. Gunmen

and hired thugs surrounded the area and prevented the Indians from getting their wounded to hospital. One Indian was shot in the thigh, the cacique was shot in the left leg and another leader, in the arm.

MEANS USED: Firearm

Source of information: Communication Advisory Body - Cimi, 19/9/2015

16/10/2015

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: IGUATEMIPEGUÁ I

MUNICIPALITY: IGUATEMI

PLACE OF OCCURRENCE: Mbaracay Community

DESCRIPTION: The community is mostly made up of old people and occupies a small patch of land, at the most two hectares, of what was their traditional territory because they were without access to the forest, potable water and game to hunt. The area is subject to flooding and is not used for any kind of agricultural production. First of all the members of the groups were identified by the police. Later they were attacked by a cowardly armed group that raked them with gunfire. After they surrendered they were subject to long sessions of torture and some had their ankles crushed. They were all obliged to make the long trek out of the occupied area on foot.

MEANS USED: threats; physical aggression; torture; illegal detention

Source of information: Cimi – National Secretariat and Regional Mato Grosso do Sul

DECEMBER

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: TEY'I JUSU

MUNICIPALITY: CAARAPÓ

PLACE OF OCCURRENCE: Camp located near to the municipal capital

DESCRIPTION: This community has a long history of being the target of violations and attacks. This time the residents were submitted to chemical attacks launched from tractors and aircrafts. Poison was sprayed on the river, the community's only source of water, on their plantation, their only source of food and directly on to the residents' homes. Many children showed symptoms of contamination and were taken to the primary health care post. Some of the attacks were announced beforehand. Even though the Indians denounced them to the authorities and appealed for support, the attacks took place at the time the ranchers had announced without any steps whatever being taken by the appropriate State bodies. In at least three of the attacks, armed thugs circled the community to prevent the families from taking shelter elsewhere.

MEANS USED: Threats to life

Source of information: mst.org.br - janeiro/2016

Mato Grosso – 3 Cases

24/10/2015

VICTIM: Daliameali Enawenê-Nawê

PEOPLE: ENAWENÊ-NAWÊ

INDIGENOUS TERRITORY: ENAWENÊ-NAWÊ

MUNICIPALITY: BRASNORTE

PLACE OF OCCURRENCE: Brasnorte

DESCRIPTION: The indigenous victim was shot in the chest and taken to hospital after a violent action by truck drivers and ranchers in Brasnorte. The indigenous group was on its way to the town of Juína where essential services such as health and territorial services are available to the indigenous people of the region. On the way the Enawenê were attacked by truck drivers and ranchers who were blocking the MT-1to



Even the Ibama firefighters were caught up in an ambush prepared by loggers in Maranhão: the fires are associated to other crimes such as the invasion of indigenous lands, illegal extraction of wood and various forms of violence

State Highway in a protest against the Indians themselves. On the day of the attempted killing, the Enawenê-Nawê had been charging a toll on the road to raise funds for improving the road that leads to their village, improvements that they have been requesting for more than a year. According to the group the toll was also a way of calling society's attention to the neglect of the public authorities.

MEANS USED: Firearm

Source of information: Communication Advisory Body - Cimi, 25/10/2015

NOVEMBER

VICTIM: Daliameal Enawenê-Nawê

PEOPLE: ENAWENÊ-NAWÊ

INDIGENOUS TERRITORY: ENAWENÊ-NAWÊ

MUNICIPALITY: BRASNORTE

DESCRIPTION: The indigenous victim suffered retaliation for having gone through the barrier set up by truck drivers.

MEANS USED: Physical and verbal aggression

Source of information: Indigenous people who were there.

4/12/2015

VICTIMS: Children

PEOPLE: BORORO

INDIGENOUS TERRITORY: JARUDORI

MUNICIPALITY: POXORÉU

PLACE OF OCCURRENCE: Gateway to the Indigenous Village

DESCRIPTION: an attempted poisoning that occurred at the place where the children wait for the school bus in the indigenous area was denounced at a meeting between Funai and the Office of the Federal Public Prosecutor (MPF) in the State of Mato Grosso. Funai investigated and discovered that poisoned fish had been left by an unidentified individual near to the gateway to the village. The MPF investigation discovered that none of the children had consumed the fish but five dogs in the village and some wild animals had died of suspected poisoning. The MPF called in the police to investigate the facts.

MEANS USED: Threats to life

Source of information: MPF/MT, 5/12/2015

Pará – 1 Case

2015

VICTIM: Juarez Saw, his wife, Diogo Saw and Leonildo Saw

PEOPLE: MUNDURUKU

INDIGENOUS TERRITORY: DAJE KAPAP EIP

MUNICIPALITY: TRAIRÃO

PLACE OF OCCURRENCE: Porto Buburé

DESCRIPTION: The cacique had managed to obtain enough fuel to finalize the self-demarcation of the indigenous land. As usual, whenever they were in the town the cacique and his family left the fuel in large plastic containers at the waterside in the port of Buburé while they were in Itaituba. When they came back to the port they loaded the containers with gasoline into their boat, filled the tank of the boat engine and set off. They had only gone about 200 yards when the boat engine stopped and fire broke out but they managed to control it. When they got back to the port and investigated, they found that a lot of salt had been introduced into the 50-liter containers. The salt not only caused the breakdown of the motor but it could have caused a great explosion and killed everyone on board.

MEANS USED: Ambush

Source of information: Cimi Regional Norte II ; Cacique Juarez Saw

Paraná – 2 Cases

4/10/2015

VICTIM: Man

PEOPLE: KAINGANG

MUNICIPALITY: CASCABEL

PLACE OF OCCURRENCE: Cascavel

DESCRIPTION: The victim was with some friends in a city square when he was violently attacked. A quick search soon caught the accused who admitted what he had done but refused to say why. That was the second time the victim had been the target of attempted murder.

MEANS USED: Physical aggression

Source of information: Redação Bem Paraná, 4/10/2015

26/12/2015

VICTIM: Carlos Luís

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: RIO DAS COBRAS

MUNICIPALITY: LARANJEIRAS DO SUL

PLACE OF OCCURRENCE: Alongside the PR-473 State Highway

DESCRIPTION: Two Indians were walking along the side of the PR-473 when a car approached and two men got out and stabbed them with knives. One of the victims died on the spot and the other, Carlos Luís, was taken to the hospital with many stab wounds.

MEANS USED: Knife

Source of information: Cimi Regional Sul – Guarapuava Team, 29/12/2015

Rio Grande do Sul – 1 Case

1/8/2015

VICTIMS: Isaías da Rosa Kaigõ and Deivid C. Kaigõ

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: RE KUJU

MUNICIPALITY: GENTIL

PLACE OF OCCURRENCE: Road junction on the BR-285 Federal Highway

DESCRIPTION: Indigenous leaders were ambushed when travelling by car towards the indigenous community village. They were shot at by two unidentified men the deputy was shot near to his backbone and after first-aid had been given he was taken to hospital. The incident is associated to the fight for the land.

MEANS USED: Firearm

Source of information: Cimi Regional Sul (South); Conselho de Missão Entre Índios, 3/8/2015

Santa Catarina – 1 Case

31/7/2015

VICTIM: Adolescent

PEOPLE: KAINGANG

MUNICIPALITY: XANXERÊ

PLACE OF OCCURRENCE: Xanxerê

DESCRIPTION: An indigenous adolescent who suffers from mental problems was found severely injured but was unable to say what had happened. No suspects were identified. The victim was taken to the hospital and the city's criminal investigation department called in to handle the case.

MEANS USED: Knife

Source of information: G1/SC, 1/0/2015

Manslaughter

In 2015, Cimi registered 18 cases of manslaughter with 24 victims. In almost all of the cases the victims were run over by vehicles. In at least seven, the drivers got away without stopping to help the victims.

Occurrences were registered in the states of Maranhão (3), Mato Grosso do Sul (5), Minas Gerais (1), Pará (1), Paraná (2), Rio Grande do Sul (3) and Santa Catarina (3).

Cases of indigenous people being run over are recurrent in Mato Grosso do Sul, so much so that the Council of the Aty Guasu Grand Assembly suspects that many of them are not accidents but premeditated attempts.

In Santa Catarina, for the second consecutive year there were cases of running over of indigenous individuals from Mato Grosso do Sul who had gone to Santa Catarina to work in the in harvest.

Such cases are also recurrent in Paraná. In the states of Paraná and Mato Grosso do Sul there are intense campaigns against indigenous peoples especially in regions where land is being disputed. In Paraná, four indigenous individuals died after being run over by a driver who had no driving license and was drunk at the time. According to the Federal Highway Police, the driver had spent the early hours in a night club. On the road he lost control of the vehicle at a bend and hit the group of five who were walking along the hard shoulder of the road on the other side. Three of them died on the spot, a fourth received attention but was badly wounded and died later. The fifth person got off with slight injuries.

In Rio Grande do Sul, four adolescents of the Kaingang people were the fatal victims of a truck wheel which came off and hit them while they were waiting in a bus shelter in front of their village for the school bus to arrive. The village is at the side of the BR-386 Federal Highway in the municipality of Estrela. A similar incident occurred in March 2014 on the same highway and in front of the same village, but on the opposite side of the road. A child

Roberto Liebgott



in its mother's lap was hit by a wheel that broke off from a passing vehicle.

The death of four indigenous adolescents, three of whom were siblings, underscored the lack of assistance policies for the villages, especially those that are located near to highways. Infrastructure and housing conditions, basic sanitation, schools, health clinics, are all highly precarious. The deaths also call attention to the omission of the authorities in effectuating the demarcation of indigenous lands and ensuring effective access to traditional territories. In the case of the four adolescents, they were obliged to wait for the school bus at the edge of the highway because the municipal authority of Estrela had ordered the school bus driver not to drive into the village which is 200 meters back from the road. After the accident, the steps were taken that the community had been requesting for decades, namely, the installation of a speed-reducing device in the stretch of highway in front of the village and a school for the indigenous children in the village itself.

MANSLAUGHTER

18 Cases

Maranhão – 3 Cases

MAY

VICTIM: Zezinho Mangabeira Miranda Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: CANA BRAVA/GUAJAJARA

MUNICIPALITY: BARRA DO CORDA

PLACE OF OCCURRENCE: Between the villages of Bueira and Sapucaia

DESCRIPTION: The victim was riding his motorcycle on the way to the city when he was run over by a car driven by a minor who got away.

MEANS USED: Running over

Source of information: Cimi Regional Maranhão; Pastoral Indigenista de Grajaú

9/5/2015

VICTIM: Man

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: BACURIZINHO

MUNICIPALITY: GRAJAÚ

PLACE OF OCCURRENCE: A stretch of the BR-226 Federal Highway

DESCRIPTION: An indigenous individual the police were unable to identify was run over and died on the spot. According to the Office of the Federal Public Prosecutor, there is no information about the circumstances of the accident and the author has not been identified.

MEANS USED: Running over

Source of information: O Estado do Maranhão, 11/5/2015

14/10/2015**VICTIM:** Zezinho Militão Guajajara and Jonilson Militão Isac Guajajara**PEOPLE:** GUAJAJARA**INDIGENOUS TERRITORY:** BACURIZINHO**MUNICIPALITY:** GRAJAU**PLACE OF OCCURRENCE:** Coquinho village - km 355 of the BR-226 Federal Highway**DESCRIPTION:** Father and son on a motorcycle ran into the back of a tanker truck and were fatally injured. The truck driver who worked for a company that was paving the road ran away. The father, known as Zezinho Militão, was 29 years old and his son was just 6. The road runs through the indigenous lands and after the accident the Guajajara blocked the highway for eight hours.**MEANS USED:** Accident*Source of information:* *Jornal Pequeno*, 15/10/2015

Mato Grosso do Sul – 5 Cases

8/2/2015**VICTIM:** Denilton Gonçalves Fernandes**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADINA**PLACE OF OCCURRENCE:** Aldeia Douradina**DESCRIPTION:** Denilton Gonçalves was run over and died. The police are investigating the case because the truck driver from Dourados who ran over him alleges that the indigenous victim was lying down in the middle of the road.**MEANS USED:** Running over*Source of information:* *Dourados News*, 8/2/2015**2/4/2015****VICTIM:** Adolescent**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF OCCURRENCE:** MS-374 State Highway, between Dourados and Laguna Carapã**DESCRIPTION:** The 14 year-old indigenous victim was a resident of the Dourados Indigenous Reserve and was riding a bicycle when he was hit by a car. At the place of the accident the number plate of the vehicle was found and consequently the owner of the vehicle, a pickup, was identified. The 28 year old driver was on his way to a party on the rural property of friends and failed to stop and assist the victim. He presented himself at the Dourados police station on the following day and is awaiting the hearing of the case in liberty.**MEANS USED:** Running over*Source of information:* *O Progresso*, 6/4/2015**4/7/2015****VICTIM:** MAN**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF OCCURRENCE:** beside the BR-463 Federal Highway**DESCRIPTION:** The 76 year-old indigenous man was run over and died. The old man was on his way to a camp at the side of the BR-463 Federal Highway. The cause of the accident is not clear but it is suspected that he was not paying attention when he started to cross the road and was hit by the vehicle. According to the police, however, the vehicle was not in a fit state to be on the road and the driver has been

charged with manslaughter.

MEANS USED: Running over*Source of information:* *Campo Grande News*, 4/7/2015**22/9/2015****VICTIM:** Miguel Brites**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** CAMPO GRANDE**PLACE OF OCCURRENCE:** MS-156 State Highway, 233 km from Campo Grande**DESCRIPTION:** The indigenous victim was run over and killed by an articulated truck when he was trying to cross the road in a rural area in Dourados. The highway runs along one side of the indigenous lands. Leaders of the Bororó village blocked a stretch of the ring road that cuts the northern part of the municipality calling for speed reducers to be installed. In 2014, three indigenous persons were run over on the same highway.**MEANS USED:** Running over*Source of information:* *Campo Grande News*, 23/9/2015**1/12/2015****VICTIM:** Man**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF OCCURRENCE:** Quilômetro 260 da BR-163**DESCRIPTION:** The indigenous victim died after being run over by two vehicles at the 260 km mark of the BR-163 Federal Highway. According to the Federal Highway Police, he was drunk and crossed the road without looking. First he was struck by a motorcycle. Immediately after that a car swerved to avoid him as was stretched out in the roadway and braked at the same time. It was then hit from behind by another car which also ran over the indigenous victim.**MEANS USED:** Running over*Source of information:* *G1/MS* 2/12/2015

Minas Gerais – 1 Case

27/1/2015**VICTIM:** Daldina Maxakali**PEOPLE:** MAXAKALI**INDIGENOUS TERRITORY:** MAXAKALI**MUNICIPALITY:** LADAINHA**PLACE OF OCCURRENCE:** Ladainha**DESCRIPTION:** The indigenous victim was knocked down by a person on a motorcycle who got away without stopping to give assistance. The Maxakali complain about the omission of the authorities in failing to investigate crimes and punish the guilty for the various acts of violence practiced against their people including murders, running people over and attempted murders.**MEANS USED:** Running over*Source of information:* *Brasil de Fato*, 9/3/2015; *Cimi Regional Leste (East)*

Pará – 1 Case

2015**VICTIM:** Miguel Carvalho**PEOPLE:** TEMBÉ**INDIGENOUS TERRITORY:** AREIAL**MUNICIPALITY:** SANTA MARIA DO PARÁ**PLACE OF OCCURRENCE:** Central area of the city

DESCRIPTION: A recklessly driven motorcycle crashed into the motorcycle of the victim who was accompanied by his 13 year-old son. The cacique was taken to the metropolitan hospital in Ananindeua, a center specialized in surgery for fractures, but succumbed to his injuries.

MEANS USED: Accident

Source of information: Tembê do Areal Indigenous Community; Funai; Cimi Regional Norte (North) II

Paraná – 2 Cases

2015

VICTIM: Cláudio Kafaj Ribeiro

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: RIO DAS COBRAS

MUNICIPALITY: NOVA LARANJEIRAS

PLACE OF OCCURRENCE: Hard shoulder of the BR-277 Federal Highway

DESCRIPTION: The indigenous victim was run over on the BR-277 Federal Highway in Nova Laranjeiras near to the roundabout that gives access to the Rio das Cobras village. According to the Office of the Federal Public Prosecutor, the person who ran him over did not stop to assist the victim but drove away.

MEANS USED: Running over

Source of information: Cimi Regional Sul – Guarapuava Team; Marechal News

30/8/2015

VICTIM: Claudemir Tohiri Mendes, José Katyg Luiz de Abreu, Marcelino Krese Félix and João Maria Matias

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: RIO DAS COBRAS

MUNICIPALITY: NOVA LARANJEIRAS

PLACE OF OCCURRENCE: BR-277

DESCRIPTION: Four indigenous persons were killed when a drunken driver with no driver's license ran over them. According to the Federal Highway Police, the driver had spent the early hours in a night club and when he was returning along the highway, he lost control of the car in a bend and hit a group of five indigenous people who were walking along the hard shoulder on the opposite side. Three of them died on the spot. One received assistance but was seriously wounded and died. The fifth victim got off with slight injuries.

MEANS USED: Running over

Source of information: Metrô, 31/0/2015; Cimi Regional Sul (South)

Rio Grande do Sul – 3 Cases

23/2/2015

VICTIM: Josué Amaral Amarilia

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: CARAZINHO

MUNICIPALITY: VACARIA

PLACE OF OCCURRENCE: BR-116 Federal Highway - Km 29 Ri Grande do Sul

DESCRIPTION: The indigenous victim was from Amambai, in Mato Grosso do Sul, and was working in the apple harvest of the other state. He was knocked down first by a car and then run over by a mini-bus and died.

MEANS USED: Running over

Source of information: Cimi Regional Sul

26/6/2015

VICTIM: Davi Tokjys Claudino Gria

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: CAMP

MUNICIPALITY: CARAZINHO

PLACE OF OCCURRENCE: BR-386 Federal Highway

DESCRIPTION: The indigenous victim lived in a camp alongside the BR-386 Federal Highway and died when he was run over while trying to cross the highway not far from the camp.

MEANS USED: Running over

Source of information: Cimi Regional Sul

19/10/2015

VICTIM: Three adolescents and a child

INDIGENOUS TERRITORY: ESTRELA DA PAZ

MUNICIPALITY: CARAZINHO

PLACE OF OCCURRENCE: BR-386 Federal Highway – Taquari Valley

DESCRIPTION: The four victims were at a bus stop alongside the BR-386 Federal Highway waiting for the school bus when they were hit by a wheel that broken off from a passing truck. Two of the indigenous adolescents and the child died on the spot and the fourth girl was seriously injured and died five days later. The driver of the truck did not stop to give assistance. The leader of the indigenous peoples in the region, Valdomiro Vergeueira, declared that he had requested several times that the school van should enter the village which is just 200 meters back from the road and that would have avoided other accidents at the side of the road. A police inquiry was set up and the driver was caught and charged with manslaughter.

MEANS USED: Running over

Source of information: Diário de Canoas, 19/10/2015; Cimi Regional Sul (south)

Santa Catarina – 3 Cases

2015

VICTIM: Pedro Timóteo

PEOPLE: GUARANI

INDIGENOUS TERRITORY: MORRO DOS CAVALOS

MUNICIPALITY: PALHOÇA

PLACE OF OCCURRENCE: BR-101 Federal Highway, km 227

DESCRIPTION: The indigenous victim was knocked down while trying to cross the BR-101 Federal Highway near the indigenous area.

MEANS USED: Running over

Source of information: Cimi Regional Sul (South)

6/2/2015

VICTIM: Man

PEOPLE: GUARANI and KAIOWÁ

MUNICIPALITY: FRAIBURGO

PLACE OF OCCURRENCE: Km 21 of the SC-355 State Highway

DESCRIPTION: The indigenous victim was from Paranhos, in Mato Grosso do Sul, and was working in the apple harvest in the orchards of Fraiburgo and Lebon Régis, in Santa Catarina. He was run over by a policewoman and died on the spot.

MEANS USED: Running over

Source of information: Cimi Regional Sul (South)

21/2/2015

VICTIM: Antonio Marcos Til

PEOPLE: GUARANI and KAIOWÁ

MUNICIPALITY: FRAIBURGO

PLACE OF OCCURRENCE: SC-452 State Highway

DESCRIPTION: The victim was hit by a vehicle and died on the spot. The driver got away without assisting the victim. The indigenous victim was working in the apple harvest.

MEANS USED: Running over

Source of information: Cimi Regional Sul (South)

Threats to Kill

In 2015 12 cases of indigenous people being threatened with death were registered in the states of do Amazonas (2), Ceará (1), Maranhão (6), Mato Grosso do Sul (1), Rondônia (1) and Santa Catarina (1).

Maranhão was the state with the highest number of such occurrence especially associated to the dissatisfaction of loggers and sawmill owners with the indigenous peoples' acts in defense of their territories. On one occasion an unidentified individual called the village telephone inquiring for the whereabouts of three individuals. The voice said that the loggers were angry and they were going to kill at least one the three at all costs. The voice added that with various men they were following the Ka'apor's vehicle in search of the three and that the police would not prevent them from killing the Indians. Again in Maranhão, an Indian of the Kanela people was threatened by a man who kept the pension benefit cards and the Family Allowance cards in under his control.

In Rondônia, indigenous people of the Karitiana group were threatened when they defended their land which is the object of a demarcation study. They were approached by invaders of their territory who threatened them saying that if indigenous people denounced the invaders "we will find out and we will know that it was you, the indigenous community that did it; and I will finish off all the people of the village".

In the state of Amazonas, the leader of the Murutinga village started to receive threats by telephone as soon as he began the struggle to re-possess the community's lands. His house was invaded by a military policeman who threatened to kill him. Again in the state of Amazonas, in the municipality of Manicoré, a Tenharim leader was threatened together with his wife and son. A person approached the family in the street and showed them an image the leader's face on a cell phone. He threatened them saying that the leader was marked for death and he, his wife and son would be slain and quartered.

In Santa Catarina, the threats are directed at the leader who defends the demarcation of the Indigenous Land Morro dos Cavalos. Ever since 2012 the woman cacique Kerexu Yxapyry has been receiving threats and this is the sixth registration of such acts against her. She reports that on several occasions unidentified individuals on motorcycles have invaded the indigenous area in the small hours after midnight to check the movements in her home. Her uncle was shouted at by youths vociferating threats against the woman leader. In October, a person fired off ten shots at a school and nearby houses. The accused shouted curses against the Guarani and promised to kill the cacique. Not satisfied he pointed his gun at some residents who had come out to see what was going on and fired at them. The community denounced all these occurrences to the authorities but no action whatever was taken to protect the community, the cacique or the other leaders.



Egon Heck

THREATS TO KILL

12 Cases

Amazonas – 2 Cases

2015

VICTIM: Luciclaudio Santos Duarte

PEOPLE: MURA

INDIGENOUS TERRITORY: MURUTINGA

MUNICIPALITY: AUTAZES

PLACE OF OCCURRENCE: Muritunga/Tracajá Community

DESCRIPTION: the indigenous victim has been threatened by phone calls from cell phones with restricted numbers ever since he took the lead in the bid to repossess the traditional lands. A corporal of the military police invaded his home and threatened his wife when he was searching for the indigenous leader.

MEANS USED: Abuse of authority

Source of information: Murutinga/Tracajá village 10/7/2015; Cimi Regional Norte (North) 1, October/2015

MAY/2015

VICTIM: Marcos Tenharim, Wife and Son

INDIGENOUS TERRITORY: TENHARIM MARMELOS

MUNICIPALITY: MANICORÉ

PLACE OF OCCURRENCE: Nearby the hotel where they were staying

DESCRIPTION: The victims were threatened when they went to appeal for improvements in the indigenous school education in their people's communities. A person pointed to the victim saying "You are a leader of your people marked for death. Look at your photo here (showing it on a cell phone). Those two must be your wife and son. You will all be killed and quartered". The couple and their child ran back to the hotel for protection. The aggressor and another four individuals prowled around the hotel for two days trying to locate the victims

MEANS USED: Verbal threats

Source of information: Cimi Regional Rondônia

Ceará 1 Case

4/3/2015

VICTIM: Neto Potiguara and Cieudo Potiguara

INDIGENOUS TERRITORY: LAGOA DOS NERIS

MUNICIPALITY: NOVO ORIENTE

DESCRIPTION: The indigenous persons were warned not to step on the occupied land and the aggressor threatened them by saying that he had already tried three times to kill one of them but he had not succeeded yet.

MEANS USED: Threat to kill

Source of information: Cimi Regional Nordeste (Northeast) – Ceará Team

Maranhão 6 Cases

2015

VICTIM: Community

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: CENTRO DO GUILHERME

DESCRIPTION: At a meeting attended by representatives of the

Office of the Federal Public Prosecutor in the State of Maranhão, of various indigenous villages, of the Human Rights Committee of the Brazilian Bar Association, of the State Public Security Department and of the State Department of Education, the indigenous representatives told how they were suffering in the hands of loggers who invaded their lands creating a situation of total insecurity. They reminded those present of the death of Eusébio assassinated by the invaders who were angry at being hampered by the constant surveillance of the Indians against the illegal exploitation of wood in their lands.

MEANS USED: Invasion

Source of information: Communication Advisory Body of the Office of the Federal Public Prosecutor in the State of Maranhão, 9/10/2015

2015

VICTIM: Hernandes Krikati

PEOPLE: KRIKATI

INDIGENOUS TERRITORY: KRIKATI

MUNICIPALITY: LAJEADO NOVO

PLACE OF OCCURRENCE: Santa Maria Settlement

DESCRIPTION: The brother of a rancher threatened the indigenous victim and told him he did not like Indians and that if he did not go away he would be killed.

MEANS USED: Threat to kill

Source of information: Cimi Regional Maranhão – Imperatriz Team

2015

VICTIM: José Lino Canela

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Escalvado

DESCRIPTION: The indigenous person was threatened by a non-Indian who had all the benefit cards of the indigenous pensioners and Family Allowance cards (Bolsa Família program) in his possession.

MEANS USED: Threat to kill

Source of information: Cimi Regional Maranhão – Imperatriz Team

2015

VICTIM: Men

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

PLACE OF OCCURRENCE: The road that connects the municipal capital of Araguañã to the Betel settlement

DESCRIPTION: Armed men approached the Indians who were on a motorcycle. The aggressors identified themselves as sawmill operators working inside the indigenous lands. They threatened the victims by saying that if the Indians denounced their activities, they would invade and shoot up the village and kill all the Indians. Aggression against the indigenous lands has intensified and the indigenous peoples feel themselves to be increasingly penned in.

MEANS USED: Threat to kill

Source of information: Cimi Regional Maranhão; Ka'apor people

29/5/2015**VICTIM:** Itahu Ka'apor**PEOPLE:** KA'APOR**INDIGENOUS TERRITORY:** ALTO TURIAÇU**MUNICIPALITY:** ZÉ DOCA**PLACE OF OCCURRENCE:** Access road to the Ximborenda village

DESCRIPTION: The indigenous victim was surrounded by a car and a pickup on the road that leads to the village. One of the drivers shot at him and he was followed by the two cars for a distance of one km. Part of the road was blocked and that prevented the cars from following him any farther.

MEANS USED: Firearms*Source of information: Cimi Regional Maranhão; Indigenous Community***22/8/2015****VICTIM:** Samuel (son of Euzébio Ka'apor), Itahu and José**PEOPLE:** KA'APOR**INDIGENOUS TERRITORY:** ALTO TURIAÇU**MUNICIPALITY:** ZÉ DOCA**PLACE OF OCCURRENCE:** Xiborendá Village

DESCRIPTION: Um identified person called the community telephone inquiring for three indigenous persons. He warned that the loggers were angry and one of them was going to kill one of three whatever happened. He said that when he had shot before, it had been to kill Euzébio's son Samuel. He added that the loggers had several cars trailing the Ka'apor to find those persons and that the police were not going to stop them from killing the Indians because they, the loggers, were stronger [than the police]. Since then the community has reported the increased presence of gunmen at the entrance to the village and the threat that they, the loggers and gunmen, would only leave the region after they had killed the Indians they were threatening.

MEANS USED: Threat to Kill*Source of information: Cimi Regional Maranhão; Ka'apor tarupi Ka'apor Association*

Mato Grosso do Sul – 1 Case

2015**VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** KURUPY**MUNICIPALITY:** NAVIRAÍ**PLACE OF OCCURRENCE:** Camp beside the BR-163 Federal Highway

DESCRIPTION: The community is constantly under attack. There have been abductions, torturing and armed attacks. The security forces do nothing to stop the violence which they know is being unleashed against indigenous families. The attacks have been reported to the Office of the Federal Public Prosecutor in Dourados.

MEANS USED: Physical aggression; intimidation*Source of information: Cimi Regional Mato Grosso do Sul; Aty Guasu*

Rondônia – 1 Case

SEPTEMBER**VICTIM:** Community**PEOPLE:** KARITIANA**INDIGENOUS TERRITORY:** KARITIANA**MUNICIPALITY:** CANDEIAS DO JAMARI**PLACE OF OCCURRENCE:** Byjyty Osop aky Village, Candeia River

DESCRIPTION: Indigenous people walking along the old rural access road found a trail opened up in the forest and well-trodden that loggers were using to enter the forest and haul out logs on the right side of a ranch. There was wood ready to be transported and a truck loaded with logs was carrying them out. The community set up a group to investigate the fact. The rancher and the loggers who are devastating the land which is the object of a demarcation approached the cacique and other leaders to talk about the extraction of the wood. When they were questioned as to whether they knew that the demarcation process meant that it was illegal to take the wood, the men threatened the cacique directly and all the community leaders saying that if they were to denounce them "we will find out and we will know that it was you, the indigenous community that did it; and I will finish off all the people of the village... I don't know why you villagers are still in this place, you have already lost the land".

MEANS USED: Threat to kill*Source of information: Cimi Regional Rondônia*

Santa Catarina – 1 Case

2015**VICTIM:** Kerexu Yxapyry**PEOPLE:** GUARANI**INDIGENOUS TERRITORY:** MORRO DOS CAVALOS**MUNICIPALITY:** PALHOÇA

DESCRIPTION: Since the beginning of 2015 and for the sixth time the threats of death and persecution to the woman who was cacique at the time were taken up again with great intensity because of her attitude in the struggle for the regularization of the indigenous lands. That situation has been going on since 2012. According to the indigenous leader, unidentified individuals were constantly invading the indigenous lands and monitoring the movements around her house. On motorbikes they were patrolling during the small hours after midnight. Her uncle was approached by seven youths who passed on a message full of threats against the cacique. As on previous occasions, the threats came after defamatory attacks in the Santa Catarina press designed to stir up the local populations against the Indians. On the 19th of October a person fired ten shots at the school and nearby houses. The accused shouted out curses against the Guarani and promised to kill the cacique. Still not satisfied he pointed his gun at some residents who had come out to see what was going on and fired at them. The attacks are becoming more frequent. The Indians have requested the presence of the Uniformed Police, but the police patrols were suspended at the end of August.

MEANS USED: Threat to kill*Source of information: Cimi Regional Sul (South), 1/6/2015*

Various Types of Threat

In 2015 we registered 25 cases of a variety of different threats. There was 1 Case in Acre, against a community of the Kulina people; in the state of Amazonas 5 Cases, with dozens of victims were registered; in Bahia, 1 Case; in Maranhão, 11 Cases; in Mato Grosso, 1 Case of threats from invaders directed at the Kanela community; in Mato Grosso do Sul we registered 1 Case of threats to the Kurusu Ambá community; in Pará we registered 1 Case of threats directed at the Mundurucu cacique but that extended to include the entire community engaged in the struggle for the land; in Rondônia there are 2 Cases on record of threats against the Porubora and the Kaxarari; there is a record of one case in São Paulo of a Terena worker who was working as an orange picker on a farm in São Paulo but had his labor rights denied; in Rio Grande do Sul, indigenous workers of the Terena people who were recruited in Mato Grosso do Sul to harvest apples in the Vacaria region denounced the fact that they were being threatened by the proprietor of Agropecuária SQIL because they complained about the working conditions, the accommodation, the food and

the failure to comply with the work contracts agreed to.

Maranhão is the state with the highest number of cases in this category of various threats and almost all of them are associated to the retention of social benefit cards by shopkeepers and traders. According to indigenous leaders, shopkeepers in different municipalities sell to indigenous people on credit but they retain their benefit cards and on the day the benefit is paid out they accompany the indigenous beneficiaries to withdraw the amounts. Almost always, however the indigenous people are left owing some amount to the trader. The difference this year has been that the civil police of Maranhão made some investigations and one such trader was actually arrested with hundreds of such social benefit cards in his possession including pension withdrawal cards and Family Allowance cards. Because of that action traders in various municipalities that have been indulging in this criminal practice to extort money from the Indians have started to threaten the families, telling them that they can no longer withdraw the money from the banks or buy anything in the shops.

Ruy Sposati



In the municipality of Zé Doca, also in Maranhão, military police approached Ka'apor leaders in the highways and in the municipalities to intimidate those that fight against the illegal exploitation of wood in indigenous lands. The leaders feel that they are under constant pressure and surveillance on the part of the police who by rights should be curbing the criminal practices of the loggers and not the activities of those that are performing the role of inspectors and protectors of the land and its resources.

Other outstanding denunciations were that indigenous people were working in slave-like conditions. In Rio Grande do Sul indigenous workers belonging to various different peoples were recruited to work in orchards to harvest apples in Vacaria and São Francisco. More than 300 workers were submitted to degrading working conditions, precarious accommodation and lack of medical care in addition to the fact that their work contracts were not respected. Terena workers denounced the fact that they were facing such situations in the orchards of the SQL

Company and because of that they suffered retaliations and threats. The same company had already been reported for failing to respect labor rights and the precarious working conditions. The Public Prosecutor of the Labor Courts conducted an investigation to verify the denunciation made by the Terena. In São Paulo, indigenous workers of the same Terena people have denounced that their labor rights were not respected after their work in the orange harvest was finalized.

There are also reports of the retention of benefit cards in the state of Amazonas and Acre. In the state of Amazonas the Federal Police carried out an operation to break up a mafia of traders that were retaining indigenous families' Family Allowance cards. Around twenty federal agents collected cards that were in the possession of nine shopkeepers in Atalaia do Norte. They also seized notebooks with sales accounts, lists of pin codes and notes of debts of individuals as well as bank statements and withdrawal slips.

VARIOUS THREATS

25 Cases

Acre – 1 Case

26/10/2015

VICTIM: Community

PEOPLE: KULINA

INDIGENOUS TERRITORY: KAMPA AND ISOLATED GROUPS IN THE ENVIRA RIVER REGION

MUNICIPALITY: FEIJÓ

DESCRIPTION: Most of the shopkeepers in the town have unlawfully taken possession of the benefit cards of indigenous people. They take advantage of the indigenous people's difficulty in the matter and withdraw their money giving them only a few goods in exchange. There are cases where they give nothing at all alleging that the indigenous person owes more than the benefit value. Also, they take loans in the name of the card holder.

MEANS USED: Retention of cards and passwords

Source of information: Cimi Regional Western Amazon - Feijó Team, February/2016

Amazonas – 5 Cases

MARCH/2015

VICTIM: Canacuri Community

PEOPLE: APURINÃ

INDIGENOUS TERRITORY: TUMIÃ

MUNICIPALITY: LÁBREA

PLACE OF OCCURRENCE: Middle Purus Extractive Reserve, near to the Luzitânia riverside community

DESCRIPTION: According to the indigenous victims, the aggressor who has an area where he collects Brazil nuts inside the indigenous area told the residents of the Canacuri community that if the area were demarcated then there would be a war. He sells alcoholic drinks to the Indians and when they are drunk he steals their production, paying ridiculously low prices and overpricing the goods he sells to them.

MEANS USED: Verbal threats

Source of information: Cimi Regional Norte (North) I – Lábrea Team; Apurinã Community

15/3/2015

VICTIM: An elderly man and Maria do Carmo Nunes de Oliveira

PEOPLE: MURA

INDIGENOUS TERRITORY: KARANAY

MUNICIPALITY: AUTAZES

DESCRIPTION: Maria do Carmo and her elderly father in law were at home when a man got out of a vehicle and told them they had to get out of there and take all their stuff because he was the owner of the land and his heirs needed the land. Although he threatened them, the victims replied that they area was the object of a study by Funai, that they had been living there for eight years and that if they had to move they would have to be compensated. The aggressor threatened to remove them by force and only went away because the dog that belonged to the house attacked him. According to reports he continues threatening other residents of the community.

MEANS USED: Threats

Source of information: Cimi Regional Norte (North) I; Edson Santana Pinheiro, 11/9/2015

30/9/2015

VICTIM: Communities

PEOPLE: VARIOUS ETHNIC GROUPS

INDIGENOUS TERRITORY: ALTO RIO NEGRO

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

DESCRIPTION: Shopkeepers retained the benefit cards of government social programs to ensure the payment for goods purchased but indigenous card holders in eight commercial establishments that the accused have in in towns in the upper Rio Negro. In their possession were Family Allowance (Bolsa Família) cards and "Caixa Fácil" cards and others corresponding to social security benefits in the names of indigenous people as well as documents registering the sale 'on credit' of goods to the indigenous people with file cards and promissory notes.

MEANS USED: Retention of cards and passwords

Source of information: Fato Amazônico, 1/10/2015

OCTOBER/2015

VICTIM: Erebe Madija Kulina

PEOPLE: KULINA (MADIJA)

INDIGENOUS TERRITORY: KUMARU DO LAGO UALA

MUNICIPALITY: JURUÁ

PLACE OF OCCURRENCE: Pau – Pixuna Community

DESCRIPTION: According to the victim's son, his mother's old age pension card was blocked and she asked for it to be cleared. The card and the lady's ID card were both in the possession of the aggressor who also had a power of attorney enabling him to withdraw the pension amounts but which had been cancelled. When approached the accused said that there had been some problems with the card and that a new one would arrive. In regard to the ID card he alleged that he had lost it in a flood, a story that the son said was a lie. At the social security office when the pension statement sheet was examined it showed that the amounts had all been regularly withdrawn and a loan had been taken out in the victim's name without her consent.

MEANS USED: Undue appropriation of a benefit card

Source of information: Cimi Regional Norte (North) I – Tefé Team, 10/11/2015

5/10/2015

VICTIM: Indigenous Families

PEOPLE: DIVERSOS

INDIGENOUS TERRITORY: VALE DO JAVARI

MUNICIPALITY: ATALAIA DO NORTE

PLACE OF OCCURRENCE: Towns in the Upper Solimões Region

DESCRIPTION: The Federal Police ran an operation to curb the activities of a mafia of shopkeepers who were retaining the cards of indigenous beneficiaries of the Bolsa Família (Family Allowance) in towns in the Upper Solimões Region in the state of Amazonas. Around twenty federal agents collected cards that were in the possession of nine shopkeepers in Atalaia do Norte. They also seized notebooks with sales accounts, lists of passwords and notes of debts of individuals as well as bank statements and withdrawal slips.

MEANS USED: Retention of benefit cards and passwords

Source of information: Amazonas em Tempo, 6/10/2015

Bahia – 1 Case

23/9/2015

VICTIM: Men

PEOPLE: PATAXÓ

INDIGENOUS TERRITORY: COMEXATIBA (CAHY VILLAGE)

MUNICIPALITY: PRADO

PLACE OF OCCURRENCE: Cahy village

DESCRIPTION: The vehicle that took indigenous people from the village to Cumuruxatiba was set on fire by armed men. The victims reported how they were surprised to find obstacles in the road and they were the approached by the suspects who told them to get out of the vehicle which was then set on fire and fired at innumerable times. It is suspected that the attack was linked to the dispute for land.

MEANS USED: Firearm

Source of information: G1/BA, 24/9/2015

Maranhão – 11 Cases

2015

VICTIM: Community

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: ARARIBOIA

MUNICIPALITY: LAJEADO NOVO

PLACE OF OCCURRENCE: Amarante do Maranhão

DESCRIPTION: Indigenous people that fight against the illegal extraction of wood have been constantly threatened by loggers and no longer feel safe to walk around in the city.

MEANS USED: Threats

Source of information: Cimi Regional Maranhão – Imperatriz Team

2015

VICTIM: Memortunré Kanela Community

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Leandro Settlement

DESCRIPTION: The investigative police took away from the shopkeepers in the settlement all the benefit cards of indigenous people they had in their possession. The shopkeepers then began to threaten the Indians who are now fearful of circulating in the settlement.

MEANS USED: Threats

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Community-Memortunré Kanela

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Barra do Corda

DESCRIPTION: Leaders have denounced the shopkeepers for taking out loans for themselves with indigenous people's benefit cards.

MEANS USED: Unlawful appropriation of benefit cards

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Pensioners

PEOPLE: KRIKATI

INDIGENOUS TERRITORY: KRIKATI

MUNICIPALITY: MONTES ALTOS

PLACE OF OCCURRENCE: Montes Altos

DESCRIPTION: Indigenous leaders denounced local shopkeepers in Montes Altos for retaining the bank cards of pensioners to oblige them to spend the pensions in their commercial establishments. They also denounced that the shopkeepers illegally take out loans using the cards.

MEANS USED: Unlawful appropriation of benefit cards

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Pensioners

PEOPLE: GAVIÃO

INDIGENOUS TERRITORY: GOVERNADOR

MUNICIPALITY: AMARANTE DO MARANHÃO

PLACE OF OCCURRENCE: Amarante do Maranhão

DESCRIPTION: Indigenous leaders denounced local shopkeepers in Amarante do Maranhão for retaining the bank cards of pensioners to oblige them to spend the pensions in their commercial establishments. They also denounced that the shopkeepers illegally take out loans for themselves using the cards.

MEANS USED: Unlawful appropriation of benefit cards

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Pensioners

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: ARARIBÓIA

MUNICIPALITY: AMARANTE DO MARANHÃO

PLACE OF OCCURRENCE: Amarante do Maranhão e Arame

DESCRIPTION: Indigenous leaders denounced local shopkeepers in Amarante do Maranhão and Arame for retaining the bank cards of pensioners to oblige them to spend the pensions in their commercial establishments. They also denounced that the shopkeepers illegally take out loans using the cards.

MEANS USED: Unlawful appropriation of benefit cards

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: 25 families

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: CENTRO DO GUILHERME

DESCRIPTION: Around 25 families that lived in three areas of protection created to prevent the entrance of loggers into indigenous lands were threatened. They were told they would suffer the consequences if they remained where they were, hampering the entrance of the loggers and their machinery. The families abandoned the areas of protection and went back to their respective villages. As a result, the way was clear for the aggressors return to the indigenous territory. Funai failed to set up surveillance posts and did not even conduct an inspection of the limits of the indigenous area.

MEANS USED: Threats

Source of information: Cimi Regional Maranhão; Ka'apor indigenous people

4/6/2015

VICTIM: Men

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

PLACE OF OCCURRENCE: Centro de Guilherme

DESCRIPTION: The indigenous victims and two nursing assistants (a man and a woman) were going by car from Gurupiúna village to the city of Santa Luzia do Paruá when around 11:30 am they stopped for lunch and were approached by a police vehicle. The police asked them where they were going to and proceeded to take photographs of their vehicle and a motorcycle that was on top of it. The indigenous group continued their journey. Ever since they decided to take the protection of their indigenous lands from illegal loggers into their own hands they have felt themselves to be under surveillance and intimidated wherever they go; in villages, towns, gas stations, restaurants.

MEANS USED: Intimidation by the police

Source of information: Cimi Regional Maranhão; Indigenous Community

2/8/2015

VICTIM: Leaders

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

PLACE OF OCCURRENCE: Nova Olinda, on the BR-316 Federal Highway

DESCRIPTION: During the occupation of the Br-316 highway to protest against the impunity of the assassins of Euzébio Ka'apor and the threats and invasions of loggers and hunters and others, indigenous leaders were approached by two individuals who pointed guns at them saying that they worked for loggers in the region.

MEANS USED: Threats

Source of information: Cimi Regional Maranhão; Indigenous Community

SEPTEMBER/2015

VICTIM: Community

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

PLACE OF OCCURRENCE: Villages in the vicinity of the municipality of Nova Olinda

DESCRIPTION: The indigenous people were threatened by loggers working in blocks B1 and B2 of the municipality of Nova Olinda. The accused went to the Indians fields heavily armed and demanded that they hand back the chain saws used for illegal felling of trees that they (the Indians) had confiscated inside the indigenous territory.

MEANS USED: Threats

Source of information: Cimi Regional Maranhão; Ka'apor Administrative Council

NOVEMBER/2015

VICTIM: Community

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: BARRA DO CORDA

PLACE OF OCCURRENCE: Barra do Corda

DESCRIPTION: After denunciations made by the indigenous people in various areas, the police arrested the accused at his home as they had a warrant for his arrest for being suspected of keeping indigenous pensioners benefit withdrawal cards in his possession. He also had 215 cards of the Bolsa Família (Family Allowance) social program, 30 bank account cards of different bank branches, four social security cards, four tax registration cards, 51 identity cards, a loaded 38 caliber revolver, ten shotguns and four thousand, eight hundred reais in cash.

MEANS USED: Undue appropriation of benefit cards

Source of information: Jornal Pequeno, 23/11/2015

Mato Grosso do Sul – 1 Case

24/6/2015

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: KURUSU AMBÁ

MUNICIPALITY: CORONEL SAPUCAIA

PLACE OF OCCURRENCE: Madana Farm

DESCRIPTION: A group of indigenous people from the Kurusu Ambá camp carried out a re-occupation of a traditional area claimed by the community. The territorial recovery took place because, according to the leaders "the community could no longer stand starving and living under clouds of poison while waiting for the government to take steps". According to Tapé Rendy "as soon as we set up our camp in the act of repossession, they attacked us. Gunmen fired over our heads shouting and cursing us". The same leader also reported that some of the shots came from the area where the police of the Frontier Operations Department were gathered. In addition to the gunfire, dozens of pickups entered in the area circling around with horns blaring in an attempt to intimidate the Indians. One of the ranchers made some wild moves in his vehicle threatening to run people over. The fires that were set in the camp could be seen from far away. Since 2007 more than ten indigenous leaders have died in the territory that encompasses Kurusu Ambá. Hunger is another serious problem affecting the indigenous people. Completely surrounded by soy bean plantations they cannot plant for themselves and the water is polluted with pesticides that are sprayed on the

crops. Children die of hunger and from the effects of their contact with the poisons.

MEANS USED: Threat to kill

Source of information: Communication Advisory Body - Cimi, 22/6/2015; G1/MS, 25/6/2015

Mato Grosso – 1 Case

1/12/2015

VICTIM: Community

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: LUCIARA

PLACE OF OCCURRENCE: Camp in the yard of Joana Kanela

DESCRIPTION: While awaiting the report on the identification of their indigenous land, the Indians were threatened by gunmen from the Londrina Farm located in an area that belongs to the Federal Union in a tract of land known as the Gleba Xavante and inside the limits of the area the Indians are claiming as theirs. The accused invaded the camp searching for the cacique, Antônio Kanela, who was not there at the time. Some days later they gave an anonymous warning that they were waiting for the Indians together with gunmen from the Lago Bonito Farm where the Nova Pukanú village is located. The situation has made the Indians highly apprehensive because they intend to return to the village that they were thrown out of in July, 2015.

MEANS USED: Threats

Source of information: Kanela do Araguaia Indigenous Community Association, 7/1/2016

Pará – 1 Case

2015

VICTIM: Juarez Saw Munduruku

PEOPLE: MUNDURUKU

INDIGENOUS TERRITORY: MUNDURUKU

MUNICIPALITY: TRAIRÃO

DESCRIPTION: The aggressor, one of the biggest illegal loggers in the region, when he found that the Indians were cutting a boundary track around the limits of their territory told them to stop it immediately because, according to him, the land was his. Following that he sought out the cacique to talk to him. He told the cacique that he was highly vexed to see the Indians cutting trails in his land which had cost him more the 100 thousand reals and he wanted to know who was behind that work. The cacique explained that the Indians themselves were cutting the boundary trails on their own volition within the limits determined by Funai and set out in the official report of identification of that Indigenous land and that if the aggressor wished to complain, he should go and complain to Funai. At the end of the conversation the aggressor threatened him saying that if they carried on cutting trails inside his lands he would not be coming just to talk but to sort out the situation any way he found fit.

MEANS USED: Verbal aggression

Source of information: Cimi Regional Norte (North) II

Rio Grande do Sul – 1 Case

JANUARY

VICTIM: 15 Men

PEOPLE: TERENA

MUNICIPALITY: VACARIA

PLACE OF OCCURRENCE: Farm

DESCRIPTION: Terena people denounced that they were being submitted to slavery-like working conditions in the work of

harvesting apples in the region of Vacaria. The company that had hired them, Agropecuária Schio Ltda., had agreed to pay approximately 2 thousand reals a month but failed to keep its promise and actually paid 800 and even discounted an amount for the food they had eaten. The accommodation was extremely precarious and offered no comfort or possibility of proper rest to the more than 300 people there because the water supply and sanitation conditions were totally insufficient.

MEANS USED: Slavery-like working conditions

Source of information: Cimi Regional Sul (South), 03/02/2015; O Estado do MS, 17/3/2015

Rondônia – 2 Cases

MAY/2015

VICTIM: Hosana M. de Oliveira Puruborá

PEOPLE: PURUBORÁ

INDIGENOUS TERRITORY: PUROBORÁ

MUNICIPALITY: SERINGUEIRAS

PLACE OF OCCURRENCE: Seringueiras

DESCRIPTION: The indigenous leader was threatened by people living around the edges of the indigenous land which is currently involved in a demarcation process. In previous years she had been forced to withdraw from her land because of constant threats of physical violence. The 'Terra Legal' program embraces the territory claimed by the indigenous people and the other residents feel that their interests have been jeopardized.

MEANS USED: Verbal Threats

Source of information: Cimi Regional Rondônia

MAY

VICTIM: Francisca Kaxarari, her brother and her husband

PEOPLE: KAXARARI

INDIGENOUS TERRITORY: KAXARARI

MUNICIPALITY: PORTO VELHO

PLACE OF OCCURRENCE: Extrema District

DESCRIPTION: The 'Terra Legal' program has been giving rise to conflicts and placing indigenous leaders in a critical situation due to the constant threats they receive from economic and political interest groups in the region. The indigenous leader denounced that situation in a public hearing in these words "I have been threatened, and my brother and husband have also been threatened". Individuals from the Extremo district are fostering a campaign of prejudice against the indigenous peoples accusing them of occupying the town and adjacent areas and expelling other residents. The campaign attempts to criminalize the leaders and their communities in general. The leaders appealed for protective measures to be taken.

MEANS USED: Verbal threats

Source of information: Cimi Regional Rondônia

São Paulo – 1 Case

2015

VICTIM: Men

PEOPLE: TERENA

INDIGENOUS TERRITORY: ARARIBÁ

MUNICIPALITY: AVAÍ

PLACE OF OCCURRENCE: Ekeruá

DESCRIPTION: According to the denunciation of indigenous workers engaged for the harvesting of oranges in the region, they did not receive due payment of their labor rights and benefits from the farmers/employers.

MEANS USED: Denial of Labor Rights

Source of information: Cimi Regional Sul (South); MPF/SP, 6/10/2015

Deliberate Bodily Harm

In 2015, we registered 12 Cases of deliberately inflicted bodily harm. The occurrences were registered in the states of Acre (1), Amazonas (3), Maranhão (1), Mato Grosso (1), Mato Grosso do Sul (5) and Rio Grande do Sul (1). The bodily harm was caused by physical aggressions and beating up.

In one of the incidents registered in Mato Grosso do Sul, the state with the highest number of cases, an indigenous group was attacked by heavily armed gunmen because they had occupied a small portion of forest land within the limits of what they claim is their traditional territory. Their intention was to gain access to the natural resources

they need like water, food and ancestral medicines. After the initial attack with shots being fired the Indians, especially the older persons were tortured and beaten with blows from gun butts, punches and kick. After hours of horror, they say that some of the old people had their ankles crushed before the group was forced to leave the place and walk the long way back.

In Maranhão an Indian was severely beaten because he took back benefit withdrawal cards that were in the possession of the aggressor. The victim was so badly beaten he spent a month in hospital.

DELIBERATE BODILY HARM

12 Cases

Acre – 1 Case

24/ 5/2015

VICTIM: Rui Nunes Barbosa Kaxinawá

PEOPLE: KATUKINA

INDIGENOUS TERRITORY: KATUKINA KAXINAWÁ

MUNICIPALITY: FEIJÓ

PLACE OF OCCURRENCE: Feijó Hospital

DESCRIPTION: The victim was accompanying a niece in a medical emergency and made a comment out loud about the treatment the doctor had dispensed to her son who had died. The doctor seized him by the arm and pushed him out of the hospital saying that “these ‘caboclos’ only know how to make trouble”. Following that he punched the victim on the nose and even managed to kick him in the chest. The indigenous victim was rescued by hospital staff and received medical care from them.

MEANS USED: Aggression and verbal discrimination

Source of information: Cimi Regional Amazônia Ocidental (Western Amazon); the victim himself

Amazonas – 3 Cases

JULY

VICTIM: Adolescent

PEOPLE: PAUMARI

INDIGENOUS TERRITORY: CASTANHEIRA

MUNICIPALITY: TAPAUÁ

PLACE OF OCCURRENCE: Tapauá

DESCRIPTION: A member of the Funai staff and some military policemen were accused of beating and torturing an indigenous adolescent to get him to confess the supposed murder of a child who had disappeared for eight days and was later found in the forest. The adolescent is having difficulty registering the occurrence at the police station and to have the legal medical examination conducted as the law requires because the witnesses in this case are being threatened by the aggressors.

MEANS USED: Torture

Source of information: Cimi Regional Norte (North) I, 17/7/2015

JULY

VICTIM: Geaneo dos Santos Carvalho

PEOPLE: MURA

INDIGENOUS TERRITORY: IGARAPÉ AÇU

MUNICIPALITY: AUTAZES

PLACE OF OCCURRENCE: Igarapé Açu Village

DESCRIPTION: The young person was victim of aggression so severe he would have died if members of the community had not intervened. Aggressor and victim were both under the influence of alcohol. The consumption of alcoholic drinks has been a constant problem even though its sale is forbidden and actively repressed by most of the community residents.

Source of information: Cimi Regional Norte (North) I; Ângelo Moreira Tavares, 10/9/2015

13/7/2015

VICTIM: Men

PEOPLE: TORÁ

INDIGENOUS TERRITORY: TORÁ MUNDURUKU

MUNICIPALITY: MANICORÉ

PLACE OF OCCURRENCE: Torá Village/Munduruku/Vista Alegre

DESCRIPTION: Various indigenous persons were beaten up, among them a 15 year-old adolescent who was handcuffed and kept in the hot sun for hours during a police action in the village. The injured also received pepper spray in the eyes and were in terrible state. According to the Indians, the police were escorting a group engaging in sport fishing tourism inside the indigenous area in spite of the villagers not agreeing to the entrance of tourists in the indigenous area.

MEANS USED: Physical and verbal aggression

Source of information: Communication Advisory Body - Cimi, 16/7/2015

Maranhão – 1 Case

2015

VICTIM: Cornélio Kanela

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Leandro settlement

DESCRIPTION: Cornélio was severely beaten up because, according to the indigenous people, he withdrew the benefit cards that were in the possession of the aggressor. Cornélio was so badly beaten he had to spend a month in hospital.

MEANS USED: Physical aggression

Source of information: Cimi Regional Maranhão - Imperatriz Team

Mato Grosso do Sul – 5 Cases

7/2/2015

VICTIM: Youth

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: SANTIAGO KUE/KURUPI

MUNICIPALITY: NAVIRAÍ

PLACE OF OCCURRENCE: BR-163 Federal Highway in front of a farm near to the Highway Police post

DESCRIPTION: The youth was kidnapped by an armed group who tortured him for several hours with beatings and psychological pressure. The aggressors wanted him to give the names and description of the Kurupii village leaders. The victim told them that he did not belong to that village but the beatings and threats continued anyway. Everything seems to indicate that there is firmly constituted armed militia group circulating in the region to prevent the progress of the indigenous people in re-occupying their traditional territories, especially those that Funai has already identified and demarcated. According to the indigenous victims, the thugs have been keeping up a strong encirclement of residents of the villages and the camps, monitoring the indigenous peoples' movements and constantly molesting them.

MEANS USED: Kidnapping

Source of information: Communication Advisory Body - Cimi, 19/2/2015; Cimi Regional Mato Grosso do Sul

25/4/2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Bororó Village

DESCRIPTION: The adolescent's face was disfigured in a fight. There is no information about the aggressor or the reason for the fight.

MEANS USED: Knife

Source of information: Midiamax, 25/4/2015

OUTUBRO

VICTIM: Indigenous group

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: M'BARAKAY

MUNICIPALITY: IGUATEMI

PLACE OF OCCURRENCE: Iguatemipeguá I Indigenous Land

DESCRIPTION: The indigenous group entered a small portion of forest land within the limits of what they claim is their traditional territory. It is a small area that has not yet been devastated by agribusiness that dominates the southern cone of the state. It was not an attempted re-possession. Their intention was merely to gain access to the natural resources they need like water, food and ancestral medicines. After the initial attack with shots being fired, the Indians, especially the older per-

sons were tortured and beaten with blows from gun butts, punches and kicks. After hours of horror, they say that some of the old people had their ankles crushed before the group was forced to leave the place and walk the long way back. Their camp was burned to the ground.

MEANS USED: Beating up

Source of information: Cimi Regional Mato Grosso do Sul, 16/10/2015

21/10/2015

VICTIM: Man and Woman

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: SUCURIY

MUNICIPALITY: MARACAJU

PLACE OF OCCURRENCE: Sucuriy Village

DESCRIPTION: The suspect was drinking alcoholic drinks when at a certain moment he started a fight with an adolescent in a fit of jealousy for his wife. During the fight the suspect grabbed a knife. His wife and the adolescent's father intervened and they suffered knife wounds.

MEANS USED: Knife

Source of information: Correio do Estado, 22/10/2015

25/10/2015

VICTIM: Guinaldo Martins

PEOPLE: GUARANI NHANDEVA

INDIGENOUS TERRITORY: PIRAJUÍ

MUNICIPALITY: PARANHOS

PLACE OF OCCURRENCE: Pirajuí Village

DESCRIPTION: The victim was attacked during a party. The motive is not known.

MEANS USED: Beating up

Source of information: A Gazeta News, 26/10/2015

Mato Grosso – 1 Case

2015

VICTIM: Jurandir Xavante

PEOPLE: XAVANTE

MUNICIPALITY: BOM JESUS DO ARAGUAIA

PLACE OF OCCURRENCE: Post Office

DESCRIPTION: Two men violently attacked the Indian Jurandir Xavante, for no apparent reason.

MEANS USED: Beating up

Source of information: Cimi Regional Mato Grosso

Rio Grande do Sul – 1 Case

2015

VICTIM: Noé Kaingang

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: CARAZINHO

MUNICIPALITY: CARAZINHO

PLACE OF OCCURRENCE: Neighborhood

DESCRIPTION: The indigenous victim was attacked by local residents. Indigenous leaders say the reason was the dispute for land.

MEANS USED: Physical and verbal aggression

Source of information: Cimi Regional Sul; Indigenous leaders

Abuse of Power

In 2015, Cimi registered 8 occurrences of abuse of authority. The cases occurred in the states of Acre (1), Amazonas (3), Bahia (1), Ceará (1), Mato Grosso do Sul (1) e Minas Gerais (1).

In Minas Gerais, an indigenous student was taking part in the activities for Independence Day (September 7). She was carrying a placard with the words “We are all Guarani-Kaiowa against the genocide commanded by Agribusiness”. One of the policemen, who was part of the security measures for the event, grabbed her violently from behind the rails that kept the crowd back dragged her away and threw her down with her face held against the pavement. He then handcuffed her and knelt on her

back. As the indigenous victim herself narrated “I was thrown on the ground like an animal, handcuffed, with two policemen holding my legs and the policeman that caught me pressing his knee down on my head. When he took his knee off I was already in a bad way and almost fainting”. She said that she was then thrown into the back of vehicle used for transporting prisoners and taken to an ordinary police station even though she informed the police that she belonged to a traditional community and by law she should be taken to the Federal police. The police ignored the information she gave them.

In Ceará, individuals of the Anacá people set up a camp on land that they claim as being their traditional



Violent abuse of authority and truculence on the part of the police against an Indian taking part in a peaceful demonstration in Minas Gerais was filmed and widely diffused in the social networks

territory and they denounced the fact that the police came and destroyed their camp and treated women and children badly.

In the state of Amazonas, policemen and municipal guards went to a community to capture a weapon and search for an individual. They invaded a home and seized three women because they were angry at not finding the person they were looking for or the weapon. One of the women was two months pregnant and another was nursing

a baby. The women were roughed up, dragged out and put into private vehicles and driven to the police station. They were kept there for four hours. During that time they were beaten and terrorized. One policeman told them that they would not see their children again and that the wife of one leader would soon find herself a widow. Under severe threats and unable to leave the community they could not do the medical examination that would enable them to denounce the violence.

ABUSE OF POWER

8 Cases

Acre – 1 Case

10/12/2015

VICTIM: Indigenous adults and an indigenous minor

PEOPLE: NAUA

MUNICIPALITY: MÂNCIO LIMA

PLACE OF OCCURRENCE: Jezumira Indigenous Community

DESCRIPTION: The indigenous victims told how the person in charge of the ICMBio teams coordinated a repressive action seizing five indigenous adults and one minor, handcuffing them and keeping them on a barge for two hours. The minor was released quickly because the people responsible for the arrest were informed that it is against the law to handcuff minors. The Indians declared that they were travelling on the Mõa River inside the limits of the Indigenous Land and fishing for their own consumption. After the violent action, those responsible for it went to the village and issued a fine of 150 thousand reais to Agabu Herculano Uchõa.

MEANS USED: Abuse of Power

Source of information: Cimi Regional Amazônia Ocidental (Western Amazon) - Cruzeiro do Sul Team; Cacique João Díaz Nawa

Amazonas 3 Cases

1/3/2015

VICTIM: Marquinho Garcia da Silva Paumari

PEOPLE: PAUMARI

INDIGENOUS TERRITORY: CASTANHEIRA

MUNICIPALITY: TAPAUÁ

PLACE OF OCCURRENCE: Tapauá police station and the Castanheira Community

DESCRIPTION: an adolescent and a child went into the forest to collect Patuá palm fruits when at a certain moment the victim spotted a herd of peccaries (wild pigs). He told the child to stay there while he went after them. When he got back the child had disappeared. The whole community turned out to search for the child without success. The father of the child and the adolescent went to the police station to get more help. The police were waiting for them and they told the adolescent's father and the person responsible for the child to go back to the village. They kept the adolescent in their custody in the presence of the head of the local Council of Guardians (organization of elected representatives with the task of guaranteeing the rights of children and adolescents), who had assured the father of the adolescent that no one would harm his son. The head of the police station accused the adolescent of killing the child and told him he would be beaten if he did not confess to having committed the supposed crime. After being severely intimidated the adolescent

confessed to having killed the child. He spent the night locked up. Next morning the father went to visit his son and the head of the police station threatened him too because he had told his son to "be careful what you say to the police" and the head of the police station told the father his son was a murderer. The following day, a police corporal another policemen and a representative of the Council of Guardians together with four Funai employees, the coordinator of the local office of the Funai in Tapuá at and members of the Purus Environmental Protection Front took the adolescent with his father and mother to the spot where the child had been left for the adolescent to show them where he had left the body. As the victim was in a state of total fear, at every moment he changed his version of how he had supposedly killed the child. At one point the Funai employees handcuffed him and dragged him to the edge of the stream where he had left the child and violently tortured him kicking him and beating him. He also was shot at and the shot grazed his head. He was then handcuffed to a tree for three hours and they threatened to cut off his ears if he did not tell them where he had left the child's body. The representative of the Council of Guardians stood by and watched all the violence without interfering at any moment. The Funai employees accused the adolescent of having killed the girl because he wanted to rape her. The victim was only released when the missing child was found alive. The clerk of the police station advised the father "to shelve the case". There was no police inquiry and the doctor refused to conduct the medical exam that would have confirmed the adolescent's injuries.

MEANS USED: Physical aggression; intimidation of a minor.

Source of information: Cimi Regional Norte (North) I, 20/7/2015

25/4/2015

VICTIM: Ademar Coelho da Silva

PEOPLE: MURA

INDIGENOUS TERRITORY: PONCIANO

MUNICIPALITY: CAREIRO DA VÁRZEA

PLACE OF OCCURRENCE: Terra indígena

DESCRIPTION: The victim refused to sell the place where he lived with his family to a squatter who had come to occupy the spot after the territory had been delimited. The squatter is cutting down the forest to form pastureland for other farmers in the region who are backing him. On one occasion he tried to invade the victim's floating home together with other men armed with machetes who threw all their kitchen utensils into the river. The victim stopped them by pointing a gun at them. The last time the accused turned up with his men, all drunk, the victim fired off a shot at their boat but without hitting anyone. The squatter went to the police and came back with a policeman and municipal guards to arrest the victim. The following day

the police went back to the spot and obliged the victim's wife and children to get into a boat at gunpoint. They also towed their floating home up river and abandoned it far away from its original site. All Adhemar's belongings and animals were destroyed and the squatter took over the place.

MEANS USED: Physical aggression; intimidation; abuse of power

Source of information: Cimi Regional Norte (North) I, 2/6/2015

28/6/2015

VICTIM: Natália Pinheiro da Conceição, Nelcir Gomes Moura, Natalina Pinheiro da Conceição and Esteve Soares Pinheiro

PEOPLE: MURA

INDIGENOUS TERRITORY: MURUTINGA

MUNICIPALITY: AUTAZES

PLACE OF OCCURRENCE: Murutinga Village/Tracajá

DESCRIPTION: Policemen and municipal guards went to the community to capture a weapon and an indigenous individual that the police had been threatening and had already attempted to kill. The invaded several homes and because they found neither the weapon nor the person, they arrested three women. One of them was two months pregnant and another was nursing a 6 month-old baby. The women were roughed up, dragged out, put into private vehicles and driven to the police station. They were kept there for four hours until the head of the community intervened, promising that the weapon would be given back if they were released. While they were detained at the police station, the women were beaten and terrorized. One policeman told them that they would not see their children again and that the wife of one leader would soon be a widow. Under severe threats and unable to leave the community they could not do the medical examination that would enable them to denounce the violence

MEANS USED: Physical aggression; intimidation

Source of information: Murutinga Indigenous Community/Tracajá, 5/7/2015

Bahia 1 Case

20/7/2015

VICTIM: Gerdion Santos do Nascimento

PEOPLE: PATAXÓ

INDIGENOUS TERRITORY: COROA VERMELHA

MUNICIPALITY: SANTA CRUZ CABRÁLIA

PLACE OF OCCURRENCE: Eunápolis – Federal Courts

DESCRIPTION: On July 20, 2015 cacique Aruã, Jerdion Santos do Nascimento, was told unofficially by the Municipal Council of Santa Cruz de Cabralia, where he is a council member and deputy chairman that he had been sentenced to one year and four months of reclusion in an open prison regime and that the sentence had been converted into rendering services to the community and payment of a fine for having invaded a public building and for private imprisonment. The episode in question was the occupation of the head office of Iphan in Porto Seguro by a group of 200 residents of the Coroa Vermelha indigenous community on August 17, 2008. On that occasion, the Indians were protesting against the sluggishness on Iphan's part insofar as it had spent three years analyzing a project for the construction of 200 commercial outlets and a pier and to reform the Indigenous museum, all in the Coroa Vermelha Indigenous Land. In 2015 the cacique's sentence was handed down by the Regional branch of the Federal Courts in the 1st region and communicated to the council so that it could take action and cancel Aruã's mandate as a councilor.

MEANS USED: Abuse of Power

Source of information: Cimi Regional Leste (East)

Ceará – 1 Case

2/4/2015

VICTIM: Community

PEOPLE: ANACÉ

INDIGENOUS TERRITORY: ANACÉ

MUNICIPALITY: CAUCAIA

PLACE OF OCCURRENCE: Japuaara Region

DESCRIPTION: The Indians were camped on their traditional lands which are in the possession of speculators. The police are reported to have destroyed the camp and mistreated women and children. Three Indians were detained but released on the afternoon of the same day.

MEANS USED: Abuse of Power

Source of information: O Povo, 3/4/2015

Mato Grosso do Sul – 1 Case

18/9/2015

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: PYELITO KUE

MUNICIPALITY: IGUATEMI

PLACE OF OCCURRENCE: 200 meters from the Maringá farm

DESCRIPTION: Leaders reported that a few hours before gunmen attacked their Guarani and Kaiowá community, thugs had warned them "that they would all be killed". The Department of Frontier Operations had been making ostensive visits to the area that the Guarani had retaken. They denounced other truculent acts on the part of the police. "They took everyone's belongings. They took away clothes, food, everything they could find, and carried it away. They attacked in the night at 10 o'clock".

MEANS USED: Police Repression

Source of information: Communication Advisory Body - Cimi, 18/9/2015

Minas Gerais – 1 Case

7/9/2015

VICTIM: Juvana Petyrhara

PEOPLE: XAKRIABÁ

INDIGENOUS TERRITORY: XAKRIABÁ

MUNICIPALITY: MONTES CLAROS

PLACE OF OCCURRENCE: Montes Claros

DESCRIPTION: In the celebrations for Independence Day, September 7, the crowd booed the mayor who had to withdraw from the platform. The indigenous victim was holding a placard with the words "We are all Guarani Kaiowá against the genocide commanded by Agribusiness". A policeman who was part of the security measures for the event grabbed her violently from behind the rails that kept the crowd back dragged her back and threw her down with her face held against the pavement. He then handcuffed her and knelt on her. As the indigenous victim herself narrated "I was thrown on the ground like an animal, handcuffed with two policemen holding my legs and the policeman that caught me pressing his knee down on my head. When he took his knee off I was already in bad way and almost fainting". She said that she was then thrown into the back of vehicle used for transporting prisoners and taken to an ordinary police station even though she informed the police that she belonged to a traditional community and by law she should be taken to the Federal police. The police ignored the information she gave them.

MEANS USED: Physical aggression; threats; illegal detention

Source of information: Wil Correia, Montes Claros, MG, 8/9/2015; ALMG, 9/9/2015

Racism and ethnic-cultural discrimination

We registered 13 Cases of racism and ethnic-cultural discrimination in 2015. The occurrences were in the states of Bahia (2), Distrito Federal (1), Goiás (1), Maranhão (1), Mato Grosso (1), Mato Grosso do Sul (3), Pará (2), Rio Grande do Sul (1) e Roraima (1).

In the state of Bahia, after the distribution of the documentary *Tupinambá, o retorno da terra*, (Tupinambá, returning the land) internauts, many of them anonymous, posted prejudiced and offensive comments and some even suggested that the cacique Babau should be assassinated.

In the Federal District, more precisely, in the Center for Multicultural Socialization of the Indigenous Peoples, at the University of Brasília, some indigenous persons reported that they were disrespected. The aggressor declared that the space was “badly used” and that “the Negros are more educated than the Indians who do not deserve this place”.

Again in an academic environment four indigenous students at the Federal University of Roraima, two young men and two young women enrolled in the course “Administration of Indigenous Lands run by the Inskiran Institute, denounced the fact that they were being discriminated by other students. The students mocked the indigenous students customs and characteristics, shouting rude and insulting words and discriminating them for the way they ate and dressed and for their physical features. Some got up from the table

where they were, saying that they would not mix with Indians.

In the state of Maranhão, state representative Fernando Furtado (Communist Party of Brazil - PC do B) was caught on an audio recording that was circulated in the social networks insulting the Awá indigenous people during his participation in a public hearing in the city of São João do Caru, organized by an association of Rural producers. Referring to the indigenous people the representative classified them as “a load of little gays” and “queers” and he even suggested they should all die of hunger “because they don’t know how to work”. According to the deputy, “There in Brasília, Arnaldo (Arnaldo Lacerda, chairman of the Aprocaru Association) saw the Indians all dressed up in their little T-shirts, all neat and tidy with their little arrows, just a load of gays. There were three of them that were gay, I am quite sure they were gay. I didn’t know that Indians could be gays; I only found out that day in Brasília.... All gays. So is that the way it is; an Indian can manage to be gay but he cannot manage to work? No way!”.

In Rio Grande do Sul, after a tragic accident that victimized four Kaingang girls, an internaut who hides behind the codename “Correct Thinker” posted a series of prejudiced, macho insinuations against Kaingang women on the page of Globo.com, right below the report on the accident. It is the kind of manifestation that reveals the culture of racism against indigenous peoples in our society.



RACISM AND ETHNIC-CULTURAL DISCRIMINATION

13 Cases

Bahia – 2 Cases

2015

VICTIM: Community

PEOPLE: PATAXÓ

INDIGENOUS TERRITORY: PATAXÓ

MUNICIPALITY: PORTO SEGURO

PLACE OF OCCURRENCE: Wikipedia page –collective construction

DESCRIPTION: Prejudiced words were used to alter information on

a collectively constructed Wikipedia page in the Internet insulting Galdino (the Indian who was burned alive in 1977 by five youths while he was asleep at a bus stop) and the Pataxó people. The insert stated that “the Pataxó tribe gained a certain notoriety after the rape of the Indian Galdino Jesus dos Santos” and went on to describe the Pataxó people as a “Cuban indigenous people” and that in 3040 “totalized Zero individuals”..

MEANS USED: Prejudiced declarations in the Internet

Source of information: O Indigenista, 27/4/2015

JUNE**VICTIM:** Community**PEOPLE:** TUPINAMBÁ**INDIGENOUS TERRITORY:** TUPINAMBÁ**MUNICIPALITY:** ITABUNA

DESCRIPTION: After information about the documentary 'Tupinambá, returning the land' was posted on the Internet, on June 9 and 10, around 60 internauts, many of them anonymous, posted prejudiced and offensive comments and even suggestions of assassination especially targeting cacique Babau.

MEANS USED: Prejudiced declarations on the Internet*Source of information:* Verdinho Itabuna**Federal District – 1 Case****SEPTEMBER****VICTIMS:** Students**PEOPLE:** VARIOUS ETHNIC GROUPS**MUNICIPALITY:** BRASÍLIA

PLACE OF OCCURRENCE: Center for Multi-Cultural Socialization of the Indigenous Peoples at the University of Brasília

DESCRIPTION: Students reported that the accused had disrespected them by declaring that the space was "badly used" and that the Negros are more educated than the Indians who do not deserve that place".

MEANS USED: Ethnic and cultural discrimination*Source of information:* AQUÍ/DF, 12/9/2015**Goiás – 1 Case****17/7/2015****VICTIM:** Indigenous leaders**PEOPLE:** KA'APOR**INDIGENOUS TERRITORY:** KAYAPÓ**MUNICIPALITY:** ALTO PARAISO DE GOIÁS**PLACE OF OCCURRENCE:** Chapada dos Veadeiros

DESCRIPTION: According to Indigenous leaders, a woman did not want to travel in the company of any Indian. She said "We are the ones that pay. Either you get off (the bus) now or I will call the police" In spite of their indignation and because they were surrounded, the four Indians who had been taking part in the Meeting of Traditional Cultures in the Chapada dos Veadeiros and were returning to Palmas (State of Tocantins), decided not to argue and got down from the bus in the middle of the highway.

MEANS USED: Ethnic and cultural discrimination*Source of information:* Revista Fórum, 30/7/2015**Maranhão – 1 Case****4/7/2015****VICTIM:** Communities**PEOPLE:** AWÁ**INDIGENOUS TERRITORY:** AWÁ**MUNICIPALITY:** SÃO JOÃO DO CARU

PLACE OF OCCURRENCE: Public hearing in São João do Caru, organized by the Association of Rural Producers

DESCRIPTION: state representative Fernando Furtado (Communist Party of Brazil - PC do B) was caught on an audio recording that was circulated in the social networks insulting the Awá indigenous people during his participation in a public hearing in the city of São João do Caru, organized by an association of rural producers. Referring to the indigenous people the representative classified them as "a load of little gays" and

"queers" and he even suggested they should all die of hunger "because they don't know how to work". According to the deputy, "There in Brasília, Arnaldo (Arnaldo Lacerda, chairman of the Aprocaru Association) saw the Indians all dressed up in their little T-shirts, all neat and tidy with their little arrows, just a load of gays. There were three of them that were gay, I am quite sure they were gay. I didn't know that Indians could be gays; I only found out that day in Brasília.... All gays. So is that the way it is; an Indian can manage to be gay but he cannot manage to work? No way!".

MEANS USED: Discriminação étnica e cultural*Source of information:* O Estado do Maranhão, 22/9/2015**Mato Grosso do Sul – 3 Cases****2015****VICTIM:** Communities**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** VÁRIAS**MUNICIPALITY:** CAMPO GRANDE**PLACE OF OCCURRENCE:** Redes Sociais

DESCRIPTION: Motivated by the conflicts between farmers and indigenous people attempting to get back their traditional lands, more than 60 prejudiced comments were posted on Facebook violently affronting indigenous peoples. For example: "Load of opportunistic bums"; "Need to shoot the rest as well há, há há!"; "You all need to be shot, you thieves (sic)"; "These pests should be shot!"; "Does the ranch owner have to put up with that as well???....More of them should have died".

MEANS USED: Prejudiced declarations on the Internet*Source of information:* O Estado do Mato Grosso do Sul**APRIL****VICTIM:** Indigenous people**PEOPLE:** VARIOUS**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** CAMPO GRANDE**PLACE OF OCCURRENCE:** Headquarters of the Uniformed Police

DESCRIPTION: When answering a question about land demarcation in general and in Mato Grosso do Sul and Roraima in particular, Federal Representative Jair Bolsonaro made prejudiced declarations against the Indians. Among the deprecatory phrases he used were "the Indian doesn't speak our language, he doesn't have money, he is just poor and pitiful; he needs to be integrated to our society, not kept in zoos that cost millions".

MEANS USED: Prejudiced declaration to the press*Source of information:* Midiamax, 22/4/2015**29/8/2015****VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** NHANDERU MARANGATU**MUNICIPALITY:** ANTÔNIO JOÃO**PLACE OF OCCURRENCE:** Indigenous Community

DESCRIPTION: An orchestrated media campaign in Mato Grosso do Sul prepared the ground for attacks on the Community in the Nhanderu Marangatu indigenous land. Among the actions organized by big farmers and the leaders of their association was a video inciting the local population to rise up against the Indians and disseminating a series of false rumors that the Indians were about to invade the city and set fire to it. Two days before Simeão Vilhalva was assassinated, Pedro Pedrossian Filho posted photographs on his social network profile of machinery that had been set on

fire on a farm in Paraguay and wrote that the machinery had been burned by Indians from that state [Mato Grosso do Sul]. After that news had been posted the extremely racist and aggressive comments began to appear with threats to attack and kill Guarani and Kaiowá people. At a meeting of the Union of rural proprietors, the president on of the organization, Roseli Maria Ruiz, in an inflamed speech called on the farmers to accompany him in an attack on the Guarani and Kaiowá who had taken back some areas of their traditional land since the 22nd of the month. ON August 29 the place was attacked by a group of rural landowners and during the attack the leader Simeão Vilhalva Guarani was assassinated. Various indigenous people were injured by being beaten with pieces of wood and shot with rubber bullets and with regular ammunition. A one year-old child was hit by a rubber bullet.

MEANS USED: Prejudiced declarations on the internet

Source of information: Rel-Uita.org; Communication Advisory Body - Cimi, 17/9/2015

Mato Grosso – 1 Case

2015

VICTIM: Indigenous persons

PEOPLE: VARIOUS ETHNIC GROUPS

INDIGENOUS TERRITORY: XINGU

MUNICIPALITY: SANTA CRUZ DO XINGU

DESCRIPTION: In an interview, the president of the Xingu Farmers Association declared “I have never seen an Indian plant, never seen one produce anything; Indians live of the basic food basket, the Family Allowance program and other sources much more than from the toll money they charge us.” The Federal courts accepted the denunciation of the farmer for the practice of racism against Indians in the Araguaia Xingu region made by the Office of the Federal Public Prosecutor.

MEANS USED: Prejudiced declarations to the press

Source of information: Agência da Notícia, 7/10/2015

Pará – 2 Cases

2015

VICTIM: Students in the lower Tapajós

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: BAIXO TAPAJÓS I

MUNICIPALITY: BELÉM

PLACE OF OCCURRENCE: Anthropology and Archeology program at the West of Pará Federal University

DESCRIPTION: Students belonging to various indigenous peoples in the lower Tapajós region denounced that they are suffering ethnic discrimination from other students of the WaiWai people and from some teachers who do not recognize them as being indigenous peoples. A document signed by individuals of the WaiWai indigenous people stated that the coordinator of the Indigenous Education Module was not really an Indian at all, “he is a ‘false Indian’ like all the people in the lower Tapajós”. According to a representative of the Indigenous Academic Board “some indigenous students are losing their motivation in the Anthropology course and are thinking of giving up or even moving to other institutions to avoid having to face those students and teachers and get away from the prejudice”.

MEANS USED: Ethnic and cultural discrimination

Source of information: Indigenous Academic Board – West of Pará Federal University, 2/6/2015

2015

VICTIM: Communities

PEOPLE: VARIOUS

MUNICIPALITY: SANTARÉM

PLACE OF OCCURRENCE: Indigenous peoples in the Santarém region

DESCRIPTION: The Office of the Federal Public Prosecutor (MPF) in the State of Pará has registered denunciations of discriminatory actions practiced against Indians in the Santarém region, in schools or in the midst of disputes for land. As an example the MPF cites the case of discriminatory incidents in schools and practiced by government employees and the burning of an Indian dwelling this year.

MEANS USED: Racism

Source of information: Cimi Regional Norte II

Rio Grande do Sul – 1 Case

OCTOBER

VICTIM: Women

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: LAJEADO DO BUGRE

MUNICIPALITY: LAJEADO

PLACE OF OCCURRENCE: Community living nearby the BR-386 Federal Highway

DESCRIPTION: After the deaths of three adolescents and a child killed by a wheel that had spun off from a passing truck, a man made a grossly insulting and unwarranted comment against indigenous women. He published, on the site of the Zero Hora newspaper that he was concerned that one of the victims might have been a child of his because whenever he went fishing he used to make a quick visit to the village to have sex with one of the Indian women. Cimi published a note denouncing the fact and called on the MPF to take steps to deal with it.

MEANS USED: Sexual Insult

Source of information: Cimi Regional Sul (South); G1/RS, 19/10/2015

Roraima – 1 Case

14/12/2015

VICTIM: Students at the Federal University of Roraima

PEOPLE: VARIOUS ETHNIC GROUPS

MUNICIPALITY: BOA VISTA

PLACE OF OCCURRENCE: Federal University of Roraima

DESCRIPTION: A group of four indigenous students at the Federal University of Roraima, two young men and two young women enrolled in the course “Administration of Indigenous Lands run by the Inskiran Institute, denounced the fact that they were being discriminated by other students. The other students mocked the indigenous students’ customs and characteristics, shouting rude and insulting words and discriminating them for the way they ate and dressed and for their physical features. Some got up from the table where they all were saying that they would not mix with Indians.

MEANS USED: Prejudiced Declarations

Source of information: Folha de Boa Vista

Sexual Violence

In 2015, 9 Cases of sexual violence practiced against indigenous people were registered in the following states: Amapá (1), Mato Grosso (1), Mato Grosso do Sul (3), Rio Grande do Sul (1), Roraima (2) and São Paulo (1).

In Roraima, an anonymous denunciation was made to the civil police that a farm proprietor, employees and a supposed policeman of the military police force were

throwing parties and having sexual relations with children and adolescents while consuming alcoholic drinks and drugs. The police conducted a search at the spot and found evidence such as hundreds of empty beer cans, vodka bottles, wine flagons, condoms, porno films in CD and an unregistered shotgun. The children were conducted to the Forensic Medicine Department to be examined.



Renato Santana

SEXUAL VIOLENCE

9 Cases

Amapá – 1 Case

NOVEMBER

VICTIM: Child

PEOPLE: KARIPUNA DO AMAPÁ

INDIGENOUS TERRITORY: UAÇÁ

MUNICIPALITY: OIAPOQUE

PLACE OF OCCURRENCE: Rural property

DESCRIPTION: The non-indigenous father was accused of raping his five daughters. The abuse took place in the house where he lived with the girls and three sons after he and his wife had separated. The indigenous mother lodged a complaint because she became suspicious of the behavior of one of her daughters. Examinations confirmed the suspicions and the man confessed. He was also charged for being in illegal possession of a firearm because he had three shotguns and 12 rounds of ammunition. The police suspect that the small-holder had given one of the girls, a 14 year old adolescent

a substance to make her abort. The children went back to their mother's care and the man is in jail

MEANS USED: Sexual abuse

Source of information: G1/AP, 26/11/2015; Cimi Regional Norte (North) II

Mato Grosso – 1 Case

4/11/2015

VICTIM: Child

MUNICIPALITY: CUIABÁ

PLACE OF OCCURRENCE: Novo Millennium neighborhood

DESCRIPTION: A child was sexually abused by the adoptive father. The fact was denounced by an adolescent living in the same house. The minor was taken to the Forensic Medicine Department to be examined.

MEANS USED: Sexual abuse

Source of information: Folha Max, 5/11/2015

Mato Grosso do Sul – 3 Cases

2015

VICTIM: Child

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADINA

PLACE OF OCCURRENCE: Bororó village

DESCRIPTION: During a vaccination operation in the municipal primary health care clinic the doctors suspected that a girl was pregnant and examination confirmed the fact. The mother was called in to be informed of the situation and the pregnancy. The victim had never told anyone about the sexual abuse she suffered from the father. The suspect is on the run.

MEANS USED: Sexual abuse

Source of information: G1/MS, 21/5/2015; *Tribuna do MS*, 28/5/2015

10/5/2015

VICTIM: Young girl

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

DESCRIPTION: The young girl was raped by five youths after taking part in a party. She was found unconscious by local residents and taken to the hospital. It is suspected that she was the victim of reprisal for she had allegedly taken part in a homicide. The suspects were recognized by the victim.

MEANS USED: Sexual Abuse

Source of information: G1/MS, 12/5/2015

SETEMBRO 2015

VICTIM: Adolescent

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: IGUAPEMIPEGUÁ I

PLACE OF OCCURRENCE: PYELLITO KUE

DESCRIPTION: The community suffered a series of highly aggressive attacks with gunfire, beatings forced removals and burning of the shacks. The action of the gunmen resulted in panic and flight of some of the indigenous victims including women and children. Of all the violent acts reported by the Indians the most shocking was the collective rape of a young Guarani and Kiowá girl by twelve gunmen. They caught her in the woods when she was trying to get away from the attack..

MEANS USED: Sexual Abuse

Source of information: *Indigenous Leaders and Survival International*

Rio Grande do Sul – 1 Case

31/10/2015

VICTIM: Child

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: ESTRELA DO MAR

MUNICIPALITY: ESTRELA

PLACE OF OCCURRENCE: Coqueiro Village

DESCRIPTION: The victim went to pick fruit in the village orchard when she was attacked by a member of the community. The child was found with injuries and taken to the hospital. The author of the crime is already serving sentence of under house arrest. After the crime he had run away.

MEANS USED: Sexual abuse

Source of information: G1/RS, 1/11/2015; *Cimi Regional Sul (South)*

Roraima – 2 Cases

17/7/2015

VICTIM: Child

INDIGENOUS TERRITORY: JACAMIM

MUNICIPALITY: BONFIM

PLACE OF OCCURRENCE: Indigenous Community

DESCRIPTION: The suspect is a person known to the child's family. He got in through the window of the bedroom where she was sleeping. The victim told her family what had happened and they reported the crime to the police.

MEANS USED: Sexual abuse

Source of information: G1/RR, 21/7/2015

20/8/2015

VICTIM: Adolescent and child

PEOPLE: WAPIXANA

INDIGENOUS TERRITORY: RAIMUNDÃO

MUNICIPALITY: ALTO ALEGRE

PLACE OF OCCURRENCE: Farm in the region

DESCRIPTION: An anonymous denunciation was made to the civil police that a farm proprietor, his employees and a supposed policeman of the military police force were throwing parties and having sexual relations with children and adolescents while consuming alcoholic drinks and drugs. The police conducted a search at the spot and found evidence such as hundreds of empty beer cans, vodka bottles, wine flacons, condoms, porno films in CD and an unregistered shotgun. The children were conducted to the Forensic Medicine Department to be examined.

MEANS USED: Sexual exploitation

Source of information: G1/RR, 20/8/2015

São Paulo – 1 Case

2015

VICTIM: Adolescent and child

PEOPLE: GUARANI

INDIGENOUS TERRITORY: JARAGUÁ

MUNICIPALITY: JARAGUÁ

PLACE OF OCCURRENCE: Tekoha Ytu, Tekoha Pyau and Itakupé villages

DESCRIPTION: Various occurrences of sexual abuse and rape of indigenous children, adolescents and women have been carried out by members of the community in addition to the consumption of alcoholic beverages and illicit drugs. The MPF in São Paulo moved a civil action against the State of São Paulo to oblige them to carry out ostensive and emergency police patrolling in the Jaraguá villages. The investigation began after an official letter was sent in by the Pirituba/Jaraguá Council of Guardians denouncing the fact that an indigenous adolescent had been raped and was scared to go back to the village because of threats and possible reprisals. Formerly, indigenous victims of sexual abuse had an improvised means of denouncing the fact via the staff of the local Primary Health Care clinic. The health agents, however, have been withdrawn and there is no efficient denunciation mechanism installed in the region. Investigation is also made more difficult by the fact that many of the women and girls do not speak Portuguese very well.

MEANS USED: Sexual abuse

Source of information: *Communication Advisory Body of the MPF/SP*, 15/10/2015

CHAPTER III

Violence by omission of the authorities



- 120 Suicide
- 121 Inadequate health care provision
- 130 Death from failure to provide health care
- 131 Infant Mortality
- 133 Dissemination of alcoholic beverages and other drugs
- 135 Lack of assistance in indigenous schooling
- 142 General lack of assistance

Suicide

Data obtained from the Special Department for Indigenous Health (*Secretaria Especial de Saúde Indígena* - Sesai) and from the regional Cimi offices show that there were 87 suicides among indigenous peoples in 2015. The data supplied by the Sesai are distributed according to Special Indigenous Health Districts (*Distritos Sanitários Especiais Indígenas* - Dsei), which are the bodies responsible for health care provision to indigenous communities. Given the limitations of the information it was impossible to make a more in-depth analysis of the occurrences in the country as a whole.

We managed to obtain more detailed data on such occurrences in one state from the Mato Grosso do Sul Dsei. As in previous years, the numbers of suicides among indigenous peoples are high. In that state alone, Sesai registered 45 cases of suicide of which 73% were males and 27% females. The age group with the highest number of cases was that of 15 to 19 (37%), followed by cases in the age group 10 to 14 (24%) and 20 to 29 (22%). The municipality with the highest number of cases was Amambai (37%).

Another cause for concern is the high number of cases registered for the Northern region of Brazil in areas served by the Dseis of Amapá and North of Amapá (1), Upper Rio Negro (8), Upper Rio Solimões (13), East de Roraima (8), Middle Rio Solimões (2) and Yanomami (2); a total of 32 suicides.

Other suicides, based on Sesai data were registered in areas covered by the Dsei Tocantins (2). In addition to cases informed by the Sesai, the Cimi regional offices registered suicides in Acre (1), in Mato Grosso (1) and in Paraná (4), among the Kulina, Karajá and Guarani peoples respectively.

The chart at the side displays the total numbers of self-inflicted deaths in 2015 per Dsei¹:

Arquivo Cimi



Dsei	Self-inflicted deaths ⁵
Amapá and North of Amapá	1
Upper Rio Negro	8
Upper Rio Purus ⁶	1
Upper Rio Solimões	13
Araguaia ⁷	1
East of Roraima	8
Mato Grosso do Sul ⁸	45
Middle Rio Solimões	2
Tocantins	2
Yanomami	2
Interior of the South ⁹	4
Total	87

1 Source: Indigenous Health Care Information System (*Sistema de Informação da Atenção à Saúde Indígena* - Siai), consulted on 24/5/2016. Data subject to revision

2 Source: Dsei-MS

3 Source: Dsei-MS

4 With information from Cimi, Sesai and the Dsei-MS

5 Self-inflicted deaths (X60 to X84)

6 Source: Cimi Regional Western Amazon

7 Source: Cimi Regional Mato Grosso

8 Source: Dsei-MS

9 Source: Cimi Regional Sul

Suicides in Mato Grosso do Sul Incidence by age groups²

Aged 10-14	Aged 15-19	Aged 20-29	Aged 30-39	Aged 40-49
24%	37%	22%	8%	4%

Suicides in Mato Grosso do Sul – Incidence by locations³

Amambai	Antônio João	Caarapó	Dourados	Iguatemi	Paranhos	Tacuru	Brasilândia
37%	2%	11%	17%	12%	7%	12%	2%

Suicides in Mato Grosso do Sul – 2000 to 2015⁴

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
Nº of Cases	44	40	38	53	42	50	40	40	59	42	40	45	53	73	48	45	752

Inadequate health care provision

In 2015 Cimi registered 52 cases of inadequate health care provision in the following states: Acre (2), Amapá (1), Amazonas (2), Bahia (1), Maranhão (11), Mato Grosso (5), Mato Grosso do Sul (4), Minas Gerais (1), Pará (9), Rio de Janeiro (1), Rio Grande do Sul (1), Rondônia (3), Roraima (2), Santa Catarina (2), São Paulo (2) and Tocantins (5).

In the state with the highest number of cases, Maranhão, one of the Cuban doctors allocated to provide medical services to indigenous peoples reported difficulty in providing services with such scarce resources in an area that was lacking any such assistance. According to the doctor, there had been no medical professional present for the previous two years, there was no proper space dedicated to health care provision, there was lack of medicines and great difficulty to get any testing done. The doctor also commented that it sometimes took six months to refer a patient to a specialist. Again in Maranhão, Timbira leaders denounced the lack of medicines in the local health center.

In the state of Pará, the Public Prosecutor reported that no health care had been provided to the Atikum indigenous people because the local Dsei did not consider the families to be indigenous. According to the International

Labor Convention, no State or social group may deny the identity of an indigenous people that recognized itself as such. The Umã village was recognized by the leaders as belonging to the Atikum people. The office of the Federal Public Prosecutor wants the families of that village to receive health care services from the indigenous health care sub-system irrespective of the demarcation of the lands or any other external recognition of the community's indigenous status.

In Amapá, around 1.2 thousand Indians in 81 villages complain that they have not received proper care service provision. The indigenous people are calling for the regularization of medicine distribution, the refurbishing of three health posts and they request that the health agents should remain at their posts.

The Xavante communities in Mato Grosso have denounced the precarious attention they receive from the Dsei. According to the Indians, there are no doctors and medicines are in short supply. There is also no transport for sick patients or emergencies and an enormous delay in scheduling tests and examinations. In the region of Campinápolis, in 2015 alone, there were 180 cases of tuberculosis;



Joana Ortiz

a shocking figure according to Dsei coordinator Joel Goés. He added that the number shot up from 5 cases in 2015 to 180 cases at the beginning of 2016.

In the state of Amazonas, the Rio Negro Federation of Indigenous Organizations (*Federação das Organizações Indígenas do Rio Negro - Foirn*) distributed a note denouncing the chaotic health situation and questioned what had happened to the money that should have been invested in actions and services in the region. The denunciation was made publicly and signed. It was entitled “The Indigenous Calvary in the Rio Negro – Indigenous health in the Rio Negro has died taking with it many Indigenous people with curable diseases”. According to the federation, in the last four years (2012 -2016) the story has been repeated in the upper Rio Negro but this time with an aspect bordering on insanity and barefacedness. The indigenous peoples were informed that in 2015 over one billion reais was allocated for indigenous health. In its denunciation the federation asks “Where did all the money for indigenous health end up?” The indigenous peoples of the upper Rio Negro feel that their rights to health are being violated and therefore it is essential to hold government responsible for its bad management and for not ensuring the presence of multi-disciplinary health teams in the indigenous communities.

In the national sphere there was a notable stagnation of the implementation of health policies due to the time Sesai administrators spent in negotiating with and pressuring the indigenous movement to accept the implementation of the National Indigenous Health Institute (*Instituto Nacional de Saúde Indígena - Insi*). The Ministry of Health even sent a draft bill to the congress designed to ensure the creation of the Insi. The speed in the attempt to push the bill through congress and the format proposed for the new body made indigenous organizations, indigenists and the Office of the Federal Public Prosecutor suspicious and critical of it. In the terms of the proposal, the Insi would be an autonomous entity under private law and maintained with the financial resources of the Sesai, that is, public funds, but it could also obtain financing from the private sector. Critics of the proposed institute declare that it is actually a bid to privatize indigenous health services thereby breaking off the process of consolidating the specific, differentiated sub-system and furthermore, the institute would not be obliged to go through the process of competitive bidding or run competitive public admission exams to recruit its staff. As it would be a private organization it would not come under the jurisdiction of the Federal Courts and could not be investigated by the Office of the Federal Public Prosecutor.

INADEQUATE HEALTH CARE PROVISION

52 Cases

Acre – 2 Cases

AUGUST

VICTIM: Community

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: RIO BRANCO

DESCRIPTION: The Indigenous Health District Council and members of the indigenous movement denounce a series of irregularities committed by the Dsei management. Professionals have been dismissed for no apparent reason, works in progress have been delayed and there is a lack of health care provision in the villages. According to the Indians, whenever they have to travel for treatment, they have to pay all costs themselves in some places and the treatment may sometimes take months. Various kinds of medicines do not reach the villages and when they do there is not a sufficient supply of them in the centers.

MEANS USED: Generalized lack of care provision

Source of information: G1/AC, 3/8/2015

4/12/2015

VICTIM: Nazaré Kampa

PEOPLE: KAMPA

INDIGENOUS TERRITORY: KAMPA AND ISOLATED GROUPS OF THE ENVIRA RIVER

MUNICIPALITY: FEIJÓ

DESCRIPTION: The victim was operated on to remove a brain tumor and after a period of recovery in the Casai, was discharged with a recommendation to take the respective medicines. However she was not told by the Casai staff or by the health professionals in the Feijó indigenous health center who are supposed to follow up the entire process, that she had to continue the treatment with sessions of chemical therapy.

Months later, she came back to the hospital with terrible pains in the head and it was found that the tumor had grown back and was bigger than before. The victim had to undergo another operation.

MEANS USED: Medical Negligence

Source of information: Cimi Regional Amazônia Ocidental (western amazon); Victim's husband

Amazonas – 2 Cases

2015

VICTIM: Community

PEOPLE: YANOMAMI

INDIGENOUS TERRITORY: YANOMAMI

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

PLACE OF OCCURRENCE: Maturacá region

DESCRIPTION: The indigenous people in the region are calling for improvements in health services. According to the leaders there is a shortage of medicines and other basic materials in the health posts that provide services to them. Electricity cuts also hamper health service provision as well as the functioning of three schools that have make do with daylight only.

MEANS USED: Generalized lack of care provision

Source of information: A Crítica, 6/3/2015

MAY

VICTIM: Júlio Cesar Tenharim

PEOPLE: TENHARIM

INDIGENOUS TERRITORY: TENHARIM MARMELOS

MUNICIPALITY: MANICORÉ

PLACE OF OCCURRENCE: Taboca Community

DESCRIPTION: The victim had serious circulatory problems and needed elastic stockings and to use a medicine called Vanovax. Sesai

only supplied one pair of stockings and only purchased the medicine a single time. The lack of medicine aggravated her situation and the patient's life is now seriously at risk.

MEANS USED: Lack of medical attention

Source of information: Cimi Regional Rondônia

Amapá – 1 Case

APRIL

VICTIM: Communities

PEOPLE: WAIAMPI

INDIGENOUS TERRITORY: WAIÄPI

MUNICIPALITY: LARANJAL DO JARI

DESCRIPTION: around 1.2 thousand Indians in 81 villages complain that they have not received proper care service provision. The indigenous people are calling for the regularization of medicine distribution, the refurbishing of three health posts and construction of two others. They also complain of the lack of transport to get patients to the city and request that the health agents should remain at their posts.

MEANS USED: Generalized lack of care provision

Source of information: G1/AP, 7/4/2015

Bahia – 1 Case

2015

VICTIM: Community

PEOPLE: PATAXÓ HÃ-HÃ-HÃE

INDIGENOUS TERRITORY: PAU BRASIL

MUNICIPALITY: PAU BRASIL

DESCRIPTION: a document prepared by the local Indigenous Health Council was handed in to the Office of the Public Prosecutor and its Indigenous Affairs Division (6ª Câmara). In it the leaders expose the serious irregularities in health service provision. There is no potable water which fosters diseases such as diarrhea and the health centers and health posts in the villages lack the minimum structural conditions to operate properly. The transport system is flawed even for emergencies and especially in the light of the wretched conditions of the rural access roads in the region. There are not enough health professionals and there is a shortage of basic medicines in the health posts. There is no proper accompaniment of the health programs and that includes prevention programs like vaccination. The document denounces the fact that only 7.5% of the budget allocation was actually used. The leaders also vociferated against the proposed farming out of indigenous health to third parties with the proposed creation of the Indigenous Health Institute (Insai).

MEANS USED: Generalized lack of care provision

Source of information: Local Indigenous Health Council of the Pataxó Hã-Hã-Hãe, 21/5/2015

Maranhão – 11 Cases

2015

VICTIM: Communities

PEOPLE: AWÁ-GUAJÁ e KA'APOR

INDIGENOUS TERRITORY: AWÁ

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: One of the Cuban doctors designated to provide health care to indigenous peoples divides his week between visits to five villages in the interior of Maranhão and he usually has 20 to 30 consultations a day with indigenous patients. He reported on the difficulty of providing services with such scarce resources in an area that was lacking any such assistance. According to the doctor, there had been no medical

professional present for the previous two years, there was no proper space dedicated to health care provision, there was lack of medicines and great difficulty to schedule tests and exams. The doctor also commented that it sometimes took six months to refer a patient to a specialist.

MEANS USED: Lack of infrastructure; bad working conditions

Source of information: Folha de S. Paulo, 11/8/2015

2015

VICTIM: Community

PEOPLE: TIMBIRA

INDIGENOUS TERRITORY: GERALDA/TOCO PRETO

MUNICIPALITY: ITAIPAVA DO GRAJÁ

DESCRIPTION: In spite of the presence of a multi-disciplinary team in the Community, the Indians denounce the shortage of medicines in the area center making it impossible to continue the treatment of patients that are diagnosed in the community where they live. Another problem is the lack of potable water which makes it difficult to prevent diarrhea among the children.

MEANS USED: Shortage of medicines and lack of basic sanitation

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Community

PEOPLE: GAVIÃO

INDIGENOUS TERRITORY: GOVERNADOR

MUNICIPALITY: AMARANTE DO MARANHÃO

PLACE OF OCCURRENCE: Monte Alegre Village

DESCRIPTION: an Indigenous woman, Maria Helena denounced the fact that in 2011 the Sesai/Dsei began the construction of an artesian well but failed to finalize to the Office of the Federal Public Prosecutor. A Sesai engineer told the community that the first well that was bored is not operable. For five years now the indigenous community has not had a potable water supply.

MEANS USED: Lack of potable water

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Community

PEOPLE: TIMBIRA

INDIGENOUS TERRITORY: GERALDA/TOCO PRETO

MUNICIPALITY: TAIPAVA DO GRAJÁ

PLACE OF OCCURRENCE: Cibirino and Geralda villages

DESCRIPTION: Leaders denounce the lack of potable water because the wells that were drilled in the communities have water that is unsuitable for consumption. The indigenous people use the contaminated waters of the Grajaú River thereby increasing the numbers of diseases such as worm infestations, and diarrheas among others. Another problem is the lack of an anesthetist at the municipal hospital which has meant that many surgeries have had to be postponed.

MEANS USED: Generalized lack of care provision

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Pregnant women

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Escalvado Village

DESCRIPTION: Indigenous leaders report that pregnant women are not taking some antenatal exams including ultrasound scans in the municipal hospital because of the lack of equipment.

MEANS USED: Lack of medical care provision

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015**VICTIM:** Community**PEOPLE:** KANELA**INDIGENOUS TERRITORY:** KANELA**MUNICIPALITY:** FERNANDO FALCÃO**PLACE OF OCCURRENCE:** Memortunré Indigenous territory /Escalvado

DESCRIPTION: The indigenous people of this community denounced that the Dsei Polo base has only one car at its disposal to transport patients from the village to Barra do Corda and it is not enough to meet the demands of the community. Furthermore, there is a shortage of medicines. According to a nurse attached to the Polo Base, there were not enough funds available to purchase the medicines.

MEANS USED: Inadequate health care provision in the villages*Source of information: Cimi Regional Maranhão - Imperatriz Team***2015****VICTIM:** Community**PEOPLE:** KANELA APANIEKRA**INDIGENOUS TERRITORY:** PORQUINHOS - CANELA APÃNJEKRA**MUNICIPALITY:** FERNANDO FALCÃO

DESCRIPTION: According to a denunciation made by members of this indigenous community, the community health post does not have conditions to provide health care services. The structure is damaged and in danger of collapsing.

MEANS USED: Lack of infrastructure and omission*Source of information: Cimi Regional Maranhão - Imperatriz Team***FEBRUARY****VICTIM:** Jakarawij, isolated Awá Guajá**PEOPLE:** AWÁ**INDIGENOUS TERRITORY:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF OCCURRENCE:** Awá village

DESCRIPTION: The indigenous woman was contacted by a group of Awán hunters at the end of 2014. Soon after she came to the village she was infected with a strong cold. Jakarawij's health soon grew worse and Sesai was requested to deal with the problem. However due to the long delay the patient's condition evolved to tuberculosis. After the dispute between Fuai and Sesai as to whose responsibility it was to deal with isolated peoples, she was taken to a hospital in São Luis for treatment.

MEANS USED: Delaying medical tests*Source of information: Cimi Regional Maranhão; Awá-Guajá community***APRIL****VICTIM:** Community**PEOPLE:** AWÁ**INDIGENOUS TERRITORY:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF OCCURRENCE:** Awá Village

DESCRIPTION: The indigenous people denounce the shortage of basic medicines in the villages and of health care and accompaniment of old people. According to them, the nursing staff at the polo base take far too long to refer people who need treatment in the city.

MEANS USED: Shortage of medicines and care provision*Source of information: Cimi Regional Maranhão; Awá-Guajá community***9/4/2015****VICTIM:** Jakarewy**PEOPLE:** AWÁ**INDIGENOUS TERRITORY:** CARU**MUNICIPALITY:** SANTA INÊS**PLACE OF OCCURRENCE:** Aldeia Tiracambu

DESCRIPTION: On the occasion of a capacity building workshop run by Sesai, the Desai Maranhão team diagnosed the indigenous woman Jakarewy as having pneumonia. Funai and Sesai disagreed as to the treatment that should be administered; whether it should be in the village or in the hospital in the city where there was the risk of exposing her to hospital infections. The disagreement between the two government entities delayed the beginning of treatment and put her at risk of dying. According to Dr. Istivan Ivarga, an expert on indigenous health, "it is possible to treat pneumonia in the village and if the case is more advanced Sesai has the conditions necessary to carry out treatment in the [indigenous] area."

MEANS USED: Lack of emergency health care*Source of information: Cimi Regional Maranhão, 21/4/2015***10/4/2015****VICTIM:** Communities**PEOPLE:** AWÁ and GUAJAJARA**INDIGENOUS TERRITORY:** AWÁ**MUNICIPALITY:** BOM JARDIM**PLACE OF OCCURRENCE:** Maçaranduba Village

DESCRIPTION: Indigenous leaders called for the presence of Dsei coordinator, Alexandre Canturária, in the village where six employees are posted. They want to denounce the precarious situation of the healthcare offer and call for improved infrastructure for the Polo Base.

MEANS USED: Lack of medical care provision and infrastructure*Source of information: G1/MA, 13/4/2015*

Mato Grosso do Sul – 4 Cases

2015**VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ and TERENA**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** DOURADOS

DESCRIPTION: More than one year has passed and the results of tests made in the Unified Health System (Sistema Unificado de Saúde – SUS) have not been delivered so that the community is running the risk of diseases like tuberculosis getting out of control and tuberculosis may become a veritable outbreak in the indigenous reserve. Pediatrician Zelik Trajber said that without those test results there is an imminent risk of tuberculosis getting out of control. The lack of PPD testing makes it impossible to continue diagnosing the disease in its latent stage so prevention has been interrupted. Many factors contribute to making the indigenous population vulnerable to tuberculosis, among them precarious housing conditions and poverty. Late diagnosis makes treatment more difficult and many end up abandoning it.

MEANS USED: Lack of care provision; omission; negligence*Source of information: Dourados Agora, 7/12/2015***2015****VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF OCCURRENCE:** Jaguapiru and Bororó villages

DESCRIPTION: The Dourados community is facing problems associated to water shortages. This chronic situation grew worse in September when, according to the indigenous residents, one of the six wells ran dry and consequently the others were overloaded. From then on many daily chores like washing clothes have not been done in order to save

water for drinking, cooking and bathing. Currently six wells supply a population of 17 thousand people. With one well dry and two others with reduced flows, water shortages are a constant occurrence in the villages.

MEANS USED: Lack of assistance to the villages

Source of information: G1/MS; TV Morena, 14/9/2015; Cimi Regional Mato Grosso do Sul

JANUARY

VICTIM: Communities

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

DESCRIPTION: Failure to pay the 13 th salary on the part of the outsourced company that provides services to the Sesai led to a work stoppage by the 200 indigenous health employees with serious negative consequences for the health of the population. The company responsible for service provision alleges that the Federal Government did not transfer the amount due to its account. According to an indigenous leader from the Jaguapiru village, Ivan Ávila, the work stoppage occurs at a critical period in the lives of the indigenous community because “the very high temperatures in the last few days and the shortage of water in the Reserve mean that many children are being taken to the medical posts suffering from diarrhea and precisely at the moment when the service provision to users has been reduced”.

MEANS USED: Failure to transfer funds

Source of information: O Progresso, 20/1/2015

MARCH

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Panambizinho, Jaguapiru

DESCRIPTION: Indigenous patients are being received in the midst of building rubble of unfinished constructions due to the paralysis of the works of two new health posts that should have been ready in 2013. The room where samples are collected for laboratory tests has no window installed and the open space is blocked by a sheet of cardboard. Doors are merely improvised divisions to ensure at least a minimum amount of privacy to patients during consultation. The absence of basic sanitation places the health of patients and staff at risk. As there are no proper doors installed the medical health posts are liable to the theft of equipment and materials. The medicines are stored in a cupboard in room that gets flooded when it rains.

MEANS USED: Lack of assistance; neglect

Source of information: O Progresso, 25/3/2015; Combate Racismo Ambiental, 5/3/2015

Mato Grosso – 5 Cases

2015

VICTIM: Kabinaru Karajá

PEOPLE: KARAJÁ

INDIGENOUS TERRITORY: TAPIRAPÉ/KARAJÁ

MUNICIPALITY: SANTA TERESINHA

PLACE OF OCCURRENCE: Ixalá village

DESCRIPTION: The two month-old child suffered an accident and was referred to three hospitals one after the other instead of being referred directly to Cuiabá. The delay meant that the child had to spend four months in the University General Hospital.

MEANS USED: Delay in diagnostic tests

Source of information: Cimi Regional Mato Grosso

2015

VICTIM: Communities

PEOPLE: XAVANTE

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: BARRA DO GARÇAS

PLACE OF OCCURRENCE: Eight Xavante areas

DESCRIPTION: The communities denounce the precarious care service offered by the Dsei. There are no doctors and there is a lack of medicines, transport for patients and emergency services in addition to the huge delays in processing medical tests and examinations and initiating the necessary treatment.

MEANS USED: Generalized lack of care provision

Source of information: Cimi Regional Mato Grosso

2015

VICTIM: Villages

PEOPLE: XAVANTE

MUNICIPALITY: CAMPINÁPOLIS

PLACE OF OCCURRENCE: Xavante villages

DESCRIPTION: Around 10 thousand Indians live in the Xavante villages in the Campinópolis region. In 2015 alone there were 180 cases of tuberculosis notified; a shocking figure according to Dsei coordinator Joel Goés. He added that the number shot up from 5 cases in 2015 to 180 cases at the beginning of 2016.

MEANS USED: Failure to provide care services

Source of information: G1/MT

2015

VICTIM: Community

PEOPLE: XAVANTE

INDIGENOUS TERRITORY: SANGRA DOURO/VOLTA GRANDE

MUNICIPALITY: GENERAL CARNEIRO

DESCRIPTION: Famous for their great physical strength and warrior tradition, the Xavante are succumbing to a silent disease, namely, diabetes. Their traditional foodstuffs such as sweet potato, pumpkins and manioc (cassava) have gradually been replaced by white flour, cakes, industrialized bread and lots of soft drinks. This drastic alteration in their diet is responsible for the diabetes epidemic. In the 1970s, Funai created the “Rice Project” to revert the food shortage situation and the integral rice produced in the local fields was abandoned. After the implantation of the project the Indians gradually abandoned the planting of their own fields and their traditional diet. According to endocrinologist João Paulo Botelho Vieira Filho, of the Paulista School of Medicine, in the two main Xavante areas, Sangradouro and São Marcos, diabetes prevalence is 28.2%. In the Brazilian population at large it is 7%. The scarce infrastructure in the villages makes prevention difficult. The health post in the biggest village has been closed for years. In their simple brick houses built in traditional style they have a refrigerator, a TV set but no running water or toilet facilities. Babies are born weighing up to five kilos but often with physical deficiencies. Abortions and diabetes among adolescents are also common.

MEANS USED: Failure to respect traditional ways

Source of information: Folha de S. Paulo, 9 e 10/8/2015

4/11/2015

VICTIM: Domingas Luiza Morimã

PEOPLE: APIAKÁ

INDIGENOUS TERRITORY: APIAKÁ/KAYABI

MUNICIPALITY: JUARA

DESCRIPTION: A VICTIM The indigenous victim was admitted to the municipal hospital and then transferred to Cuiabá where she spent 15 days in the corridors waiting to be treated even though she was at risk of imminent death due to an aneurism.

MEANS USED: Lack of emergency service

Source of information: Cimi Regional Mato Grosso

Minas Gerais – 1 Case

2015

VICTIM: Community

PEOPLE: MAXAKALI

INDIGENOUS TERRITORY: MAXAKALI

MUNICIPALITY: LADAINHA

PLACE OF OCCURRENCE: Verde Village

DESCRIPTION: In October the Community decided to pressure the Sesai employees because of the terrible quality of the water they have to consume. The Indians are calling for artesian well to be installed because the surface water that reaches the villages poses a health risk especially for older people and children.

MEANS USED: Lack of potable water

Source of information: Portal R7; Cimi Regional Leste (East)

Pará – 9 Cases

2015

VICTIM: Community

PEOPLE: ATIKUM

INDIGENOUS TERRITORY: ATIKUM

MUNICIPALITY: REDENÇÃO

PLACE OF OCCURRENCE: Umã village

DESCRIPTION: According to denunciations made to the Office of the Public Prosecutor no health care had been provided to the Atikum indigenous people because the local Dsei did not consider the families to be indigenous. According to the International Labor Convention, no State or social group may deny the identity of an indigenous people that recognized itself as such. The Umã village was recognized by the leaders as belonging to the Atikum people. The office of the Federal Public Prosecutor wants the families of that village to receive health care services from the indigenous health care sub-system irrespective of the demarcation of the lands or any other external recognition of the community's indigenous status.

MEANS USED: Failure to provide care services; neglect

Source of information: MPF/PA, 13/2/2015

2015

VICTIM: Community

PEOPLE: TEMBÉ

INDIGENOUS TERRITORY: TEMBÉ

MUNICIPALITY: SANTA MARIA

PLACE OF OCCURRENCE: Jeju and Areal villages

DESCRIPTION: Since 2004, the communities have been claiming their right to a differentiated form of health care provision. After several frustrated attempts to convince Sesai they took legal action in the courts to solve the problem. In spite of having been duly identified and recognized as being indigenous, the populations have not had their lands demarcated by the Funai. Sesai has been systematically refusing to provide health care services to communities living in territories that have not been demarcated thereby creating a criterion of differentiation that the Office of the Federal public Prosecutor (MPF) considers unacceptable. In the words of the MPF, "given the great difficulty these people have to gain access to the general health service of the Unified Health System (SUS) and without being allowed access to the sub-system for indigenous health those communities are neither registered in the Sesai's information system nor included in its budgets".

MEANS USED: Lack of health care provision

Source of information: MPF/PA, 19/6/2015

2015

VICTIM: Thirteen indigenous peoples

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: MUNDURUKU

MUNICIPALITY: SANTARÉM

DESCRIPTION: Health service provision was being denied to thirteen indigenous peoples in the west of the state of Pará under the allegation that their lands had not been demarcated or because some of their people did not live in the villages. The 13 peoples in the region comprising 5 thousand persons have been claiming their right to differentiated health care provision on the part of the Federal Government since 2001. A document issued by the Ministry of Health itself (edict nº 163/99) declares that "the refusal on the part of any public or private institution associated to the Unified Health System (Sistema Único de Saúde – SUS) to provide assistance to the Indians constitutes and illegal act liable to punishment by the respective government bodies". In the court action proposed by the Office of the Federal Public Prosecutor (MPF), prosecutor Camões Boaventura argued that it was not admissible to condition access to indigenous health provision to the conclusion of land demarcation procedures. It was also established that the Casa da Saúde Indígena (Indigenous Hospital) should provide its services to any indigenous individual living in the urban zone of the municipality whether provisionally or permanently.

MEANS USED: Refusal to provide health care services

Source of information: Communication Advisory Body of the MPF/PA, 1/2/2016

2015

VICTIM: Indigenous communities in the Altamira region

PEOPLE: ARARA, ARAWETÉ, ASURINI, JURUNA, KAYAPÓ, KURU-AYA, PARAKANÃ, XIKRIM and XIPÁYA

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: ALTAMIRA

PLACE OF OCCURRENCE: Communities in the Altamira region

DESCRIPTION: the socioenvironmental impact of the Belo Monte Hydroelectric Plant has been directly hampering the actions undertaken by the Altamira Dsei. That is especially true in the case of the actions of high or medium complexity that are conditioning factors for the Hydroelectric construction project such as drinking water supply and basic sanitation installations in the villages which were foreseen as part of the conditions for approval of the Norte Energia Company's Indigenous Component of its Basic Environmental Plan.

MEANS USED: Failure to provide assistance

Source of information: Cimi Regional Norte (North) II – Altamira team; Indigenous Community

2015

VICTIM: Communities

PEOPLE: MUNDURUKU

INDIGENOUS TERRITORY: DAJE KAPAP EIP

MUNICIPALITY: TAITUBA

DESCRIPTION: According to the Middle Tapajos Indigenous Association (Associação Indígena do Médio Tapajós), Sesai has made various attempts to persuade them to accept the creation of the Insi using the argument that such an institution would bring greater benefits for indigenous health. The Office of the Federal Public Prosecutor organized a meeting in Brasília attended by all the presidents of Indigenous Health Councils to question them regarding the absence of health service provision in the villages.

MEANS USED: Failure to provide healthcare services

Source of information: Cimi Regional Norte (North) II

2015**VICTIM:** Community**PEOPLE:** MUNDURUKU**INDIGENOUS TERRITORY:** SAWRE APOMPU**MUNICIPALITY:** ITAITUBA**PLACE OF OCCURRENCE:** Sawre Apompu Village

DESCRIPTION: The village was severely affected by the construction of the BR-163 Federal Highway which encompassed part of its territory and has a bridge over the stream whose waters they use. When it rains all the runoff from the highway washes down into the stream contaminating the water. That has given rise to cases of diarrhea and fungus diseases. On various occasions, the cacique has requested Funai and Sesai to sink an artesian well in the village but there has been no action on the part of those government agencies; only promises.

MEANS USED: Failure to provide assistance to the villages*Source of information:* Cimi Regional Norte II; Teacher Claudete Kaw**2015****VICTIM:** Community**PEOPLE:** MUNDURUKU**INDIGENOUS TERRITORY:** SAWRE DJAYBU**MUNICIPALITY:** TRAIRÃO

DESCRIPTION: There is no health post in the Indigenous area in spite of repeated requests made by the cacique. This community obtains health services in the Sawre Apompu village on the other side of the Tapajós river or in the non-indigenous community of São Luiz. When people are ill it is very difficult even to get a message to the Sesai because there is no radio-communication system installed and often the patient has to be transported by canoe with simple form of outboard motor. According to the time and the weather, crossing the river can be dangerous because of winds and waves.

MEANS USED: Failure to provide assistance*Source of information:* Marinalva Munduruku; Cimi Regional Norte (North) II**2015****VICTIM:** Community**PEOPLE:** TEMBÉ DE SANTA MARIA DO PARÁ**INDIGENOUS TERRITORY:** TEMBÉ DE SANTA MARIA DO PARÁ**MUNICIPALITY:** SANTA MARIA DO PARÁ

DESCRIPTION: At a meeting held in the health department of the Pará state government, the coordinator of the Dsei Guatoc declared that he could not provide any assistance to the indigenous people because their land had not been administratively demarcated. The indigenous leaders argued that the Work Group had already been set up and the respective studies were already in course. They stressed the fact that they had been officially recognized by Funai. Those in charge of the Dsei replied that they were impeded by the law to provide any form of health care support.

MEANS USED: General lack of assistance*Source of information:* Cimi Regional Norte (North) II**SETEMBRO****VICTIM:** Communities of the Tiriyo Nission Pole**INDIGENOUS TERRITORY:** TUMUCUMAQUE INDIGENOUS PARK**MUNICIPALITY:** ORIXIMINÁ

DESCRIPTION: The community complains about the lack of investments in indigenous health care provision. There is a shortage of medicines and the infrastructure is the same as it was 50 years ago without any improvements having been made to address the demands of the present day population. There is a lack of an indigenous sanitation agent and the failure to undertake the usual actions has increased the number of cases of sickness among the Tiryos Mission Indians and in

the other villages. In the general assemblies of the peoples of the park that it has organized, Sesai has announced that it had funds to invest in sinking artesian wells but up until the end of 2015, not a single well had been drilled.

MEANS USED: Lack of assistance in the villages*Source of information:* Cimi Regional Norte (North) II

Rio de Janeiro 1 Case

20/4/2015**VICTIM:** Community**PEOPLE:** PATAXÓ**MUNICIPALITY:** ANGRA DOS REIS**PLACE OF OCCURRENCE:** Mambucaba Park

DESCRIPTION: The indigenous people here came from Bahia about ten years ago and live in houses in the Mambucaba Park. They invaded the Sesai building to call attention to the fact that they had not received any medical service provision on the part of that entity for three years.

MEANS USED: Lack of assistance; neglect*Source of information:* Ambiente Brasil, 23/4/2015; Cimi Regional Sul (South)

Rondônia – 3 Cases

2015**VICTIM:** Indigenous individuals and communities**PEOPLE:** APURINÃ, ARARA, CINTA LARGA, KWAZÁ, NAMBIKWARA, SABANÊ, SAKURABIAT e SURUÍ**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** RONDONÓPOLIS

DESCRIPTION: Around 200 Indians belonging to thirteen different peoples occupied the Sesai base to call for better conditions and structures in the differentiated health services provision. They also demanded that the Dsei coordinator should be replaced.

MEANS USED: Generalized lack of assistance*Source of information:* Communication Advisory Body - Cimi; Cimi Regional Rondônia, 07/12/2015**20/01/2015****VICTIM:** Community**PEOPLE:** PAKAA NOVA**INDIGENOUS TERRITORY:** RIO NOVO AND CACHOEIRA DO RIO PAKAAS NOVAS**MUNICIPALITY:** GUAJARÁ-MIRIM

PLACE OF OCCURRENCE: Capoeirinha, Tanajura, Santo André, Graças a Deus and Bom Futuro villages

DESCRIPTION: Public Prosecutor Daniel Dalberto and anthropologist Rebeca Ferreira visited the area and found that the indigenous people were drinking untreated water straight from the river and that was causing a series of sicknesses. Also they found that there were no health posts in the area capable of offering primary health care services.

MEANS USED: Contaminated water*Source of information:* MPF/RO, 29/1/2015**28/1/2015****VICTIM:** Communities**PEOPLE:** VARIOUS**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** GUAJARÁ-MIRIM

DESCRIPTION: Indigenous individuals from Guajará-Mirim occupied the Casai building to protest against the health services conditions. The Casai provides health services to hundreds of people belonging to various villages in the region. In addition to the lack of staff, especially those qualified to treat older

people and children, the indigenous protesters denounced the appalling conditions in the Casa da Saúde (Indigenous Hospital) with many sick people sharing the same space and toilets not fit to be used.

MEANS USED: Structural problems in the Casa de Saúde do Índio (hospital)

Source of information: G1/RO, 29/1/2015

Roraima – 2 Cases

2015

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: BOA VISTA

PLACE OF OCCURRENCE: Casa de Saúde do Índio (Hospital)

DESCRIPTION: patients and those that accompany them denounce a series of problems in the hospital for indigenous people Casa de Saúde do Índio. There are shortages of water and medicines and meals are insufficient. Laboratory tests and examination can take as long as three months to be done.

MEANS USED: Structural inadequacies in the indigenous hospital Casa de Saúde do Índio

Source of information: Globo.com, 4/3/2015

19/1/2015

VICTIM: Community

PEOPLE: YANOMAMI

INDIGENOUS TERRITORY: YANOMAMI

MUNICIPALITY: BOA VISTA

DESCRIPTION: A group of Indians occupied the Sesai building to denounce the precarious service provision in the Casai. In the state there are more than 300 communities and 37 health care bases. However, according to Yanomami leader Júnior Hekurari Yanomami, there is a shortage of everything in those base units. There are too few staff and the more distant communities may go as long as four months without receiving a visit from the medical teams. They also denounce the high death rate among the Yanomami patients including those hospitalized in the Casai. They complain that they are not informed about the causes of death.

MEANS USED: Structural inadequacies in the indigenous hospital Casa de Saúde do Índio

Source of information: Portal Amazônia, 19/1/2015

Rio Grande do Sul – 1 Case

APRIL

VICTIM: Community

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: MATO CASTELHANO

MUNICIPALITY: MATO CASTELHANO

DESCRIPTION: The municipal authority of Mato Castelhano refuses to use the funds provided by means of a state decree to guarantee the good quality of indigenous health service provision. In a court decision of the lower courts, the judge alleged that the indigenous people were occupying the land in an irregular manner and on that account the city hall was not obliged to use the funds. According to one public prosecutor, that attitude "reveals a disguised form of prejudice" because the argument used by the city hall is that because there is no officially recognized indigenous territory then the Indians that reside there have no right to the differentiated services offered by the health system. However, neither the Law nor the decree condition the exercise of their right to differentiated health services to the regularization of the

land tenure situation. One legal sentence stated that the indigenous people were being treated alongside the rest of the population by the services of the Unified Health System (Sistema Único de Saúde – SUS). Based on edict nº 41/2013, the State of Rio Grande do Sul made the amount of 4 thousand reais a month available to the municipality to be spent to the benefit of the Indians but the local authority refused to make use of the money. The Public Prosecutor states that the local authority's refusal is illegal because it impedes the Indians from having access to "a service that constitutes the materialization of a fundamental social right".

MEANS USED: Lack of medical care provision in the cities

Source of information: MPF-RS, 9/4/2015

Santa Catarina – 2 Cases

28/1/2015

VICTIM: Community

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: XAPECÓ

MUNICIPALITY: IPUAÇU

DESCRIPTION: In protest against the shortages of water and medicines, and the fact that the vehicles for transporting sick patients are inoperative because of lack of maintenance, the indigenous people closed the health post.

MEANS USED: Generalized lack of care provision

Source of information: Cimi Regional Sul (South) - Equipe Florianópolis

DECEMBER

VICTIM: Community

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: TOLDO IMBÚ

MUNICIPALITY: CHAPECÓ

DESCRIPTION: At the end of 2013, the Office of the Federal Public Prosecutor (MPF) carried out an inspection of the building where there is a primary health care post installed in the indigenous territory and identified the extremely bad state of the place. In another inspection carried out this year it was found that nothing had changed. Among the irregularities are the bad conditions of the building itself, the presence of untreated sewage in the open air and an illegal connection to the electricity supply line. At the request of the MPF the Health Surveillance entity inspected the health unit in indigenous territory and interdicted it. According to the surveillance body that health unit did not have the minimum conditions to function as such much less as to provide health services. In the light of that situation the MPF moved an action in the Federal Courts to oblige the Federal government to begin the construction of a new health post building for that indigenous area.

MEANS USED: Generalized lack of care provision

Source of information: Cimi Regional Sul (South); MPF-SC, 10/12/2015

São Paulo – 2 Cases

2015

VICTIM: Communities

PEOPLE: GUARANI MBYA

INDIGENOUS TERRITORY: ITAÓCA

MUNICIPALITY: MONGAGUÁ

DESCRIPTION: The indigenous communities report the abandonment of the State and Sesai in regard to the health post built two years ago to provide health services to around 200 Guarani people in the two village. The post has never been used. The brand new equipment installed in the post is deteriorating. The former post where services were functioning before is apparently on the verge of collapse and no steps have been

taken to address the problem.

MEANS USED: Generalized lack of assistance

Source of information: G1/SP, 11/5/2015

2015

VICTIM: Community

PEOPLE: GUARANI

INDIGENOUS TERRITORY: JARAGUÁ

MUNICIPALITY: SÃO PAULO

PLACE OF OCCURRENCE: Tekoha Pyaú village

DESCRIPTION: According to a long-time resident of the village, urbanization of the region has brought with it serious problems for the community. There are stray animals wandering around, the water is polluted and sewage flowing in open drains. That contaminates the soil of the lower village which is very small (the smallest registered indigenous land in Brazil with an area of just two hectares). The indigenous communities are endeavoring to obtain the demarcation of 530 hectares that separate the upper village from the lower village and are cut across by the Touristic Highway of Jaraguá. The children suffer most because they play in the vicinity of untreated sewage and some are infected with diarrhea, worm infestations and respiratory diseases aggravating the general health situation, considered by the Indians to be extremely serious. The village has become a deposit for stray dogs because passing cars stop there and throw out animals their owners no longer want. The informants estimate that the population is around 800 persons but there are hundreds of dogs. The shortage of water and lack of sanitation are other problems. The contamination of the soil jeopardizes the practice of traditional forms of medicine and the Indians can no longer collect the necessary natural medicines. As one indigenous resident, Pedro, put it "This is a very small territory, there is no forest and no clean water; there is no way for us to obtain our medicines. He also stated that the only way to improve those conditions was to finalize the demarcation of the land.

MEANS USED: Lack of potable water and basic sanitation

Source of information: Carta Capital, 18/9/2015

Tocantins – 5 Cases

JANUARY

VICTIM: Tutawa Avá-Canoeiro

PEOPLE: AVÁ-CANOEIRO

INDIGENOUS TERRITORY: ARAGUAIA INDIGENOUS PARK

MUNICIPALITY: FORMOSO DO ARAGUAIA

PLACE OF OCCURRENCE: Gurupi Regional Hospital

DESCRIPTION: The old man suffered an accident in the village, knocked his head and was in a bad way. He spent six days hospitalized then was referred to the Gurui Regional Hospital where he was diagnosed with a cerebral tumor and underwent an operation. He continued to be very ill after the operation and needed to use geriatric diapers. A nurse requisitioned diapers from the Casai but the person in charge refused to supply them saying that the patient had enough money to buy them for himself.

MEANS USED: Lack of assistance

Source of information: Atitude, 6/2/2015; Cimi Regional GO/TO

19/1/2015

VICTIM: Maria Sipredi

PEOPLE: XERENTE

INDIGENOUS TERRITORY: XERENTE

MUNICIPALITY: TOCANTÍNIA

DESCRIPTION: The indigenous victim Maria Sipredi was in a very poor state of health. Tests showed that she had an ovarian cyst and urgently required a surgical operation. Her son went

to the Dsei and informed them that his mother needed to take more detailed tests in the public health network. The patient took those tests in 2014 but the operation has not yet been performed.

MEANS USED: Lack of assistance

Source of information: Cimi Regional GO/TO; Family members; MPF

MARCH

VICTIM: Community

PEOPLE: KRAHÔ

INDIGENOUS TERRITORY: KRAHÔ

MUNICIPALITY: ITACAJÁ

PLACE OF OCCURRENCE: Morro do Boi village

DESCRIPTION: The indigenous people from this village reported that in the health post in their village there are no medicines or basic materials for healthcare provision. The Casai does not have the most rudimentary conditions of hygiene, the ventilation of the internal environment is precarious and the tests that are sent to other municipalities take months to be carried out.

MEANS USED: Generalized lack of care provision

Source of information: Cimi Regional GO/TO; Indigenous Community

JUNHO

VICTIM: Lúcia Sibãdi

PEOPLE: XERENTE

INDIGENOUS TERRITORY: XERENTE

MUNICIPALITY: TOCANTÍNIA

DESCRIPTION: After a motorcycle accident, Lúcia was taken to the Miracema hospital with a suspected fracture of the vertebral column. The hospital then referred her to the regional hospital in Palmas where she remained for two months waiting for an operation. After surgery she was discharged and went back to her village. 20 days later she suffered a fall. Her abdomen swelled up and she felt severe pain. She was referred to the Miracema hospital once more and then again to Palmas with a generalized infection of the abdomen and a fracture in the vertebral column. Ultrasound examinations revealed extra-neous objects in the abdomen. The doctors that performed the surgery on her vertebral columns had left swabs of gauze inside her abdomen. She underwent surgery to remove the objects and was infected by a powerful strain of bacteria in her vertebral column. To combat the bacteria she needs to undergo a complementary procedure that would cost 21 thousand reais. With no such financial resources in their possession, the family denounced the occurrences to the Office of the Federal Public Prosecutor. (MPF).

MEANS USED: Lack of assistance

Source of information: Cimi Regional GO/TO; Family members; MPF-TO

3/11/2015

VICTIM: Beatriz Sidi

PEOPLE: XERENTE

INDIGENOUS TERRITORY: XERENTE

MUNICIPALITY: TOCANTÍNIA

DESCRIPTION: indigenous mother of three, Beatriz was pregnant with her fourth child but the pregnancy was diagnosed as being a high risk pregnancy. The family reported that there was no prenatal accompaniment of the pregnancy. The patient, in pain was transported from the village to be examined three times. The team at the base examined her and informed her that it was time for the child to be born. When she was transferred to the Miracema hospital in a serious condition, the hospital passed her on to the maternity hospital in Palmas. The delay in looking after her was the probable cause of the child's having died in the mother's uterus.

MEANS USED: Lack of assistance

Source of information: Cimi Regional GO/TO; Family members; MPF

Death from failure to provide health care

In 2015 the Cimi registered 3 cases from failure to provide medical assistance in the states of Acre (1), Pernambuco (1) and Roraima (1).

In Pernambuco, an adolescent showed symptoms that resembled chikungunya and died. According to the community 60% of the indigenous residents had the same symptoms – edemas, pain in the body and headaches, blotches in the skin and itchiness. According to health agent, Edilene Augusto, who lives in the village, medical care services for this population are scarce. There are 250 people in 61 families in the village. In the region of the municipality there are 24 indigenous villages, home to 11 thousand Indians. Four doctors take turns in providing assistance which means, in practice that a doctor only appears once a month in each village. In cases of emergency the Indians need to go to the municipal hospital in Pesqueira and there they do not always receive attention. Water supply is another serious problem and for two years now there has been no drinking water supply in the villages other than by tanker truck delivery. They store water

Arquivo Cimi



in buckets and drums thereby favoring the reproduction of the *Aedes* mosquito.

In Roraima two Yanomami died after being bitten by snakes. The community reported that there was neither anti-venom serum nor any other kind of medicine available in the village health post.

DEATH FROM FAILURE TO PROVIDE HEALTH CARE

3 Cases

Acre – 1 Case

29/7 2015

VICTIM: João Kampa

PEOPLE: ASHANINKA

INDIGENOUS TERRITORY: KAMPA AND ISOLATED GROUPS OF THE RIVER ENVIRA

MUNICIPALITY: FEIJÓ

DESCRIPTION: The indigenous victim underwent medical treatment that was not related to his health problem. After much coming and going between the hospital and the Casai he was sent to the hospital once more where he was finally diagnosed correctly. However, by that time the disease had progressed too far and he died.

MEANS USED: Medical Neglect

Information supplied by: Cimi Regional Amazônia Ocidental (Western Amazon) - Feijó and Cruzeiro do Sul teams

Pernambuco – 1 Case

2015

VICTIM: Danielle Marques de Santana

PEOPLE: XUKURU

INDIGENOUS TERRITORY: XUKURU

MUNICIPALITY: PESQUEIRA

PLACE OF OCCURRENCE: Pé de Serra de São Sebastião village

DESCRIPTION: the adolescent showed symptoms that resembled chikungunya and died. According to the community 60% of the indigenous residents had the same symptoms – edemas, pain in the body and headaches, blotches in the skin and itchiness. According to health agent, Edilene Augusto, who lives in the village, medical care services for this population are scarce. There are 250 people in 61 families in the village. In

the region of the municipality there are 24 indigenous villages, home to 11 thousand Indians. Four doctors take turns in providing assistance which means, in practice, that a doctor only appears once a month in each village. In cases of emergency the Indians need to go to the municipal hospital in Pesqueira and there they do not always receive attention. Water supply is another serious problem and for two years now there has been no drinking water supply in the villages other than by tanker truck delivery. They store water in buckets and drums thereby favoring the reproduction of the *Aedes* mosquito.

MEANS USED: No assistance in the villages

Information supplied by: Diário de Pernambuco, 8/1/2016

Roraima – 1 Case

20/3/2015

VICTIM: Men

PEOPLE: YANOMAMI

INDIGENOUS TERRITORY: YANOMAMI

MUNICIPALITY: ALTO ALEGRE

PLACE OF OCCURRENCE: Surucucu

DESCRIPTION: Indigenous people in the area denounce the neglect they are victims of in terms of health service provision. They report the death of two Indians from snakebites because there was no anti-venom serum in the local health post nor any other kind of medicine. Data of the Ministry of Health's Datasus system which compiles health and sanitation information for the whole of Brazil shows that among the Indians there has been an increase in avoidable deaths; those that could have been avoided if the person had been treated in time. Lack of transport, materials and personnel contribute to making the situation worse.

MEANS USED: Lack of medicines

Source of information: El País, 20/3/2015; Folha de S. Paulo, 23/3/2015

Infant Mortality

Based on the Law of Access to Information, Cimi obtained partial data on indigenous infant mortality from the Sesai and the Mato Grosso do Sul Dsei. By adding the figures from the two sets of data we arrived at a total of 599 deaths of children under five. These are partial numbers considering that at least three Dseis failed to provide information on any such deaths in their areas of service provision (Upper Juruá River, Bahia and Parintins).

The three major causes of death were: unspecified pneumonia with 48 deaths (8.2%); diarrhea and gastroenteritis presumably of infectious origin, with 41 deaths

(7%); and aggression using unspecified means with 36 child deaths (6.2%). Pneumonia, diarrhea and gastroenteritis are perfectly treatable conditions but they caused the deaths of at least 99 children under 5.

Brazil's macro-region North has the highest number of deaths with 349 deaths of children under five. That is 58%, according to the partial data available. The indigenous peoples most affected are those in the area of activity of the Dsei Xavante with 79 deaths, Upper Solimões, with 77 deaths and Yanomami, with 72 deaths.



Ruy Spasaf

The chart below displays the partial data obtained for deaths of indigenous children under five¹ in 2015, discriminated by Dseis.

Dsei	Nº of Deaths
Alagoas and Sergipe	7
Altamira	11
Upper Rio Negro	29
Upper Rio Purus	27
Uppper Rio Solimões	77
Amapá and the North of Pará	12
Araguaia	2
Ceará	5
Cuiabá	17
Guamá-Tocantins	10
Interior South	13
Kayapó of Mato Grosso	10
Kayapó of Pará	10
East of Roraima	34
Litoral Sul (South coast)	3
Manaus	7
Maranhão	15
Mato Grosso do Sul ²	46
Middle Rio Purus	9
Middle Rio Solimões and tributaries	19
Minas Gerais and Espírito Santo	14
Pernambuco	4
Porto Velho	15
Potiguara	6
Rio Tapajós	9
Tocantins	9
Vale do Javari	18
Vilhena	8
Xavante	79
Xingu	2
Yanomami ³	72
Total	599

The data for the Mato Grosso do Sul Dsei reveal an infant mortality coefficient twice that of the national average with 26.56 deaths per thousand live births. According to the IBGE the infant mortality rate in Brazil as a whole is 13.82 deaths per thousand live births (data for 2013).

The data also reveal that the highest number of deaths for any single Dsei was in the Dourados base with 11 deaths.

Infant mortality discriminated by indigenous peoples – Dsei-Mato Grosso do Sul – 2015

Indigenous peoples	Infant Mortality Rate
Terena, Kadiwéu, Kinikinaw, Ofaié, Guató, Atikum, Guarani & Kaiowá	16.67/1,000 live births 26.35/1,000 live births

Total deaths discriminated by Base Poles – 2015 – Mato Grosso do Sul⁴

Base Pole	Total
Sidrolândia	1
Antônio João	2
Miranda	3
Aquidauana	3
Iguatemi	3
Caarapó	4
Tacuru	5
Paranhos	5
Amambai	9
Dourados	11
Total	46

The age brackets with the highest numbers of deaths in Mato Grosso do Sul is that from 28 days to under one year old with 45.65% of the cases:

Infant mortality by age brackets – Dsei/Mato Grosso do Sul – 2015:

Age Bracket	%
0 to 6 days	32,61%
7 days to 27 days	21,74%
28 days to < 01 year old	45,65%

Among the deaths registered in Mato Grosso do Sul, in the classification into subgroups according to causes of death, eight deaths were due to premature birth, five due to malformations of the heart, and five due to malformations of the nervous system. There were also six deaths from pneumonia, three from diarrhea and two from septicemia. In regard to deaths from external causes, three were due to bronchial aspiration and in the group with undefined causes there were six deaths.

1 Source: Information System for Indigenous Health Care (Siasi), accessed on May 24th 2016. Data subject to revision

2 Source: Dsei-MS

3 Mortality in children under 1 year. Source: Mortality Information System (SIM) of the Ministry of Health

4 Source: Dsei-MS

Dissemination of alcoholic beverages and other drugs

In 2015 Cimi registered 5 cases of the dissemination of alcoholic beverages and other drugs in Indigenous Communities in the states of Acre (1), Amazonas (1) and Pará (3).

In Acre, adolescents and children with ages from 10 to 18 were caught consuming alcoholic drinks or completely drunk. The problem is longstanding in the region in spite of the law which prohibits the sale of alcoholic drinks to indigenous people.

In the state of Amazonas, leaders of the Kokama people denounced the fact that two men were selling a kind of

drink known as “Karot”. It is a cheap drink that is illegally disseminated inside the communities. During searches in the area alcoholic drinks, two shotguns, cartridges and nine Tracajá turtles were apprehended. The two men were arrested.

In the state of Pará, the construction of the Belo Monte hydroelectric plant has led to the movement of many indigenous people to the city of Altamira and consequently to a significant increase in the consumption of alcoholic drinks on their part.



Arquivo Cimi

DISSEMINATION OF ALCOHOLIC BEVERAGES AND OTHER DRUGS

5 Cases

Acre – 1 Case

9/11/2015**VICTIM:** Children and adolescents**PEOPLE:** KAMPA**INDIGENOUS TERRITORY:** KAMPA AND ISOLATED GROUPS OF THE ENVIRA RIVER**MUNICIPALITY:** FEIJÓ**PLACE OF OCCURRENCE:** Various**DESCRIPTION:** adolescents and children with ages from 10 to 18 were caught consuming alcoholic drinks or completely drunk. The problem is longstanding in the region. In spite of the law which prohibits the sale of alcoholic drinks to indigenous people, shopkeepers continue to sell them without restraint.**MEANS USED:** Dissemination of alcoholic drinks*Source of information:* Cimi Regional Amazônia Ocidental (Western Amazon) – Feijó Team

Amazonas – 1 Case

NOVEMBER**VICTIM:** Community**PEOPLE:** KOKAMA**INDIGENOUS TERRITORY:** FEIJÓAL**MUNICIPALITY:** JUTAI**PLACE OF OCCURRENCE:** Feijóal Servalho**DESCRIPTION:** According to the denunciations of two indigenous leaders who participate in actions to combat criminality two men were selling a kind of drink known as “Karot”. It is a cheap drink that is illegally disseminated inside the communities. During searches in the area, alcoholic drinks, two shotguns, cartridges and nine Tracajá turtles were apprehended. The two men were arrested.**MEANS USED:** Lack of assistance in the villages*Source of information:* EBC-AM, 23/11/2015

Pará – 3 Cases

2015**VICTIM:** Indigenous Community**PEOPLE:** ARARA**INDIGENOUS TERRITORY:** CACHOEIRA SECA**MUNICIPALITY:** ALTAMIRA**PLACE OF OCCURRENCE:** Arara da Cachoeira Seca**DESCRIPTION:** With the constant presence of fishermen in the indig-

enous area and the movement of many Indians to the city as a result of the construction of the Belo Monte hydroelectric plant, indigenous people have started using alcohol more frequently with disastrous consequences such as domestic violence and friction among the families.

MEANS USED: Dissemination of alcoholic drinks*Source of information:* Cimi Regional Norte (North) II – Altamira Team**2015****VICTIM:** Indigenous Community**PEOPLE:** PARAKANÁ**INDIGENOUS TERRITORY:** APYTEREWA**MUNICIPALITY:** ALTAMIRA**PLACE OF OCCURRENCE:** Apyterewa, Xingu, Paranapiona and Kwara-hya-pya villages**DESCRIPTION:** With the construction of the Belo Monte hydroelectric plant, many non-indigenous individuals began to appear in the villages. Furthermore, the indigenous villagers began systematically to move to the city and that has been creating problems such as the consumption of alcoholic drinks and drugs (especially cachaça and marijuana). Among the consequences are domestic violence and friction among the families.**MEANS USED:** Consumption of alcoholic drinks and drugs*Source of information:* Cimi Regional Norte (North) II – Altamira Team**2015****VICTIM:** Indigenous Community**PEOPLE:** ARARA**INDIGENOUS TERRITORY:** ARARA DA VOLTA GRANDE**MUNICIPALITY:** ALTAMIRA**PLACE OF OCCURRENCE:** Volta Grande indigenous communities**DESCRIPTION:** with the presence of fishermen and people involved in the construction of houses in the villages as well as residents' constant excursions to the city in the light of various actions unfolded by the Belo Monte construction group, the Arara people have begun to consume alcoholic drinks and drugs (cachaça and marijuana) more frequently. One of the disastrous consequences of these changes has been the increase in domestic violence and friction among the families.**MEANS USED:** Consumption of alcoholic drinks and drugs*Source of information:* Cimi Regional Norte (North) II – Altamira Team

Lack of assistance in indigenous schooling

In 2015, in the states of Amazonas (8), Maranhão (11), Mato Grosso (2), Mato Grosso do Sul (1), Pará (4), Rio de Janeiro (1), Rio Grande do Sul (2), Rondônia (1), Roraima (1), Santa Catarina (5), São Paulo (1) and Tocantins (4).

In the state with the highest number of cases, Maranhão, representatives of the Guajajara complained about the lack of school transport. According to the indigenous representatives the absence of school transport is the result of a cut in spending on the part of the State government. In the indigenous lands of Governador, of the Gavião people, children face difficulties due to the abysmal state of school infrastructure. Among other problems, the roof is full of holes and it has been that way for more than three years.

In Rondônia, a community of the Kaxarari people that has existed for at least five years complains about the failure to hire a teacher. In Roraima indigenous state and federal teachers went on strike to demand improvements in the teaching conditions and the functioning of the schools. In Rio de Janeiro, the Guarani Mbya do not have access to higher secondary education. For 17 years the Office of the Federal Public Prosecutor in that state has been pressuring the government to take steps to redress the situation.

In Santa Catarina, the Federal Courts accepted a request filed by the the Office of the Federal Public Prosecutor and ordered the state to continue with the construction of the indigenous primary and lower secondary education school Sape-Ty-Ko. Building began in 2011 and was supposed to finalize in December 2012. However, work has been held up ever since 2013. Meanwhile indigenous students have had to endure the inadequate conditions of the old school building which does not have enough space for all the student body.

In the indigenous territory of Jaraguá, in the state of São Paulo, Guarani children have been sent home early because of the lack of teachers. This has been going on since the school year began. Another serious problem is the lack of space. According to local leader Davi Martim “the school has only two classrooms for over 200 students.”

In Tocantins the lack of maintenance and abysmal state of the roads has meant that school transport has been unable to circulate. That has affected the schooling of at least 150 students. Such problems are recurrent and have been denounced on various occasion by the community in the form of official letters to the authorities.



LACK OF ASSISTANCE IN THE FIELD OF INDIGENOUS SCHOOL EDUCATION

41 Cases

Amazonas – 8 Cases

30/1/2015**VICTIM:** Students**PEOPLE:** VARIOUS PEOPLES**INDIGENOUS TERRITORY:** CITADINO**MUNICIPALITY:** MANAUS**PLACE OF OCCURRENCE:** Park of the Indigenous Nations

DESCRIPTION: The indigenous people occupy an area inside the Park of the Indigenous Nations in Manaus and their children are without any schooling. The community estimates that the number of children not being attended by the infant education system is very large. There is a real need to build a school in the community area because they are not in a position to go to and from the schools in the city neighborhoods. According to public defender Carlos Alberto Almeida Filho, “irrespective of the regularization of their use of the land, there exists a large contingent of children over four years-old who have nowhere to turn for their schooling”.

MEANS USED: Lack of school education assistance*Source of information:* Portal Amazônia, 30/1/2015**2015****VICTIM:** Students**PEOPLE:** PAUMARI**INDIGENOUS TERRITORY:** PAUMARI DO RIO ITUXI**MUNICIPALITY:** LÁBREA**PLACE OF OCCURRENCE:** Crispin village (Middle Purus region)

DESCRIPTION: The indigenous teacher at the Crispin village school has made a room of her own house available in order to be able to continue teaching children. The environment is not suitable as there are not enough tables or chairs and the students have to lie down on the floor and soon get tired from the bad posture and that obviously jeopardizes their learning. Many complain to the teacher that they cannot stand it anymore. She reports that for seven years the community has been trying to get a space built that effectively meets the spatial needs of the students. There is a school in the community with just a single classroom which needs to be shared by five teachers. In 2014 it was found that there were 180 students. The education offer only contemplates primary education and those that wish to complete lower secondary education need to go the nearest city, 700 km away. Another problem is that the supplies for the school meals are sometimes delayed for up to two months.

MEANS USED: No school building and delays in supplying material for school meals*Source of information:* UOL, 14/9/2015**2015****VICTIM:** Community**PEOPLE:** MURA**INDIGENOUS TERRITORY:** RECREIO/SÃO FÉLIX**MUNICIPALITY:** AUTAZES**PLACE OF OCCURRENCE:** São Félix village

DESCRIPTION: The construction of a school building began in 2013 but the work was held up and it is unfinished and unfit for use. The explanation given is that the money budgeted for the construction was misappropriated by a dishonest mayor who was subsequently removed from office.

MEANS USED: Failure to transfer funds*Source of information:* Cimi Regional Norte (North); Angelo Moreira Tavares, 10/9/2015**2015****VICTIM:** Communities**PEOPLE:** TENHARIM**INDIGENOUS TERRITORY:** TENHARIM MARMELOS**MUNICIPALITY:** MANICORÉ**PLACE OF OCCURRENCE:** Trakuá, Bela Vista, Castanheira, Jaku'i, Karana'i, Taboca and Kampinh'hu villages.

DESCRIPTION: In visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, it was found that the communities also have a demand for higher secondary education. Students cannot go on to that level because no such educational module has been implanted that attends the demand in the aspect of the cultural principles guaranteed by the legislation in force in the country. The Municipal authority that provides education services to the communities has a vision of Indigenous School Education that is disconnected from the principles and rights guaranteed by the legislation. Both indigenous and non-indigenous teachers receive extremely low salaries and consequently many become dissatisfied and leave with negative consequences for the quality of the education offer. Teachers working with lower secondary education classes in the Kampinh'hu Community have to teach more than one subject and are not qualified for the additional subjects they teach.

MEANS USED: Lack of infrastructure, teachers and differentiated education*Source of information:* Mariana Werlang Girardi and Leonardo Pereira Garcia**16/5/2015****VICTIM:** Communities**PEOPLE:** VÁRIOS PEOPLES**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** TABATINGA

DESCRIPTION: In visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, it was found that in spite of the fact that the Tabatinga Education Department receives a differentiated transfer of funds to purchase food for school meals for indigenous students, the menu of the meals served is exactly the same as in the non-indigenous schools. Thus there is no recognition on the part of the municipal administration of socio-cultural specificities in the school meals provision for indigenous schools. The indigenous students in urban schools receive the same food as the non-indigenous students and in the rural schools the same situation exists. Furthermore the students complain that the food offered is insufficient to provide for all the students for the whole period of the school year. It should be underscored that in some communities the school meals are shared with other members of the community who are not students which is considered to be a cultural trait. In regard to school infrastructure, one complaint that students constantly made was that the rain-water and river water flood the classrooms and at such times classes are suspended in almost all the indigenous schools.

MEANS USED: Generalized lack of assistance; disrespect for differentiated indigenous education; Lack of school meals materials*Source of information:* Mariana Werlang Girardi and Leonardo Pereira Garcia

2015**VICTIM:** Communities**PEOPLE:** TIKUNA**INDIGENOUS TERRITORY:** TUKUNA UMARIAÇU**MUNICIPALITY:** TABATINGA**PLACE OF OCCURRENCE:** Umariçu II

DESCRIPTION: In visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, it was found that in the Oi Tchurume Municipal Indigenous School the number of class hours had been cut down in the months of April and May due to the shortage of supplies for school meals even though the school is in an urban area so that in theory, at least, there should not be any logistics difficulties. The indigenous students complain about the poor quality of the food insofar as they are not offered any fruits or vegetables but only industrialized food products. They also reported that the beginning of their school year was delayed by a month because some classrooms under construction were not ready on the due date. They also mentioned that teaching material used in the schools is not adapted to the indigenous reality and that some schools do not have a formally defined educational policy.

MEANS USED: Generalized lack of assistance, Lack of school meals supplies

Source of information: Mariana Werlang Girardi and Leonardo Pereira Garcia

2015**VICTIM:** Community**PEOPLE:** TIKUNA**INDIGENOUS TERRITORY:** TUKUNA UMARIAÇU**MUNICIPALITY:** TABATINGA**PLACE OF OCCURRENCE:** Umariçu II

DESCRIPTION: In visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, the indigenous residents reported that the teaching staff of the Almirante Tamandaré Indigenous School had been cut from 48 to 38 and that there had also been a reduction of fifty minutes a day in class hours in force since the beginning of 2015. The reason was that school meals were not being provided. Although the supplies for school meals had been delivered, there was no cook to prepare them. Thus due to the failure to hire a person for that work the food that had been purchased and delivered had not been prepared and distributed to the students as it should have been since the beginning of 2015. Furthermore the students that were interviewed declared that it was quite common for no school meals to be served for considerable periods. There were also complaints from the indigenous students about the quality of the food products that are destined for school meals. The menu is not culturally adapted and has an excessive proportion of industrialized products and a lack of fresh fruits and greens. The water consumed in school comes from a well or from rainwater and is not filtered before being supplied for consumption.

MEANS USED: Lack of assistance; omission; negligence

Source of information: Mariana Werlang Girardi and Leonardo Pereira Garcia

2015**VICTIM:** Students**PEOPLE:** TUKUNA**INDIGENOUS TERRITORY:** EVARÉ I**MUNICIPALITY:** TABATINGA

DESCRIPTION: In visits to verify the execution of the National School

Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia to the schools in the Ewaré Indigenous Territory, they observed the following problems: in spite of only recently having been built some of the schools already had structural problem such as deformed doors and windows, infiltrations and cracks. That was because the building was not done according to the specifications of the original project. The original project included the installation of air conditioning but the equipment had not been delivered. Basic school material for the students such as notebooks was lacking. Classes were suspended in March at the Nossa Senhora do Perpétuo Socorro Municipal Indigenous School due to flooding of the building. The school refectory is normally used as a classroom for lack of an alternative. In the Municipal Indigenous school Tikuna Maitchitücü the food that was delivered for school meals was different from what had been specified for the school meals menu. Also, the amount of food was insufficient to serve all the students. According to one of the persons interviewed, the food delivered usually is not enough for twenty days. There is no person specifically hired to prepare the school meals and usually the people responsible for general services take on the task.

MEANS USED: Lack of assistance; omission; negligence

Source of information: Mariana Werlang Girardi and Leonardo Pereira Garcia

Maranhão – 11 Cases

2015**VICTIM:** Community**PEOPLE:** AWÁ-GUAJÁ e GUAJAJARA**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** SÃO LUÍS

PLACE OF OCCURRENCE: Indigenous lands located in the municipalities of Grajaú, Arame, Barra do Corda

DESCRIPTION: Around 200 indigenous people occupied the head offices of the Education Department of the state government in order to call the government's attention to the problems they are facing in the education units. They declared that the state government is not fulfilling its legal obligations especially in regard to transport for school children and the physical structure of the schools.

MEANS USED: Lack of assistance; omission; negligence

Source of information: O Estado do Maranhão, 11/12/2015

2015**VICTIM:** Students**PEOPLE:** GAVIÃO**INDIGENOUS TERRITORY:** GOVERNADOR**MUNICIPALITY:** AMARANTE DO MARANHÃO**PLACE OF OCCURRENCE:** Monte Alegre village

DESCRIPTION: The children are facing difficulties because of the terrible state of their school building. Among other problems, the roof is full of holes so it is impossible to hold classes when it rains. According to the teachers this situation has been going on for three years.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015**VICTIM:** Students**PEOPLE:** GUAJAJARA**INDIGENOUS TERRITORY:** ARARIBOIA**MUNICIPALITY:** AMARANTE DO MARANHÃO

PLACE OF OCCURRENCE: Juçara village

DESCRIPTION: The school has problems associated to the terrible state of the school. The roof is full of holes, the light bulbs are all burned out and the toilet installations are broken. According to the teachers, the situation has been that way for some years and the children are discouraged by it.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Students

PEOPLE: KANELA

INDIGENOUS TERRITORY: KANELA

MUNICIPALITY: FERNANDO FALCÃO

PLACE OF OCCURRENCE: Escalvado village

DESCRIPTION: The building that serves as a school is in a terrible state. The roof is full of holes, the light bulbs are burned out, the toilets are broken and the classes are overcrowded. According to the teachers the problems have persisted for many years.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Students

PEOPLE: KANELA APANIEKRA

INDIGENOUS TERRITORY: PORQUINHOS - CANELA APÃNJEKRA

MUNICIPALITY: FERNANDO FALCÃO

DESCRIPTION: The building that serves as a school is in a terrible state. The roof is full of holes, the light bulbs are burned out, the toilets are broken and the classes are overcrowded all of which discourages the students. According to the teachers, the problems have persisted for many years.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Children and young people

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: VILA REAL

MUNICIPALITY: BARRA DO CORDA

PLACE OF OCCURRENCE: Krenyê Indigenous Land

DESCRIPTION: The children study in schools on the outskirts of the town because there is no school in the village. That leads them to progressively assimilate the customs of the non-indigenous students to the detriment of the traditional culture of their people. Furthermore, because they study away from their own communities the children are the victims of prejudice and discrimination.

MEANS USED: No school in the village

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Students

PEOPLE: KRIKATI

INDIGENOUS TERRITORY: KRIKATI

MUNICIPALITY: LAJEADO NOVO

PLACE OF OCCURRENCE: Araia village

DESCRIPTION: Because there is no school in the village children have to attend school in the Santa Maria settlement over 20 kilometers away. That makes indigenous education impossible because they are obliged to study according to the non-indigenous curriculum adopted by the school there which lacks the specific differentiated features of indigenous education.

MEANS USED: No school in the village.

Source of information: Cimi Regional Maranhão - Imperatriz Team

2015

VICTIM: Students and teachers

PEOPLE: KA'APOR

INDIGENOUS TERRITORY: ALTO TURIACU

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: The Department of Education cut the salaries of teachers and educators and sacked the indigenous technical staff who accompanied and participated in the purchase of food for school meals. They were replaced without any prior consultation with the Ka'apor Administrative Council. The department's decisions were considered to be negligent and profoundly disrespectful of the education professionals who work to qualify indigenous school education.

MEANS USED: Lack of respect for teachers and the traditional mode

Source of information: Cimi Regional Maranhão; indigenous community

2015

VICTIM: Students

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: CARU

MUNICIPALITY: BOM JARDIM

PLACE OF OCCURRENCE: Maçaranduba village

DESCRIPTION: during visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, staff of the Guajajara Bilingual Indigenous School informed them that the children that consume the schools meals are suffering nutritional problems. According to the informants, the school meals contain ingredient that the children are not used to so they eat very little and reject some dishes altogether, especially tinned food and pasta. That has led to undernutrition and weakness and some even fall ill. One member of staff who was interviewed stated that the state government nutritionist had never visited the school and neither had any member of the school meals council.

MEANS USED: Under nutrition

Source of information: Mariana Werlang Girardi and Leonardo Pereira Garcia

2015

VICTIM: Students

PEOPLE: GUAJAJARA

INDIGENOUS TERRITORY: RIO PINDARÉ

MUNICIPALITY: BOM JARDIM

PLACE OF OCCURRENCE: Areão, Piçarra Preta, Nova Planeta and Januária villages

DESCRIPTION: during visits to verify the execution of the National School Meals Program (Programa Nacional de Alimentação Escolar - Pnae) in loco made by Mariana Werlang Girardi and Leonardo Pereira Garcia, it was observed that in villages in the Pindaré Indigenous Territory, all the schools have problems associated to the provision of school meals. Much of the food provided does not correspond to the nutritional habits of the Indians. The children do not accept canned food products or pasta and fish is not included in the menu because of fear that the children might choke on the bones. There are also no fruits or greens in the meals because the schools do not have funds to acquire them. In some schools like the Zemu'e Haw Tentehar Indigenous School the situation is even more precarious. There are no proper installations to prepare the food; no kitchen, refectory, water dispensers, refrigerator or freezer. The schools are not visited by a nutritionist or by members of the School Meals Council.

MEANS USED: Inadequate school meals

Source of information: Mariana Werlang Girardi and Leonardo Pereira Garcia

NOVEMBER**VICTIM:** Community**PEOPLE:** GUAJAJARA**INDIGENOUS TERRITORY:** BACURIZINHO**MUNICIPALITY:** GRAJAÚ

DESCRIPTION: Community representatives complain of the lack of school transport for children and adolescents. According to them the lack of services is due to the budget cuts made by the state government of Maranhão. Payment to the service providers of school transport vehicles and services was eight months in arrears. They also called for public policies for the field of education because in some schools the most basic materials are lacking including school meals.

MEANS USED: Deficiencies in school transport provision*Source of information:* O Estado do Maranhão, 5/11/2015**Mato Grosso do Sul – 1 Case****AUGUST****VICTIM:** Community**PEOPLE:** KADIWÉU**INDIGENOUS TERRITORY:** KADIWÉU**MUNICIPALITY:** PORTO MURTINHO**PLACE OF OCCURRENCE:** Córrego do Ouro Community

DESCRIPTION: The Office of the Federal Public Prosecutor requested the courts to oblige the government and the municipal authority to construct and equip a school in the community within 120 days-time. In spite of the court order, the municipal and federal governments have failed to comply with their obligation to provide good quality education to students. Classes are given in an improvised shack not adapted in any way to the indigenous reality and generating a cultural discrepancy that will be difficult to eliminate.

MEANS USED: Failure to respect federal education norms*Source of information:* MPF-MS, 3/8/2015**Mato Grosso – 2 Cases****2015****VICTIM:** Students**PEOPLE:** NAMBIKWARA**INDIGENOUS TERRITORY:** NAMBIKWARA**MUNICIPALITY:** COMODORO**PLACE OF OCCURRENCE:** Branca village

DESCRIPTION: The school does not have the minimum structural conditions to address the students' needs. In addition there is a no school meal provision and there is a lack of water for the children.

MEANS USED: Generalized lack of assistance*Source of information:* Cimi Regional Mato Grosso; MPF-MT**AUGUST****VICTIM:** Community**PEOPLE:** NAMBIKWARA**INDIGENOUS TERRITORY:** NAMBIKWARA**MUNICIPALITY:** COMODORO**PLACE OF OCCURRENCE:** Mamaindê Community

DESCRIPTION: The Community school is in a terrible condition with a lack of infrastructure, hygiene, security and the minimum conditions necessary for the community's school children to study. 59 children have not received literacy training. There is only one classroom.

MEANS USED: General lack of assistance*Source of information:* MPF-MT**Pará – 4 Cases****2015****VICTIM:** Communities**PEOPLE:** APYTEREWA, ARARA, ARAWETÉ, ASURINI, JURUNA, KAYAPÓ, KURUAYA, XIKRIM e XIPÁYA**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** ALTAMIRA**PLACE OF OCCURRENCE:** Apyterewa, Araweté do Xingu, Asurini do Xingu, Kararaô, Arara and Xipaya Indigenous lands.

DESCRIPTION: The low level of qualification of the indigenous teachers only served to generate parameters for the Ministry of Education. As a result, teaching in the villages has deteriorated a lot because 90% of the students trained to be teachers are still not properly prepared to take on a class. That situation has led to the evasion of the students and many migrate to the cities in search of other schools, constituting a drain on the communities' populations. Another problem is the wretched quality of the school food offer which, in addition to being insufficient in quantity, does not meet the nutritional needs of the students. The supply of school materials was also considered to be insufficient.

MEANS USED: Lack of assistance in the villages*Source of information:* Cimi Regional Norte (North) II – Altamira Team**2015****VICTIM:** Students**PEOPLE:** CARA PRETA, MAYTAPU and MUNDURUKU**INDIGENOUS TERRITORY:** LOWER TAPAJÓS I**MUNICIPALITY:** AVEIRO

DESCRIPTION: The Pará state government is denying access to higher secondary education to hundreds of young indigenous students in the west of the state. Without such education in the villages where the Maytapu, Cara Preta and Munduruku peoples live, the students are obliged to move to nearby cities to continue their education. The respective Brazilian legislation states that "the Indians are guaranteed the offer of differentiated higher secondary education. That corresponds to locating schools in the lands inhabited by the indigenous community (...) classes taught in the mother tongue of the students, as a means of preserving their own social-linguistic reality and school organization".

MEANS USED: Failure to implant higher secondary education*Source of information:* Cimi Regional Norte (North) II**18/5/2015****VICTIM:** Communities**PEOPLE:** VARIOUS**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** MARABÁ

DESCRIPTION: Indigenous people in coordination with the National Federation of Workers in Family Agriculture protested at a spot on the Carajás railway against the difficulties they are facing in the various villages. There is no water, electricity or school transport. They complain that the school has no indigenous teacher and the children are losing their traditional culture.

MEANS USED: No school and an indigenous teacher*Source of information:* G1-PA, 20/5/2015**OCTOBER****VICTIM:** Community**PEOPLE:** ASURINI**INDIGENOUS TERRITORY:** TROCARÁ**MUNICIPALITY:** TUCURUÍ**PLACE OF OCCURRENCE:** Trocará village

DESCRIPTION: The fire brigade interdicted two classrooms in the school because they constituted a risk for the students and teachers. The building has cracks in the walls and ceiling and windows and fractured when the structure supporting the roof gave way. The building structure has no proper reinforcement and is liable to collapse at any time. As a precaution the indigenous community decided to isolate the entire building and sent an official letter to the state bodies responsible calling on them to take the necessary steps.

MEANS USED: General lack of assistance

Source of information: G1-PA, 3/11/2015

Rio de Janeiro – 1 Case

13/2/2015

VICTIM: Students

PEOPLE: GUARANI MBYA

INDIGENOUS TERRITORY: PARATI-MIRIM

MUNICIPALITY: ANGRA DOS REIS

DESCRIPTION: In addition to not having access to higher secondary education the indigenous students do not have access to the teacher education course. That situation perpetuates the chronic shortage of qualified teachers for indigenous education. The Office of the Federal Public Prosecutor has been accompanying the situation for 17 years and calling for effective measures to address the problem. According to one prosecutor's analysis, there have never been specific public competitive selection process to contract indigenous teachers and the post/career of indigenous teacher has never been created in the state.

MEANS USED: Failure to implant higher secondary education

Source of information: Cimi Regional Sul (South); MPF, 13/2/2015

Rondônia – 1 Case

2015

VICTIM: Community

PEOPLE: KAXARARI

INDIGENOUS TERRITORY: KAXARARI

MUNICIPALITY: PORTO VELHO

PLACE OF OCCURRENCE: Buriti Community

DESCRIPTION: The Buriti Community has been in existence for five years but the Education Department has still not hired a teacher. In 2014 the department made an agreement with the community whereby it would contribute material for extracting timber for the construction of a school building (gasoline, chain saw chains and files, etc.) and the roofing sheets. The Community began building the school and now it is half way ready and furnished with desks and a chair and table for the teacher, but still no teacher.

MEANS USED: Lack of an indigenous teacher

Source of information: Cimi Regional Rondônia

Roraima – 1 Case

AUGUST

VICTIM: Communities

PEOPLE: VARIOUS PEOPLES

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: BOA VISTA

DESCRIPTION: Federal, state and indigenous teachers are on strike for better teaching conditions and better functioning of schools. The strike has left almost 90% of the schools without classes. The government has failed to present a proposal to address the teachers' claims insisting that the strike is illegal.

MEANS USED: Lack of assistance

Source of information: G1/RR, 20/8/2015

Rio Grande do Sul – 2 Cases

JANUARY

VICTIM: Students

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: GUARITA

MUNICIPALITY: TENENTE PORTELA

DESCRIPTION: In 2010, the state government committed itself to constructing classrooms, kitchens and toilets in two schools run by the state government in the Guarita Indigenous Territory. The Office of the Federal Public Prosecutor (MPF) has proposed an action in the courts for an order to be issued obliging the government to fulfill its commitment within the period of one year. In addition to that action in favor of Guarite, the MPF has entered a complaint in regard to the primary school at the 10 km mark in Tenente Portela and the state government-run school in Mato Queimado, both in a very bad state according to the Funai report. Prosecutor of the Republic Letícia Carapeto Benrdt states that the government's neglect is unjustifiable because "the necessary and reasonable time for concluding all the administrative acts that are indispensable for the works to start expired a long time long ago".

MEANS USED: Lack of assistance; omission; neglect.

Source of information: MPF-RS, 14/1/2015

10/3/2015

VICTIM: Children

PEOPLE: GUARANI and KAINGANG

INDIGENOUS TERRITORY: GUARITA

MUNICIPALITY: TENENTE PORTELA

DESCRIPTION: The MPF of Rio Grande do Sul has proposed a court action to ensure the refurbishing of two state-run schools located in this indigenous territory in order to offer the children a decent environment in which to study. The court determined that the state government must conclude the necessary works within a maximum of 90 days or pay a daily fine according to a fixed schedule.

MEANS USED: No school

Source of information: MPF-RS 10/3/2015

Santa Catarina – 5 Cases

2015

VICTIM: Students

PEOPLE: XOKLENG

INDIGENOUS TERRITORY: IBIRAMA - LA KLÃO

MUNICIPALITY: JOSÉ BOITEUX

DESCRIPTION: The school is under an interdiction because it lacks the minimum conditions to receive the students. Currently students of this school have to wait for the holidays of students in other schools so that they can go there for classes and try to complete their school year programs. They spent more than 30 days without schooling.

MEANS USED: No school

Source of information: Cimi Regional Sul (South); Indigenous leaders

2015

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: ARAQUARI

PLACE OF OCCURRENCE: Piraí, Tarumã, Pindoty, Morro Alto and Reta

DESCRIPTION: The indigenous schools are in a very bad state. They are very small with little infrastructure, insufficient numbers

of indigenous teachers and no staff for general services or preparing school food.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional Sul (South)

2015

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS TERRITORY: MASSIAMBÚ

MUNICIPALITY: PALHOÇA

DESCRIPTION: The school is not fit to be used. Together with the MPF the indigenous residents are endeavoring to persuade the education department to put up a new building for the indigenous school. The state has promised to do so before the end of 2016.

MEANS USED: No school

Source of information: Cimi Regional Sul (South)

2015

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS TERRITORY: ITANHAÉM

MUNICIPALITY: BIGUAÇÚ

DESCRIPTION: The work of refurbishing the school has been held up for over a year. Students are studying in improvised spaces without any of the necessary conditions.

MEANS USED: No school

Source of information: Cimi Regional Sul (South)

NOVEMBRO

VICTIM: Community

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: ALDEIA KONDÁ

MUNICIPALITY: CHAPECÓ

PLACE OF OCCURRENCE: Sape-Ty-Kó Indigenous primary and lower secondary school

DESCRIPTION: Work on the school building began in 2011 and was scheduled to be completed in December 2012. However it was suspended in April 2013 and the building is in a state of abandonment and depredation. Meanwhile the students are subjected to the highly inadequate conditions of the old school which for a long time now has been too small for the number of students. The federal courts accepted the case proposed by the MPF and handed down a sentence obliging the state to renew work on the Sape-Ty-Kó Indigenous primary and lower secondary school.

MEANS USED: No school building

Source of information: MPF-SC, 23/11/2015

São Paulo – 1 Case

2015

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS TERRITORY: JARAGUÁ

MUNICIPALITY: JARAGUÁ

PLACE OF OCCURRENCE: Guarani Ytu village

DESCRIPTION: The students are sent home early without having all their classes taught for lack of teachers. The situation has been going on since the beginning of the school year on February 02. Of the seven primary and lower secondary education teachers needed for the morning period classes, only two have been hired. The problem is even more serious at night when the school runs adult and youth education classes and higher secondary education classes; seven teachers are lacking. Another serious problem is the shortage of space because

according to teacher and local leader David Martim “the school only has two classrooms for more than 200 students”.

MEANS USED: Shortage of indigenous teachers

Source of information: Folha de S. Paulo, 27/4/2015

Tocantins – 4 Cases

2015

VICTIM: Students

PEOPLE: KRAHÔ

INDIGENOUS TERRITORY: KRAHÔ

MUNICIPALITY: ITACAJÁ

PLACE OF OCCURRENCE: Porteira village

DESCRIPTION: The failure to allocate a teacher for the first year of higher secondary education has left eleven students without classes for than one year. The proposal is to extend the Man-karê school located in the village of Serra Grande.

MEANS USED: lack of a school and shortage of one indigenous teacher.

Source of information: Cimi Regional GO/TO; Krahô people

FEVEREIRO

VICTIM: Eunice da Rocha, Wellington Viera, Aparecida Borges, Luís Antônio, Aparecido Borges, Marcio de Jesus and Ana Cristina Karajá

PEOPLE: TAPUIA

INDIGENOUS TERRITORY: CARRETÃO I

MUNICIPALITY: RUBIATABA

PLACE OF OCCURRENCE: Cacique José Borges school

DESCRIPTION: Teachers' salaries were delayed for two months. The situation led to a reaction in the community and classes were suspended for two days.

MEANS USED: Delays in paying teachers' salaries

Source of information: Cimi Regional GO/TO; indigenous teachers of the Cac. J. Borges School

MARCH

VICTIM: Community

PEOPLE: KRAHÔ

INDIGENOUS TERRITORY: KRAHÔ

MUNICIPALITY: ITACAJÁ

DESCRIPTION: School transport is lacking and school food deliveries have not been made. There is also a shortage of teaching material because the material that is stored in the town has not been delivered..

MEANS USED: Omission and neglect on the part of the authorities

Source of information: Cimi Regional GO/TO; Krahô Community

10/3/2015

VICTIM: Children

PEOPLE: APINAJÉ

INDIGENOUS TERRITORY: APINAYÉ

MUNICIPALITY: TOCANTINÓPOLIS

PLACE OF OCCURRENCE: Cocal Grande, Bacabinha, Recanto and Riachinho villages

DESCRIPTION: A Lack of road maintenance and repair has left the local rural access roads in an impassible state and made it impossible for school transport to operate. For that reason more than 150 students are not attending their state-run school. Indigenous residents have officially requested that steps should be taken to address the problem on several occasions but they have observed a total lack of interest in solving the problem on the part of the authorities.

MEANS USED: Lack of school transport

Source of information: Carta Capital, 25/3/2015; União das Aldeias Apinajé Associação, 11/3/2015

General lack of Assistance

In 2016 we registered 36 cases of general lack of assistance in the states of Acre (2), Amapá (2), Amazonas (5), Bahia (1), Ceará (1), Espírito Santo (1), Maranhão (1), Mato Grosso (1), Mato Grosso do Sul (8), Minas Gerais (1), Pará (6), Rio de Janeiro (1), Rio Grande do Sul (1), Rondônia (1), Roraima (1), Santa Catarina (1), São Paulo (1) and Tocantins (1).

In the state with the highest number of such cases, Mato Grosso do Sul, there were cases of communities without potable water, indigenous individuals wrongfully arrested, the waste and disposal of tons of standardized food packages that were not duly delivered to the communities, rural access roads with no maintenance, lack of waste collection services, and lack of security.

In Rio de Janeiro, a technical inspection made by the Office of the Public Prosecutor revealed that potable water was not being supplied to the Guarani people's villages and that the same people entirely lacked basic sanitation installations. In the opinion of Prosecutor of the Republic Felipe Bogado "it is inadmissible that the indigenous peoples

should be denied their most basic rights". He stated that "the situation in the villages is chaotic and it is essential that a court injunction be issued to arouse the Special Department for Indigenous Health from its inertia".

In the state of Pará, failure to comply with the conditioning factors associated to the construction of the Belo Monte hydroelectric plant have severely affected peoples in the region. The Xikrin complain about the delays in building the promised schools and health clinics as well as a house for producing manioc meal that has not been done. In turn the Arara people have denounced that the reduction in the flow of the Xingu river has left some communities without water.

The Bleo Monte project has caused so many problems that the Office of the Federal Public Prosecutor (MPF) in the state of Pará has denounced the works as being ethnocidal and called for the Judicial branch to intervene. According to the MPF, after conducting an extensive investigation, prosecutors concluded that "the Brazilian government's development project is promoting the destruction of the



Joana Ortiz

social organization, customs, languages and traditions of the indigenous peoples”.

In the opinion of the MPF “the ethnocidal action being suffered by the nine indigenous peoples affected by the Belo Monte project has been caused on the one hand by the lack of government strictness in the licensing process: under the guise of concern for the national interest the obligations have been put off or modified according to the convenience of the constructing company, Norte Energia S.S. On the other hand, the government itself has failed to fulfill its obligations, among which were strengthening Funai and Ibama and removing illegal invaders from indigenous lands, and has therefore contributed directly to the destruction of the culture of the ethnic groups concerned”.

Again according to the MPF, there are various actions that were specified in the operational plan that the Norte Energia company has refused to carry out. In the case of indigenous schooling, the company deliberately reduced its obligation to support the education department and elaborate teaching materials. In the case of indigenous

health, the Belo Monte concession holders replied to the Ministry of Health that it had not carried out the actions foreseen because “it was not its responsibility to do so”, and alleged that “it was not included in the operational plan”.

In São Paulo, iGuarani and Guarani Mbya indigenous groups have been afflicted for 10 years by the leakage of untreated sewage in their areas. The septic tanks where the sewage is deposited are not connected to the main sewage drainage network and have to be pumped out periodically and cleaned. That I not being done. Leaders notified the death of nine children from associated diseases. Technical opinions issued after investigation by the MPF identified the overflow of untreated sewage in almost all the sanitation modules as well as a lack of maintenance and repair in 42 of them and some compartments not in use were not sealed off as they should be.

In Amapá, a member of the local Funai Technical Coordinating body denounced the dismantling of Funai’s essential services in Parintins which makes it impossible to provide essential services to the indigenous peoples there.

GENERAL LACK OF ASSISTANCE

36 Cases

Acre – 2 Cases

2015

VICTIM: Communities

PEOPLE: HUNI KUI and KAXINAWÁ

INDIGENOUS TERRITORY: KAXINAWÁ ASHANINKA DO RIO BREU

MUNICIPALITY: MARECHAL THAUMATURGO

DESCRIPTION: around 40 indigenous people were removed from the Kaxinawá area of Rio Breu, located in Marechal Thaumaturgo, to another municipality. They were taken to the Plácido de Castro ecological park lured by promises of a comfortable life and a differentiated modality of ecological tourism. The families, however, far from their natural habitat have seen their usages and customs become drastically altered. The transferal of the families was an act of the local municipal authority and businessmen but none of the promised features got beyond the paper stage other than the transferal of the people’s voting domiciles. The Huni Kui Peoples Federation has confirmed the act of bad faith of those that made the promises but failed to keep them.

MEANS USED: Lack of assistance, omission; neglect

Source of information: Jairo Carioca – Special Report, 24/11/2015

26/10/2015

VICTIM: Community

PEOPLE: KATUKINA

INDIGENOUS TERRITORY: KATUKINA/KAXINAWÁ

MUNICIPALITY: CRUZEIRO DO SUL

PLACE OF OCCURRENCE: BR-364 Federal Highway

DESCRIPTION: An indigenous group denounced the cutting off of electricity supply making it impossible to fill the villages water reservoir and in consequence many children have been affected with diarrhea. The villages went without water for two weeks. They also reported serious neglect in the field of education.

MEANS USED: Lack of assistance; omission; neglect

Source of information: G1/AC, 27/10/2015

Amazonas – 5 Cases

2015

VICTIM: Community

PEOPLE: KOKAMA

INDIGENOUS TERRITORY: SAPOTAL

MUNICIPALITY: TABATINGA

DESCRIPTION: According to the chairman of the Kokama de Tabatinga Committee, Funai has made it difficult for people to obtain its Administrative Registration of the Birth of an Indigenous Child document in the case of the Kokama people. Funai’s local replacement coordinator, Leopoldo Dias, recognized the precarious condition in which Funai personnel have to work especially in their service provision to indigenous peoples.

MEANS USED: Refusal to issue indigenous document.

Source of information: Edney Samias – Kokama leader, 6/4/2015

2015

VICTIM: Community

PEOPLE: JUMA

INDIGENOUS TERRITORY: JUMA

MUNICIPALITY: CANUTAMA

DESCRIPTION: The community was worried by the discovery of a possible case of malaria in one of the children and the extremely poor health and education services provision. In recent decades the Juma people have come to be at risk of extinction due to the steady reduction of their population. The traditional customs are not being adopted by the young people and children and as there is no school in the village they have to travel 800 kilometers to gain access to education services. Accordingly they no longer learn to read and write in Tupi-Guarani nor remain in the village with their parents. The separation could weaken their culture even further. In

the village there is no basic sanitation or piped water supply. Temperatures average around 32°C in the shade.

MEANS USED: General lack of assistance

Source of information: *Amazônia Real*, 29/1/2015

AGOSTO

VICTIM: Community

PEOPLE: TIKUNA

INDIGENOUS TERRITORY: BELÉM DO SOLIMÕES

MUNICIPALITY: TABATINGA

DESCRIPTION: The community organized a march to call the authorities' attention the high rate of violence among young people. According to the cacique, there is a need for the public authorities, especially the Federal Police to conduct surveillance and inspection of the vessels that transport products for local traders because, in his opinion, they are responsible for the wave of violence.

MEANS USED: General lack of assistance

Source of information: *Rádio EBC*, 3/8/2015

OCTOBER

VICTIM: Community

PEOPLE: TIKUNA

INDIGENOUS TERRITORY: TIKUNA UMARIAÇU

MUNICIPALITY: TABATINGA

PLACE OF OCCURRENCE: Belém do Solimões and Évaré I, Umariçu I e II

DESCRIPTION: At a meeting in which the MPF participated, the indigenous community called for increased security for residents because due to the proximity of the urban center, they live under threats from gangs who take advantage of the absence of any public institutions to disseminate violence. According to the indigenous residents, the current offer of police security is not just precarious but practically non-existent because there is no local base installed to accommodate the police and their activities.

MEANS USED: General lack of assistance

Source of information: *MPF-AM*, 16/10/2015

DECEMBER

VICTIM: Community

PEOPLE: MURA e TIKUNA

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: MANAUS

PLACE OF OCCURRENCE: Lower Amazon

DESCRIPTION: Funai invited representatives of nine indigenous peoples to go to Manaus to take part in the National Indigenist Policy Conference. They were surprised to find that there were no return tickets for their journeys back from Manaus. They denounced the fact that they were suffering from all sorts of privation and had only been supported by some relatives and other persons who were concerned about their situation. Most of the group did not have enough money to purchase the return tickets themselves and were unsuccessful when they tried to get in touch with Funai.

MEANS USED: Lack of assistance; omission; neglect

Source of information: *A Crítica*, 15/12/2015

Amapá – 2 Cases

2015

VICTIM: Communities

PEOPLE: HIXKARYANA e SATERÊ-MAWE

INDIGENOUS TERRITORY: NHAMUNDÁ MAPUERA

MUNICIPALITY: PARINTINS

DESCRIPTION: According to a denunciation made by the local co-

ordinating body of Funai the dismantling of Funai's services in Parintins has abandoned the region's indigenous peoples to their fate. Incapable of providing assistance and essential services to the Indians, the dismantling of Funai has jeopardized the lives of more than 20 thousand indigenous people in the last six years.

MEANS USED: General lack of care provision

Source of information: *Repórter Parintins*, 14/1/2016

2015

VICTIM: Students and researchers

PEOPLE: GALIBI, KARIPUNA DO AMAPÁ and PALIKUR

MUNICIPALITY: OIAPOQUE

DESCRIPTION: Members of the Comitê de Patrimônios e Museus da Associação Brasileira de Antropologia (Brazilian Anthropology Association's Heritage and Museums Committee) denounced the state of the Kuahi Museum. The building had been deactivated because of structural problems that make it unfit for use by researchers, by the local population at large or by the indigenous peoples of Oiapoque. The museum has archeological and ethnographic collections of the indigenous art of the Oipoque peoples.

MEANS USED: Neglect

Source of information: *Associação Brasileira de Antropologia (ABA)*, 14/1/2016

Bahia – 1 Case

2015

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: PAULO AFONSO

PLACE OF OCCURRENCE: Indigenous lands under the jurisdiction of Paulo Afonso

DESCRIPTION: In view of the critical shortage of drinking water supply in the villages of the Paulo Afonso communities, the MPF-Bahia moved a court action against the Federal Government and Funai to ensure that the entire indigenous population receives potable water supply. According to a communication on the part of the government, current supply serves 26 villages but another 45 lack that service. In addition, the communities do not have basic sanitation or enough vehicles available to transport sick persons.

MEANS USED: Lack of potable water supply and basic sanitation

Source of information: *Federal Courts – Bahia Judiciary Section*, 10/7/2015

Ceará – 1 Case

2015

VICTIM: Community

PEOPLE: PITAGUARY

INDIGENOUS TERRITORY: PITAGUARY

MUNICIPALITY: MARACANAU

DESCRIPTION: The indigenous inhabitants unfolded an action to reduce the entrance of people in the indigenous lands who go to hold parties on the shores of the Santo Antônio reservoir. According to Madalena Pitaguary, they are not averse to visits as such but to the veritable invasions that occur at weekends with the presence of drinks and drugs and without the consent of the Indians of the community and which have been affecting and modifying their style of life. In her words, "this exposure means that our small children can no longer run around naked and free in the village".

MEANS USED: Tourism in the villages

Source of information: *Ceará Agora*, 5/3/2015

Espírito Santo – 1 Case**NOVEMBER****VICTIM:** Nine villages**PEOPLE:** GUARANI and TUPINIKIM**INDIGENOUS TERRITORY:** TUPINIQUIM**MUNICIPALITY:** ARACRUZ

DESCRIPTION: the mining waste and mud from the Samarco dam burst, the greatest ecological disaster ever in Brazil, reached the Monsarás lake in the district of Ovioação in Linhares. Since then indigenous people have been unable to practice their traditional fishing activities, their main source of subsistence. The lake has always been used for the production and reproduction of fish and for irrigating pastures. The leaders stressed the fact that the mud has not only jeopardized the entire indigenous territory of Aracruz and its nine villages but also the rivers and seashore of the municipality where it has effectively eliminated the fisheries. Furthermore the Indians can no longer collect shellfish or obtain their means of sustenance from the rivers that make of the River Doce valley.

MEANS USED: Bursting of a dam*Source of information:* Cimi Regional Leste (East)**Maranhão – 1 Case****2015****VICTIM:** Community**PEOPLE:** GAVIÃO**INDIGENOUS TERRITORY:** GOVERNADOR**MUNICIPALITY:** AMARANTE DO MARANHÃO**PLACE OF OCCURRENCE:** Canto Bom village.

DESCRIPTION: Leaders denounce the fact that for over three years they have been trying to get the Sesai/Dsei to sink an artesian well in the community. At the moment they have to bring all the water they need from four kilometers away.

MEANS USED: Lack of potable water*Source of information:* Cimi Regional Maranhão - Imperatriz Team**Mato Grosso do Sul – 8 Cases****2015****VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** PYELLITO KUE**MUNICIPALITY:** NAVIRAÍ

DESCRIPTION: The community is suffering from the precarious nature of its living conditions as there is a lack of basic assistance in various social aspects. The main one, however, is the lack of a water supply. In the light of that situation, Federal Judge of Niviraí acceded to the request of the Office of the Federal Public Prosecutor and ordered the Federal Government to implant a potable water supply in the community by means of water tanker deliveries.

MEANS USED: General lack of assistance*Source of information:* Dourados Agora, 29/10/2015**2015****VICTIM:** Communities**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS

DESCRIPTION: The Dourados villages have experienced an outbreak of dengue fever associated to the lack of a solid waste collection system. There was an increase of 3,000% in the numbers of cases from 2014 to 2015. Zelik Trajber, a doctor who has been

working in the villages for more than 15 years, declared that in addition to the non-removal of waste, there are constant water shortages and so many families store water in their homes increasing the risk of mosquito proliferation. As things stand however, it is the only option open to community residents in times of shortage.

MEANS USED: Generalized lack of care provision*Source of information:* O Progresso, 15/2/2016**2015****VICTIM:** Communities**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS

DESCRIPTION: The Dourados municipal authority received more than five million reais by means of two agreements signed with the federal government to be invested in the recuperation of local rural access roads and it launched a program to refurbish 1,800 kilometers of such roads. It was widely announced that works would be carried out in all districts of the municipality and that it included the construction of six bridges. None of the works however was for the indigenous area of Dourados. The city hall announced that it has "no jurisdiction over the indigenous people and the responsibility lies with Funai". According to the MPF, the precarious conditions of the roads that give access to the indigenous lands make it impossible for school transport, ambulance, police vehicles or vehicles of the national force to circulate on them and that jeopardizes fundamental rights to education, health and security. The MPF also classified the municipal authority's allegations as "absurd" and that Funai's responsibility was to construct Indigenist policies not roads for vehicles to travel on. The fourth division of the regional federal courts denied the Dourados Municipal Authority's appeal.

MEANS USED: Omission and neglect of the authorities*Source of information:* Communication Advisory Body of the MPF-Mato Grosso do Sul**2015****VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** ARROIO KORÁ**MUNICIPALITY:** PARANHOS

DESCRIPTION: The indigenous people spent at least eight months with no potable water supply. What supply there is comes from water tankers but the delivery is erratic and, furthermore, when it rains it is impossible for them to get to the village.

MEANS USED: Shortage of potable water*Source of information:* MPF-MS, 15/5/2015**JANUARY****VICTIM:** Community**PEOPLE:** GUARANI and KAIOWÁ**INDIGENOUS TERRITORY:** DOURADOS**MUNICIPALITY:** DOURADOS

DESCRIPTION: There was a water shortage in the indigenous territory when one of the wells ran dry. There are only six wells to supply around seven thousand people. With one unit out of order, and another two with low rates of flow, there are constant water shortages in the villages.

MEANS USED: Water shortage*Source of information:* G1/MS, 27/1/2015**JANUARY****VICTIM:** Communities**PEOPLE:** GUARANI and GUARANI KAIOWÁ**MUNICIPALITY:** PONTA PORÃ**PLACE OF OCCURRENCE:** Ponta Porã and other villages in the region

DESCRIPTION: The Office of the Federal Public Prosecutor in Mato Grosso do Sul denounced the disposal of tons of food packages that had failed to be delivered to the indigenous communities in the Ponta Porã at the end of 2014 and the beginning of 2015. The food packages should have been delivered by the Paraná Soluções Logísticas company but it reneged on the contract and the food was not supplied to the villages. In Mato Grosso do Sul, the responsibility for the purchase and delivery of food packages to indigenous communities is shared by the state and municipal governments and the action is carried out in 28 of the state's 31 municipalities.

MEANS USED: Lack of food

Source of information: MPF-MS

ABRIL

PEOPLE: GUARANI, GUARANI and KAIOWÁ and TERENA

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: DOURADOS

DESCRIPTION: The Indigenous Rights Observatory denounced the unlawful imprisonment of 80 indigenous persons in the Dourados State Prison. The observatory states that the arrests failed to observe the respective article of the Statute of the Indian. That document states that the sentence should be reduced and converted into a regime of detention in semi-liberty in locations such as Funai installations inside the indigenous reserve or other governmental installations and that the judge should take into account the schooling level of the imprisoned individual. According to the Observatory, in 99% of the cases in which indigenous individuals serve prison sentences in regular prisons they return to their villages transformed into "veritable professionals of crime".

MEANS USED: General lack of assistance

Source of information: Correio do Estado, 6/4/2015

JULY

VICTIM: Community

PEOPLE: GUARANI and KAIOWÁ

INDIGENOUS TERRITORY: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF OCCURRENCE: Jguapiru and Bororó villages

DESCRIPTION: Ever since the National Force contingent withdrew from Dourados to quell other conflicts between rancher/farmers and indigenous peoples in the south of Mato Grosso do Sul and the Federal Police suspended their daily patrols the number of crimes has been steadily rising in the villages of Dourados. Since the Federal Police left 42 registrations have been made of occurrences in the indigenous communities, several of them related to the consumption of alcoholic drinks and drugs. The uniformed police have taken on the responsibility for patrolling the villages once more.

MEANS USED: General lack of assistance in the villages

Source of information: G1/MS; TV Morena, 14/9/2015; Cimi Regional Mato Grosso do Sul

Mato Grosso – 1 Case

MAY

VICTIM: Community

PEOPLE: NAMBIKWARA

INDIGENOUS TERRITORY: VALE DO GUAPORÉ

MUNICIPALITY: COMODORO

DESCRIPTION: The BR-174 Federal Highway which crosses the indigenous territory lacks the regulation road signs and markings. The community reports frequent accidents involving people and also the wild animals that try to cross the highway. Another complaint was the lack of food for the community. They request the reintroduction of the partnership arrangement

between Funai and the Comodoro municipal authority for planting rice and other food crops inside the indigenous area for the community's own subsistence.

MEANS USED: Generalized lack of care provision

Source of information: MP-/MT, 6/5/2015

Minas Gerais – 1 Case

NOVEMBER

VICTIM: Community

PEOPLE: KRENAK

INDIGENOUS TERRITORY: KRENAK

MUNICIPALITY: MARIANA

DESCRIPTION: When the wave of mud and mining waste from the Samarco mining company swept down into the municipality of Resplendor, the 126 families that lived in a village on the banks witnessed the death of the river, a fundamental element of their people's culture. The indigenous people live in reserve of around 4,000 hectares and the river runs through the middle of it. Cacique Leomir Cecílio de Souza explained that: "Many outsiders think that the river is just a source of fish but to us it was a source of our survival and a question of culture. Since the time of our ancestors, the River Doce has maintained our people. It is a question of religion; it is sacred. But now the river is dead". Indigenous leader Geovani Krenak said "When the river dies, we die". That profound dismay is felt by all the PEOPLE: "The river was everything to us. What the Vale and Samarco companies have done is to destroy the Krenak people' declared 32 year-old Potiara Félix who was working as a sharecropper on a local farm. After the indigenous land had been swallowed up he walked all the way to Rio de Janeiro and currently is living under a tree without knowing how he will survive. The River Doce is the theme of many old songs in the Krenak language that extoll its beauty and the generous way its waters provide sustenance.

MEANS USED: Badly planned dam

Source of information: Notícias UOL, 19/11/2015; BBC Brasil /SP, 18/1/2016; Cimi Regional Leste (East)

Pará – 6 Cases

2015

VICTIM: Peoples affected by the Belo Monte Plant

PEOPLE: VARIOUS

INDIGENOUS TERRITORY: VARIOUS

MUNICIPALITY: ALTAMIRA

DESCRIPTION: The failure to observe the conditioning factors on the part of the Norte Energia Company during the construction of the Belo Monte Hydroelectric Plant has created an unsustainable situation for the lives of the indigenous peoples affected by it. Among the many problems identified by the MPF are those reported by the indigenous peoples of the middle course of the Xingu River, namely, the constant presence of Indians in the cities accommodated in improvised and degrading conditions, complete rupture of the peoples' productive and nutritional capacity, social conflicts, divisions in the villages and loss of legitimacy on the part of leaders, increased alcoholism and drug consumption and sexual violence against minors, changes in dietary habits, the appearance of new diseases like obesity and diabetes, super production of waste in the villages, reduced availability of natural resources, interethnic conflicts, obstacles to making full use of their lands and discouragement of traditional activities.

MEANS USED: Generalized lack of care provision and infrastructure

Source of information: MPF-PA, 4/3/2015

2015**VICTIM:** Communities**PEOPLE:** MUNDURUKU**INDIGENOUS TERRITORY:** IPIXUNA**MUNICIPALITY:** ITAITUBA

DESCRIPTION: An inspection of the villages made by the MPF revealed the state of abandonment and the lack of maintenance of existing sanitation structures leading to contamination of the local Ipixuna stream that flows between the two indigenous villages. According to the MPF “this situation has been experienced for a long time without any affirmative action being taken by the authorities”. Federal judge Ilan Presser observed that “the persistence of these conditions will lead to the resurgence of high infant mortality rates among the indigenous peoples of Brazil”.

MEANS USED: Lack of sanitation*Source of information:* MPF-PA, 5/5/2015**2015****VICTIM:** Community**PEOPLE:** XIKRIN**INDIGENOUS TERRITORY:** TRINCHEIRA/BACAJÁ**MUNICIPALITY:** ANAPU**PLACE OF OCCURRENCE:** Kráin and Pot'krô villages

DESCRIPTION: The indigenous community affected by the construction of the Belo Monte Hydroelectric Plant complains about the delays in works that were promised to improve the quality of life in the villages. The building of schools and health clinics was foreseen in the plans elaborated to benefit the villages but up to now the only thing that has been done is to clear the site where the buildings should be. Children are studying in improvised spaces with inadequate lighting and high temperatures. A building for producing manioc meal was one of the agreed improvements in the plan to compensate for the negative impacts on the village stemming from the dam construction but it has not been built so the Indians are producing their meal in an improvised manner in a hut with a thatched roof that drips water when it rains.

MEANS USED: General lack of assistance in the villages*Source of information:* G1/PA, 12/5/2015**2015****VICTIM:** Nine indigenous peoples**PEOPLE:** VARIOUS**INDIGENOUS TERRITORY:** VARIOUS**MUNICIPALITY:** ALTAMIRA**PLACE OF OCCURRENCE:** Peoples affected by the Belo Monte Hydroelectric Plant

DESCRIPTION: According to the Office of the Federal Public Prosecutor (MPF) the installation of the Belo Monte Plant was an act of ethnocide on the part of the Brazilian State and the concession holder Norte Energia “as witness the destruction of the social organization, the customs and the languages of the indigenous groups that suffer its impacts”. After a long investigation conducted by the MPF, the irregularities in the construction of the plant and the tragic effects of Belo Monte on the respective indigenous peoples were confirmed. It shows how, once more, instead of being protected, they were violated in their cultural traditions and face the very real threat of disappearing altogether due to the way the environmental licensing process was conducted even though the risks of all these things happening were previously identified in the Environmental Impact Study and Report and expressly identified in the terms of the license.

MEANS USED: Non fulfillment of conditioning stipulations*Source of information:* Communication Advisory Body of the MPF-PA, 10/12/2015**2015****VICTIM:** Indigenous Community**PEOPLE:** ARARA**INDIGENOUS TERRITORY:** ARARA DA VOLTA GRANDE**MUNICIPALITY:** ALTAMIRA

DESCRIPTION: The construction of the Belo Monte Hydroelectric Plant has generated huge environmental, economic, social and cultural impacts on the Arara people of Volta Grande. The reduced flow of the river caused by the project in the stretch of the Xingu river known as Volta Grande do Xingu has left the Arara people without water as they had previously always taken their water from the river. With no other water supply system installed, the Arara have become vulnerable and susceptible to diseases like parasite infestations which affect the children above all.

MEANS USED: Lack of assistance; omission; neglect*Source of information:* Cimi Regional Norte (North) II – Altamira Team**2015****VICTIM:** Indigenous Community**PEOPLE:** ARARA**INDIGENOUS TERRITORY:** ARARA**MUNICIPALITY:** ALTAMIRA

PLACE OF OCCURRENCE: with the presence of fishermen and people involved in the construction of houses in the villages as well as their constant excursions to the city in the light of various actions unfolded by the Belo Monte construction group, the Arara people have begun to consume alcoholic drinks and drugs (cachaça and marijuana) more frequently. One of the disastrous consequences of these changes has been the increase in domestic violence and friction among the families (internal conflicts).

MEANS USED: Consumption of alcoholic drinks and drugs*Source of information:* Cimi Regional Norte (North) II – Altamira team

Rio de Janeiro – 1 Case

2015**VICTIM:** Communities**PEOPLE:** GUARANI**INDIGENOUS TERRITORY:** PARATI - MIRIM**MUNICIPALITY:** ANGRA DOS REIS**PLACE OF OCCURRENCE:** Sapukai, Araponga, Rio Pequeno and Parati-Mirim villages

DESCRIPTION: In Rio de Janeiro, a technical inspection made by the Office of the Public Prosecutor revealed that potable water was not being supplied to the Guarani people's villages and that the same villages entirely lacked basic sanitation. In the opinion of Prosecutor of the Republic Felipe Bogado “it is inadmissible that the indigenous peoples should be denied their most basic rights”. He stated that “the situation in the villages is chaotic and it is essential that a court injunction be issued to arouse the Special Department for Indigenous Health from its inertia”.

MEANS USED: Lack of potable water and basic sanitation*Source of information:* Communication Advisory Body of the MPF-RJ, 1/12/2015

Rondônia – 1 Case

DECEMBER**VICTIM:** Alícia Guarasugwe**PEOPLE:** GUARASUGWE**INDIGENOUS TERRITORY:** GUARASUGWE**MUNICIPALITY:** PIMENTEIRAS**DESCRIPTION:** The indigenous victim gave birth to her child but when

she was discharged from the hospital she was prevented from taking her child with her because she had no document of identification. Only after the MPF intervened was the child handed over to the mother and they both went to the place of accommodation Csai (House of the Indian) to wait for her documents to be regularized. After waiting for a week without Funai's having taken any steps they went back to Pimenteiras town. For decades the indigenous community has been struggling for its ethnic recognition and the effective guarantee of its fundamental rights such as receiving due civil registration from Funai.

MEANS USED: Lack of documentation

Source of information: Cimi Regional Rondônia; Leaders of the Guarasugwe people

Roraima – 1 Case

MARCH

VICTIM: Community

PEOPLE: ISOLATED GROUPS and YANOMAMI

INDIGENOUS TERRITORY: YANOMAMI

MUNICIPALITY: BOA VISTA

DESCRIPTION: At the beginning of 2012, a group of invading artisanal miners was disbanded by Funai and it constructed a support post to serve as a base to impede access to the indigenous territory. In March 2015, however, Funai withdrew its personnel from the post in the Serra da Estrutura alleging that it lacked the material and logistics conditions to continue operating the post. Accordingly the isolated Moxi Hatetea Indians were left unprotected. The miners invaded the Serra once more and installed weekly flights to supply the miners with food and equipment. The presence of such miners in the region is a threat to the lives of the isolated Yanomami groups that inhabit the region. They are very vulnerable to outside diseases and direct contact with the miners could lead to their decimation. Furthermore the miners are enticing young Yanomami to participate in the mining activity offering them food, radios, cell phones and often threatening to destroy the villages should the Yanomami refuse to contribute to their efforts. Thus the Yanomami Indigenous Land is under threat from the miners who increase their presence day by day, damaging the forest, polluting the rivers and causing irreparable harm to the health and culture of the indigenous people.

MEANS USED: Omission and neglect of the public authorities

Source of information: Hutukara Association of the Yanomami, 1/10/2015

Rio Grande do Sul – 1 Case

2015

VICTIM: Community

PEOPLE: GUARANI

MUNICIPALITY: CACHOEIRA DO SUL

PLACE OF OCCURRENCE: Araxatê - BR-153 Federal Highway

DESCRIPTION: according to the Office of the Federal Public Prosecutor (MPF) in Rio Grande do Sul the Guarani community has no piped water, electricity supply or basic sanitation and there is only one toilet for all the residents. There are no health or dental services provided and other conditions are equally precarious. Accordingly the MPF has called on the Federal Government and Funai in the state to take steps to put into effect the rights of the indigenous people in regard to those aspects.

MEANS USED: Generalized lack of care provision

Source of information: Communication Advisory Body of the MPF-RS, 28/1/2016

Santa Catarina – 1 Case

11/9/2015

VICTIM: Marilene Bandeira and child

PEOPLE: KAINGANG

INDIGENOUS TERRITORY: BOA VISTA

MUNICIPALITY: LARANJEIRAS DO SUL

DESCRIPTION: The indigenous woman lives with her one year-old daughter under the Dias Velho elevated roadway in Florianópolis. She left her five other children with her Kaingang husband in the Kaingang land to sell handicrafts, baskets and panniers. She was not allowed to stay around at the coach terminal and although she has sometimes sought shelter for a night at the Albergue Noturno (Night Hostel) maintained by the Masons or in the Network associated to the Reference Center for People Dwelling on the Streets run by the Municipal Department of Social Assistance, she has never been taken in.

MEANS USED: Omission and neglect of the public authorities

Source of information: Cimi Regional Sul (South)

São Paulo – 1 Case

2015

VICTIM: Jaraguá and Parelheiros communities

PEOPLE: GUARANI and GUARANI MBYA

INDIGENOUS TERRITORY: TEKoha PORÁ

MUNICIPALITY: SÃO PAULO

PLACE OF OCCURRENCE: Tenondé-Porã, Barragem, Krukutu, Tekoha Pyau and Tekoha Ytu villages

DESCRIPTION: in São Paulo, iGuarani and Guarani Mbya indigenous groups have been afflicted for 10 years by the leakage of untreated sewage in their areas. The septic tanks where the sewage is deposited are not connected to the main sewage drainage network and have to be pumped out periodically and cleaned. That is not being done. Leaders notified the death of nine children from associated diseases. Technical opinions issued after investigation by the MPF identified the overflow of untreated sewage in almost all the sanitation modules as well as a lack of maintenance and repair in 42 of the tanks and some compartments are not in use but also are not sealed off as they should be.

MEANS USED: Lack of sanitation

Source of information: Communication Advisory Body of the MPF-SP, 6/10/2015

Tocantins – 1 Case

MARCHO

VICTIM: Community

PEOPLE: KRAHÔ

INDIGENOUS TERRITORY: KRAHÔ

MUNICIPALITY: GOIATINS

DESCRIPTION: The roads are in a terrible state of conservation or unfinished, jeopardizing the mobility of indigenous people in their area. In addition to the roads, the bridges and culverts are all in a bad state, putting indigenous people's safety at risk.

MEANS USED: Lack of infrastructure

Source of information: Cimi Regional GO/TO; Krahô Community

CHAPTER IV

Violence against Isolated Peoples and those with Little Contact



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Peoples in Brazil



“ That reality is even more glaringly present in the Amazon. The rapid implantation of gigantic infrastructure works in this region which extends beyond the Brazilian borders, transform the greatest tropical forest in the world into a vast construction site and ignores the presence of traditional communities and the native peoples, especially those who remain in isolation,”

“Development” over and above life itself

Cimi Support Team for Isolated Indigenous Peoples

In recent years Brazil has intensified its economic development policy, based on the exploitation of natural assets and production for exportation purposes. That model has not only embraced an old colonialist principle but it has also been responsible for imprinting the deep marks of social and environmental injustice in the country. One of its main features is the high concentration of benefits in the hands of the very few, while the impacts and losses, many of them irreversible are left to weigh heavily on indigenous communities, riverside dwellers, peasants and quilombolas and have the further negative repercussion of swelling the population of hundreds of cities. Even though it is now centuries old the model is still in frank expansion and strongly reminds us of the policies of that evil form of “development” that the civil and military dictatorship fostered in the 1970s.

That reality is even more glaringly present in the Amazon. The rapid implantation of gigantic infrastructure works in this region, which extends beyond the Brazilian borders, transforms the greatest tropical forest in the world into a vast construction site and ignores the presence of traditional communities and the native peoples, especially those who remain in isolation.

One highly emblematic case is the construction of the hydroelectric plants of Santo Antônio and Jirau, on the Madeira river in Rondônia. The existence of various indigenous groups living in voluntary isolation in that area was officially recognized by the government only after all the licenses necessary for the venture to be implanted had already been granted. As a result of the implantation of those works, the isolated groups have fled to even more isolated areas and there is no government body capable of assessing the impacts that they are suffering apart from that of the brutal disrespect for their constitutional right to the lands they have historically occupied.

Many other small medium-sized and large-scale hydroelectric projects included in the government’s Growth Acceleration Program (*Programa de Aceleração of the Crescimento - PAC*) are blocking the flows of rivers that make up the Amazon basin; from the Teles Pires to the Rio Branco, from the Madeira to the Xingu and including hundreds of other dams planned for Amazonian rivers such as the Tapajós in Brazil and others in neighboring countries like Peru and Bolivia. The environmental impacts of these megaprojects are incalculable and irreversible as has already

been sufficiently demonstrated by scientific studies and by the experience acquired to date with those projects that have already been implemented.

In some situations, information concerning these isolated peoples has come from reports made by riverside dwellers, those who extract forest products and the indigenous groups in the areas but which are not usually duly taken into account; that depends on the political and economic conveniences of the moment.

It should be pointed out here that there is an additional aggravating factor present, namely, that hydroelectric projects and mining always go hand in hand. The hydroelectric projects are highly conducive to the entrance of gigantic mining ventures and help to open the way for them. The mining products are also destined for exportation and such ventures are increasingly being established in the Amazon.

The consequences of all this for the territories and lives of so many riverside and indigenous communities, and all the more so for the peoples with little or no contact (also called isolated or free groups), are terribly severe. The megaprojects are by no means conceived to improve the lives of traditional communities nor those of local societies as became very clear with the construction of the Belo Monte plant in Altamira. The overriding purpose is to serve the interests of big construction groups and national and international corporations in the quest for limitless macro-economic growth which, in their acute shortsightedness, they insist on pursuing.

In a survey conducted by the Indigenist Missionary Council (*Conselho Indigenista Missionário - Cimi*) since 2006 and updated every year, 91 references to groups without contact in Brazil were found. The National Indian Foundation (*Fundação Nacional do Índio - Funai*) identifies 107 registrations of the presence of isolated indigenous groups in the whole of the Legal Amazon. Many of them live in risky situations due to the construction of mega-ventures implanting transport, communication and energy infrastructure and due to the illegal exploitation of the lands and forests by loggers, artisanal miners and rancher;/ farmers who invade their ancestral territories and exhaust the resources. Given their extreme level of vulnerability, the isolated peoples need special attention and specific policies that can effectively ensure the physical integrity of their lives and guarantee the protection of their lands. Some specific cases of such peoples in situations of risk follow below.



Isolated Awá Guajá groups

Various uncontacted Awá groups inhabit the Indigenous Territories of Arariboia, Krikati, Caru, Awá and Alto Turiaçu and in the Gurupi Biological Reserve in the state of Maranhão. With the implantation of the Grande Carajás mining project in 1982, the indigenous lands in the region became more exposed and vulnerable to invasions, above all by loggers. Those lands have already been officially demarcated but the problem of the invasions by loggers has never been solved. From the beginning, reiterated denunciations have been made to the public authorities. Some actions to combat illegal logging have been undertaken by the Federal Police but without any practical results. The destruction of temporary shelters of isolated Awá Guajá in the Arariboia Indigenous Land in December 2011 was denounced by Cimi, based on the information of indigenous leaders and confirmed by Funai. That was associated to the possible murder of a child and revealed the seriousness of the situation and the need for urgent steps to be taken to protect the indigenous territories in Maranhão.

At the end of December 2014 the Awá found three isolated indigenous individuals belonging to their people; two women and one man. They were in the region known as Cabeceira do Igarapé Presídio (headwaters of the Presídio creek) in the Caru Indigenous Land in the municipality of Bom Jardim,

Maranhão. They reported that invasions of loggers in the areas they frequent are constant. Even though the very survival of those isolated indigenous people is severely threatened there is no systematic surveillance effort in course; quite the contrary, the loggers circulate freely in the region and enter and leave indigenous territories whenever they want to.

In October 2015 a fire destroyed more than 200 thousand hectares of the Arariboia Indigenous Land which corresponds to more than half of its total area. That put the lives of the isolated Awá Indians in danger. According to the Brazilian Institute for the Environment and Renewable Natural Resources (*Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis* - Ibama) there is strong evidence that the fire was a criminal act. The loggers were setting fire to the forest in revenge for the combat that was in course against their illegal logging. In that same month, an Ibama team was surrounded by an armed group inside the Arariboia Indigenous area. The head of the Ibama surveillance and inspection department in Brasília, Roberto Cabral, was wounded in the arm by a shot from a shotgun.

Anxious to protect the free Awá who live within the boundaries of their lands, the Tentehar/Guajajara peoples, who inhabit the southwest of the state of Maranhão, have been calling for a more effective protection policy for the area. They fear that the invasion of loggers that is going on in the Arariboia indigenous lands will eventually reach the region where those Awá live.

Isolated indigenous groups of the Ilha do Bananal (Bananal Island)

Based on information passed on by the Javaé and Karajá indigenous people to local Cimi teams and to anthropologist Patrícia de Mendonça Rodrigues, it was possible to confirm the existence of isolated peoples on the Bananal Island in the state of Tocantins. The occurrence of such free Indians on the Bananal Island had been identified and registered in the book of Isolated Indigenous Groups in the Amazon published in 2011. In the following year there was new information about the presence of isolated groups given by the Krahô-Kanela people inhabiting the Mata Alagada Indigenous Land in the municipality of Lagoa da Confusão which is located in the surroundings of the Bananal Island. According to the reports, the isolated individuals were living in a region inside the island known as Mata do Mamão and they were approaching the banks of the Javaé river in an area occupied by farms and settlements.

The presence of those same Indians was confirmed by the coordinator of Ibama's Prevfogo group which works to control fires in the interior of the Bananal Island. Ibama issued a memorandum to Funai reporting the presence of uncontacted indigenous people on the island. In the document, the Ibama staff expressed their concern that the group was at risk because of the actions of fishermen and hunters and the fires that constantly broke out there.

Those reports of the presence of isolated indigenous groups, including their presence nearby the village of Waotyna on the Bananal island were passed on by Cimi to the Office of the Federal Public Prosecutor and the regional coordinating body of Funai, both in Palmas, as well as to the General Coordinating Body for Isolated and Recently Contacted Indians (*Coordenação Geral de Índios Isolados e Recém Contatados* - CGIIRC), in Brasília. Thus all three are well aware of the constant presence of the isolated Indian groups in the vicinity of the villages of the Karajá/Javaé people and the Krahô-Kanela people.

Nevertheless, for several years Funai failed to mention the isolated groups of the Bananal island in its official mapping. It was only in October 2015, after various reports and systematic denunciations made by indigenous peoples and by Cimi that the indigenist entity included that group in its official map under the heading “under study”, but at least confirming its existence.

Now it is up to Funai to effectively conduct and expand the studies and take whatever steps are necessary to protect that uncontacted group, especially in the sense of restricting the access of outsiders to the areas where they wander.

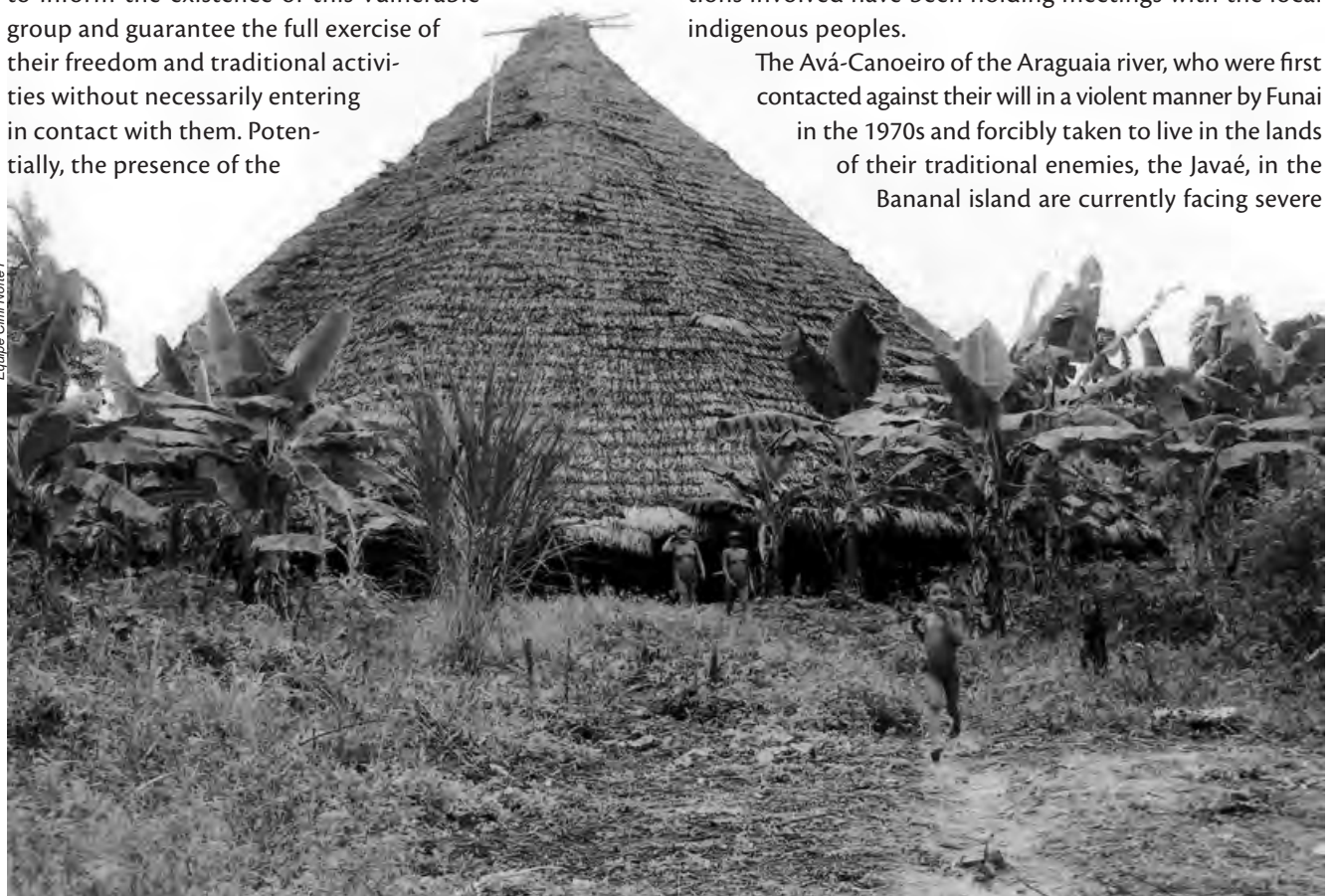
The threat of implanting a highway known as the Trans-Bananal (TO-500) in the interior of the island will directly affect that group living in voluntary isolation. Given the proven recognition of their existence, the Environmental Impact Study and Report (*Estudo e o Relatório de Impacto Ambiental* - EIA/RIMA) for the proposed highway will have to inform the existence of this vulnerable group and guarantee the full exercise of their freedom and traditional activities without necessarily entering in contact with them. Potentially, the presence of the

group could impede the construction of the highway because, in addition to the isolated indigenous group the highway would seriously affect the lives of the Karajá and Javaé peoples who also inhabit the Bananal Island.

In addition to the Transbananal, politicians of the states of Tocantins, Mato Grosso and Pará, among them the former minister of Agriculture, Livestock and Supply, Kátia Abreu, continue pressuring for the construction of another highway, the TO-242 or Trans Araguaia, as a means for shipping out the regional grain production.

In Tocantins the Indigenous Territories are already suffering with the implantation of the Agriculture and Livestock Development Plan (*Plano de Desenvolvimento Agropecuário* - PDA) for the Matopiba region, a federal government program that offers subsidies, tax relief and other tax incentives to consolidate the expansion of monoculture crop production and the advancement of agribusiness. This project, known as the country's “last agricultural frontier” will most certainly aggravate the deforestation of the Cerrado savannahs, the concentration of land in the hands of the few, the indiscriminate use of water and the abusive use of pesticides in the plantations, in addition to increasing the use of slave-like labor, boosting the rural exodus and boosting the expansion of slums in the cities. The proposed route of the two highways cuts the Bananal Island right across the middle and therefore across the middle of the isolated groups' refuge. To obtain the adherence of peoples in the region to the project, representatives of the big corporations involved have been holding meetings with the local indigenous peoples.

The Avá-Canoeiro of the Araguaia river, who were first contacted against their will in a violent manner by Funai in the 1970s and forcibly taken to live in the lands of their traditional enemies, the Javaé, in the Bananal island are currently facing severe



Equipe Cimi Norte I

food and nutritional security problems. There are restrictions on their fishing and hunting activities imposed by the Javaé. The commitment made by the coordinating body of Funai in Tocantins to the Office of the Federal Public Prosecutor in Tocantins to supply basic standard food baskets of the National Supply Company (*Companhia Nacional de Abastecimento - Conab*) to the Avá-Canoeiro until such time as their lands were demarcated has not been fulfilled. Funai does supply such packages sporadically but only after long delays and the food in them is often spoiled and unfit for consumption.

Recently two indigenous survivors of that forced contact in the 1970s died. Leader and warrior Tutawa Avá-Canoeiro, the elder, died in June 2015 but could not be buried in his traditional lands from which he had been driven out decades before because of objections from the farmers of the Caracol agricultural settlement there. As if the violent contact made by Funai and the imposition of having to live in the lands of their traditional enemies which means that they suffer the consequences of that elementary mistake up to today were not enough, the National Institute for Settlement and Agrarian Reform (*Instituto Nacional de Colonização e Reforma Agrária - Incra*) made the blunder of installing the Caracol settlement in the ancestral lands of the Avá. The chairman of the settlers' association would not agree to allow the old man to be buried in the area known as Capão de Areia, as he had wished.

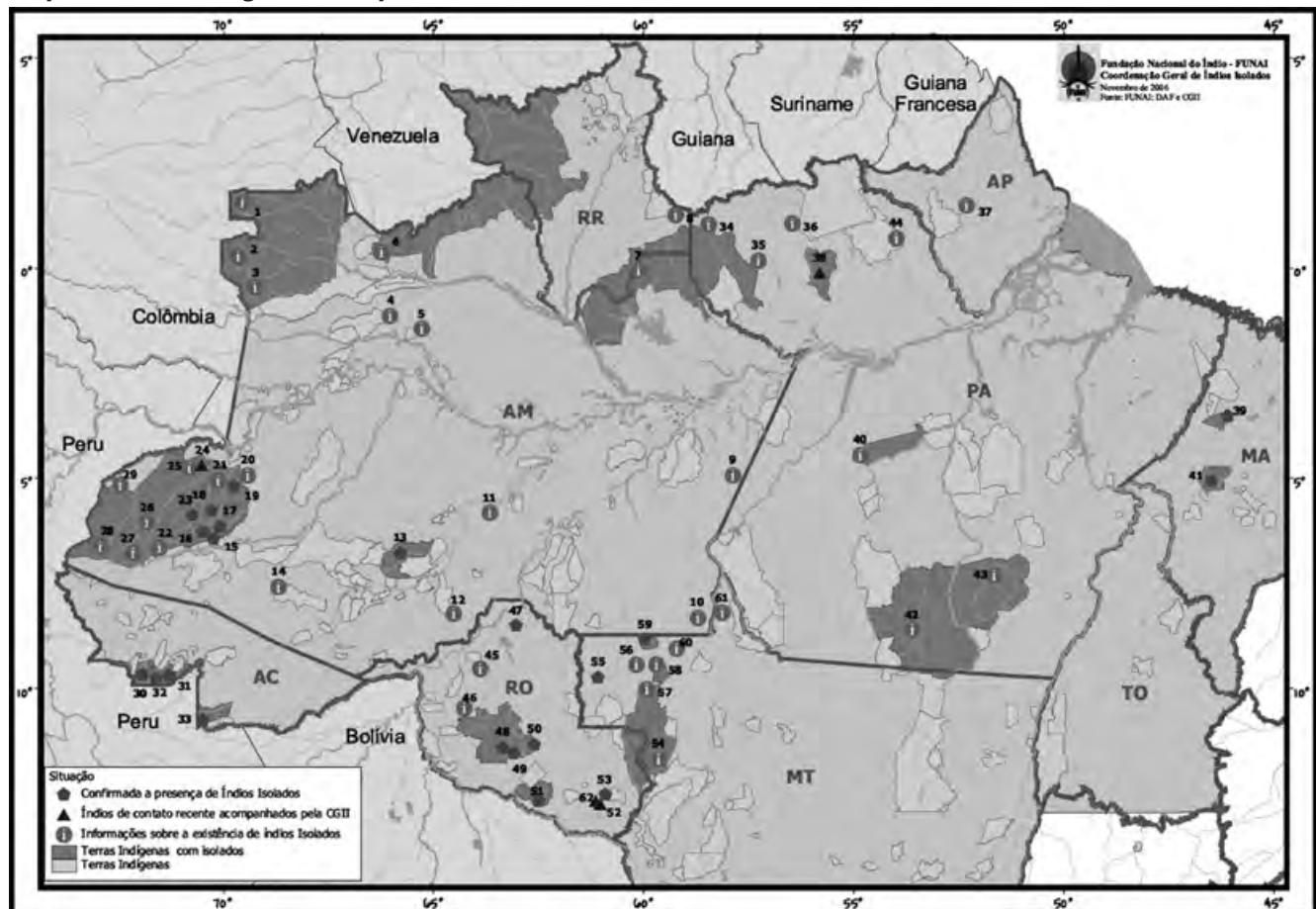
Two months later, depressed after the death of his father, Tutawa's first born son Agæk Avá-Canoeiro also died although he was only 50. Resilient like his father before him, he worked in the soy and watermelon plantations in Formoso do Araguaia and acquired a series of sicknesses, including lung problems, due to his contact with pesticides. Agedimir, his Portuguese name) was admitted to the regional hospital in Palmas with suspected Calazar and pneumonia. He remained in the corridors for seven days for want of a bed. Unfortunately he succumbed and died there. Like his father before him, he was not buried in the traditional lands of his people but in the village of Canuanã, in the land of the Javaé.

Finally in 2016, the Declaratory Decree of the Taego Awá Indigenous Land of the Avá-Canoeiro people was published. Tired of waiting they had agreed to give up part of the land which was in the possession of the Bradesco Bank Foundation.

Isolated Groups in the Tapajós

More than 40 dams are planned to be built each one capable of generating more than 30 Mw of electricity. The proposal is to bar the flow of the Tapajós River and its tributaries in the state of Pará. The overriding objective is to implant an enormous inland waterway to transport all the agribusiness production of Mato Grosso and all the mineral production

Map of Isolated Indigenous Peoples



of the region at a very low cost. The indigenous lands and peoples in the Tapajos Basin will suffer profound impacts and so will the riverside communities that live along the banks of the river and depend on it for most of their subsistence.

If this hydroelectric complex is indeed constructed it will have mortal effects for the isolated peoples that live in the forests along the courses of the Tapajos and its tributaries. There have been various reports of isolated groups and Funai recognizes their existence in the region. Cimi and the regional indigenous peoples have other references to isolated peoples that Funai has not registered. Such people are seriously threatened with extinction by the megaprojects that government is trying, at all costs, to impose on the region. In August 2016 Ibama announced that it was shelving the environmental licensing process for the main hydroelectric projects intending to exploit the Tapajós. The Munduruku indigenous people celebrated that fact and have vowed to continue their fight against the construction of other hydroelectric plants in the region.

According to a researcher attached to the National Institute for Amazon Research (*Instituto Nacional de Pesquisas da Amazônia - Inpa*) Philip M. Fearnside, “there are plans to construct 43 ‘great’ dams (with a generating capacity of over 30 megawatts) in the Tapajos Basin and ten of them are considered to be top priority by the Ministry of Mines and Energy and are supposed to be ready by 2022. Among other impacts, several of the dams will inundate indigenous lands and areas under environmental protection. Furthermore, the Tapajós River and its tributaries in the state of Mato Grosso, the Teles Pires and the Juruena, are also the target of Ministry of Transport Plans to convert them into artificial waterways for the transportation of soy bean to ports on the Amazon River”.¹

Isolated Groups of the River Pardo (Kawariva)

An episode involving ‘free’ indigenous people recently had repercussions in national networks. Several expeditions of those Funai professionals that work with very remote interiors (sertanistas) identified the increasing proximity of isolated (Kawariva) indigenous people in the River Pardo region with farmers and loggers. Abandoned camps were found with pet bottles used to keep honey in and other evidence of the presence of Indians who suffer the invasion of the territory and react by hiding deeper in the forest.

There is also concern about diseases those Indians might catch as a result of being ever more closely surrounded by farms and the fact that they have no immunity to several common diseases. In addition, the regional Cimi office in Mato Grosso has information that gunmen are hired specifically to chase out the Indians and leave the land free for farmers/ranchers and loggers to exploit.

Given that context of imminent decimation it is essential to demarcate the lands immediately so that the Kawariva can continue to live their differentiated way of life, protected and free from the interference of our society.

Isolated Groups of the Javari Valley

The largest population of free roaming Indians composed of different peoples is concentrated in the Indigenous Lands of the Javari Valley in the state of Amazonas. Numerically, the groups are very small and recently there has been a movement in the region whereby such people have been seeking contact with the surrounding society. That is a worrying fact because there is no adequate health structure in the area to protect them against possible epidemics, infections and diseases. Furthermore, according to a denunciation made by the Union of Indigenous Peoples of the Javari Valley (*União dos Povos Indígenas do Vale do Javari - Univaja*) this indigenous land is already the target of invasions by hunters and fishermen. That situation will tend to get worse because Funai declares that it does not have the funds or a sufficient number of trained personnel to carry out the necessary actions of protection and surveillance.

According to Funai the Javari Valley is Brazil's second largest Indigenous Land with an area of 8.5 million hectares and a 1,400 kilometer-long frontier with Peru marked by the course of the Javari River. It is also subject to considerable influence from Colombia as it is near to the Triple frontier region of the three countries. The indigenous people are therefore inserted in challenging regional context in a region that is considered to be the route for international drug trafficking with all its associated evils, in addition to the ongoing degradation of the ecosystems in their lands. The peoples living in isolation are in an extremely vulnerable and risky situation in the midst of a forest that is being devastated by megaprojects financed by public money.

It can be seen that the governments of the two countries do not have any policies in place to defend indigenous interests however much they may consider themselves to be left-wing. The Brazil government has merely sponsored enhanced dependence of indigenous peoples in relation to the State in the form of its assistance actions. Furthermore the governments of Dilma Rousseff in Brazil, Ollanta Humala in Peru, and Evo Morales in Bolivia have always invested in what they call the “development” of the region, which is achieved at the cost of the wood and oil extracted from it and whose consequences are vast deforestation, especially on the Peruvian side.

The indigenous people of the Javari Valley claim the right to participate in the formulation of policies for the protection of the lands and of the people that live in them.

¹ <http://www.ecoeco.org.br/attachments/article/307/Fearnside-Tapaj%C3%B3s-Port-18-02-15.pdf>

List of Isolated Peoples in Brazil (NB. TI = Indigenous Land)

	Reference/ People	Municipality	State	Land Situation	Source	Type of Risk
1	Isolated peoples of the River Envira	Feijó and Jordão	AC	TI Kampa and Isolated peoples Registered	Frente Etno Ambiental of the Alto Envira – Funai. Verified by reconnaissance flights	Pressure from Peruvian loggers;
2	Isolated peoples of the Alto Tarauacá	Jordão and Feijó	AC	TI Alto Tarauacá Registered	Funai reports and information from Kaxinawá Indians	Pressure from Peruvian loggers;
3	Isolated peoples of the Xinane	Santa Rosa and Feijó	AC	TI Xinane Delimited	Cimi, Funai	Pressure from Peruvian loggers;
4	Isolated peoples na TI Mamoadate	Assis Brasil and Sena Madureira	AC	Inside and outside the TI Mamoadate – (Manchineri and Jaminawa peoples) Registered	Cimi, Funai and Jaminawa and Manchineri Indians	Part is in Peru with no form of protection; Area of influence of the Transoceanic Highway and of wood exploitation concessions;
5	Isolated peoples of the River Chandless	Manoel Urbano and Santa Rosa	AC	No action	Kulina Indians, riverside dwellers and Cimi.	Area of influence of the Transoceanic Highway; State Park inside area traditionally occupied by indigenous peoples;
6	Isolated peoples of the Igarapé Tapada	Mâncio Lima	AC	No action	Nawa and Nukini Indians, Cimi and Funai.	Region subject to exploitation by loggers and artisanal miners from Peru and a route for drug trafficking; Serra do Divisor National Park;
7	Isolated peoples of the River Inauini	Boca do Acre and Pauini	AM	Inside and outside the TI Inauini/Teuini Registered	Indigenous people, Funai and Cimi.	Invading forest product gatherers;
8	Hi-Merimã	Tapauá	AM	TI Hi-Merimã Registered	Cimi and Funai	Invading forest product gatherers;
9	Isolated peoples of the Igarapé Jacareúba/Katauxi	Lábrea and Canutama	AM	Restrictions on use	Cimi and Funai	Advance of the economic front of Agribusiness with deforestation and monoculture of soy bean crops; Incra settlements; Ecotourism;
10.	Isolated peoples of the River Itaparaná/Ipixuna	Tapauá and Canutama	AM	No action	Cimi, riverside dwellers and Funai	Area of influence of the BR 319 Federal Highway; Vulnerable to violence in contact with forest product gatherers;
11	Isolated peoples of the Upper River Marmelos	Humaitá, Manicoré and Machadinho do Oeste	AM/RO	No action	Tenharim Indians and Cimi	Economic frontier of Agribusiness with monoculture of soy bean crops; Tabajara Hydroelectric Plant/Growth Acceleration Plan PAC2;
12	Isolated peoples of the Kurekete	Lábrea	AM	No action	Cimi and Kaxarari Indians	Occupation by farms; Area of influence of the BR 317 Federal Highway;
13	Isolated peoples of the River Ituxi	Lábrea		No action	Cimi and Kaxarari Indians	Occupation by farms; Hydroelectric project;
14	Isolated peoples Igarapé Waranaçu	Santa Isabel and São Gabriel da Cachoeira	AM	In the TI Alto River Negro Registered	Funai and ISA	
15	Isolated peoples of the River Uauapés	Santa Isabel and São Gabriel da Cachoeira	AM	In the TI Alto River Negro Registered	Funai and ISA	
16	Isolated peoples of the River Curicuriari	Santa Isabel and São Gabriel da Cachoeira	AM	In the TI Alto River Negro Registered	Funai and ISA	
17	Isolated peoples of the Igarapé do Natal	Santa Isabel do Rio Negro	AM	No action	Funai	
18	Igarapé Bafuanã	Santa Isabel do Rio Negro	AM	No action	Funai	
19	Isolated peoples of the Lower River Cauaburi	Santa Isabel do Rio Negro	AM	TI Yanomami Registered	Funai	

List of Isolated Peoples in Brazil (NB. TI = Indigenous Land)

	Reference/ People	Municipality	State	Land Situation	Source	Type of Risk
20	Isolated peoples of the Igarapé Joari	Tapauá	AM	No action	Cimi	
21	Isolated peoples of the Bararati	Apui and Sucurundi (AM); Cotriguaçu (MT)	AM/MT	No action	Funai and Cimi	Logging and artisanal mining; Farms; Settlement projects;
22	Isolated peoples of the River Pardo	Apui and Colniza	AM/MT	TI Kawahiva do Rio Pardo Identified but contested in the courts	Cimi, Funai, Arara and Cinta Larga Indians and forest workers.	Farms condominium; Illegal seizure and registration of land inside the Indigenous area; Invasion by loggers; Nearby mining activity; State Highway MT 206;
23	Isolated peoples of the River Copaca/Uarini	Uarini	AM	No action	Chief of the Miratu village and Cimi	Hunters and fishermen; Urucu-Tefé-Carauari Gas Pipeline
24	Isolated peoples of the River Maturá	Manicoré	AM	Inside and outside the TI Pinatuba Registered	Indigenous people from the Tracua village and Cimi	Conflict with the Mura indigenous peoples
25	Isolated peoples of the Upper Xerua	Itamarati	AM	Nas TI Deni e Kanamari of the River Juruá Registered	Kanamari Indians and Deni and Cimi	Conflict with the Kanamari and Deni indigenous peoples
26	Isolated peoples of the Igarapé Naua	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI Vale of the Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
27	Isolated peoples of the River Branco/Itaquai	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI of the Vale do Javari Registered	Indigenous people of the Vale of the Javari, Civaja, Cimi, Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
28	Isolated peoples of the Igarapé Urucubaca	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI of the Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
29	Isolated peoples of the Igarapé Alerta	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI of the Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
30	Isolated peoples of the Igarapé Inferno	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
31	Isolated peoples of the Igarapé Lambança	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the TI Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
32	Isolated peoples of the River Pedra	Benjamim Constant, Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
33	Isolated peoples River Itui	Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	Risk of contagion with diseases like tuberculosis, hepatitis, influenza and malaria; invasion of hunters and fishermen in the dry season;
34	Isolated peoples of the River Quixito	Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	
35	Isolated peoples of the Igarapé São Salvador	Atalaia do Norte	AM		Funai	
36	Isolated peoples of the Igarapé Cravo	Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	

List of Isolated Peoples in Brazil (NB. TI = Indigenous Land)

	Reference/ People	Municipality	State	Land Situation	Source	Type of Risk
37	Isolated peoples of the Igarapé Amburus	Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	
38	Isolated peoples of the Igarapé Flecheiras	Atalaia do Norte	AM	In the TI of the Vale do Javari Registered	Funai	
39	Isolated peoples of the River Bóia	Jutaí and São Paulo de Olivença	AM	No action	Funai	Artisanal mining; Logging;
40	River Parauri	Barreirinha and Itaituba	AM/PA	No action	Funai	
41	Isolated peoples in the TI Waiãpi.	River Muruturá	AP	In the TI Waiãpi Registered	Waiãmpi Indians and Funai	
42	Isolated peoples of the Igarapé Água Branca in the TI Caru	Bom Jardim and São João do Caru	MA	In the TI Caru Registered	Cimi and Funai	Invasion by loggers; Illegal construction of access roads; Deforestation;
43	Isolated peoples Awá Guajá	Bom Jardim, Zé Doca, Centro Novo e São João do Caru	MA	TI Awá - Guajá Ratified	Cimi and Funai	Invasion by loggers; Illegal construction of access roads; Deforestation;
44	Isolated peoples in the Gurupi Biological Reserve	Centro do Guilherme, Centro Novo, Bom Jardim and São João do Caru	MA	No action	ISA, Ka'apor Indians	Invasion by loggers; Sawmill; Illegal construction of access roads; Deforestation; Mining;
45	Isolated peoples of the River Buriticupu, Lagoa do Marajá, Lagoa Sumaúma and Lagoa Buritizal, Lago do Meju, Lago dos Patos in the TI Araribóia	Amarante do Maranhão, Arame, Santa Luzia, Bom Jesus das Selvas and Buriticupu	MA	In the TI Araribóia Registered	Cimi and Funai	Invasion by loggers and hunters; Illegal construction of access roads; Deforestation; Setting fires;
46	Isolated peoples of the Serra da Desordem in the TI Krikati	Montes Altos, Sítio Novo, Lajeado Novo	MA	In the TI Krikati Ratified	Cimi and Krikati Indians	Setting fires; Invasion by loggers;
47	Isolated peoples of the Igarapé Jararaca in the TI Alto Turiaçu	Centro do Guilherme, Centro Novo and Zé Doca	MA	In the TI Alto Turiaçu Registered	Cimi and Ka'apor Indians	Invasion by loggers; Sawmill; Illegal access roads; Deforestation;
48	Isolated peoples of the Igarapé Bandeira, Igarapé Mão da Onça and Serra da Desordem in the TI Caru	Bom Jardim and São João do Caru	MA	In the TI Caru Registered	Cimi and Funai	Invasion by loggers; Illegal access roads; Deforestation;
49	Isolated peoples of the River Moreru/Pacutinga	Cotriguaçu	MT	Inside and outside the TI Escondido Registered	Cimi	Area of migration; Settlements;
50	Isolated peoples Apiaká	Apiacás and Alta Floresta.	MT	Funai Work Group	Cimi, Funai and Apiaká Indians	Logging; Large scale farms; 7 hydroelectric construction projects;
51	Isolated peoples Kawahib or Piripikura of the River Madeirinha	Colniza and Rondolândia	MT	Funai Work Group	Cimi, Funai and Opan	Occupation by farms; Risk of extinction;
52	Isolated peoples of the Pontal	Apiacás	MT	No action	Funai	Logging; Occupation by large-scale farms;
53	Isolated peoples "Baixinhos" in the TI Aripuanã	Aripuanã	MT	In the TI Aripuanã Registered	Cimi, Funai and Cinta Larga and Arara Indians	Agribusiness; Risk of extinction;
54	Isolated peoples in the north of the TI Zoró	Rondolândia and Colniza	MT	In the TI Zoró Registered	Cimi and Zoró Indians	Logging; Occupation by large-scale farms;

List of Isolated Peoples in Brazil (NB. TI = Indigenous Land)

	Reference/ People	Municipality	State	Land Situation	Source	Type of Risk
55	Isolated peoples of the River Tenente Marques	Juína	MT	In the Aripuanã Indigenous Park Registered	Cimi and Funai	Logging;
56	Isolated peoples of the River Cabixi	Comodoro	MT	No action	Cimi and Mamaindê Indians	Logging; Occupation by large-scale farms;
57	Isolated peoples of the River Iquê	Juína	MT	In the TI Enawene Nawe Ratified	Funai	
58	Isolated peoples in the TI Kaiapó	São Félix do Xingu and Ourilândia do Norte	PA	In the TI Kaiapó Registered	ISA and Funai	
59	Isolated peoples near to the TI Koatinemo	Altamira	PA	No action	Cimi	River Xingu Hydroelectric complex;
60	Isolated peoples in the TI Menkrano in the River Iriri Novo	Altamira, São Félix do Xingu, Peixoto de Azevedo and Matupá	PA	In the TI Menkranoti Registered	ISA and Funai	River Xingu Hydroelectric complex;
61	Isolated peoples in the Tumucumaque Indigenous Park	Óbidos	PA	In the Tumucumaque Indigenous Park	ISA and Funai	
62	Isolated peoples in the TI Xicrim of the Cateté	Marabá	PA	TI Xicrim do Cateté Registered	Cimi and ISA	
63	Isolated peoples of the Serra do Cachimbo		PA	No action	Funai	
64	Isolated peoples of the head of the River Mapuera	Oriximiná	PA	No action	Cimi and Funai	
65	Isolated peoples of the Middle River Cachorrinho	Oriximiná	PA	No action	Cimi and Funai	
66	Isolated peoples in the TI Bacajá	Altamira	PA	In the TI Bacajá Registered	Indigenous people and Cimi	River Xingu Hydroelectric complex
67	Isolated peoples of the Riverzinho do Anfrisio	Altamira	PA	No action	Cimi and Funai	Logging; Illegal seizure and registration of land;
68	Isolated peoples of the River Cuminapanema	Óbidos	PA	No action	Cimi and Funai	
69	Isolated peoples of the River Mapari	Oriximiná, Óbidos, Almeirin and Alenquer	PA	On the borders of the Tumucumaque Indigenous Park	Funai	
70	Isolated peoples of the Upper River Ipitanga	Almeirin, Monte Alegre and Alenquer	PA	On the borders of the TI Rio Paru d'Este	Cimi and Funai	
71	Isolated peoples of the River Tanauru "índio do buraco"	Chupinguaia	RO	Restriction on use	Cimi and Funai	Occupation by farms; Risk of extinction;
72	Isolated peoples of the Swamps of the River Guaporé	Pimenteiras	RO	No action	Cimi and settlers	Overlapping of the Curumbiara State Park; Encroaching deforestation; Occupation by farms;
73	Isolated peoples SiRivernó River Simão	Alta Floresta do Oeste	RO	In the TI Massaco Registered	Cimi and Funai	Overlapping of the Guaporé Biological Reserve;
74	Isolated peoples of the Serra da Onça (Jururei)	Alvorada do Oeste and Urupá	RO	No action. Court decision determines demarcation	Cimi and Funai	Invasion by farmers and settlers; BR 429 Federal Highway;
75	Isolated peoples Yraparaquara	Seringueiras, São Miguel do Guaporé, Costa Marques, Guajará Mirim	RO	In the TI Uru-Eu-Wau-Wau Registered	Cimi and Funai	Logging;
76	Isolated peoples of the Serra da Cotia	Guajará Mirim	RO	No action	Cimi, rubber tappers, Tupari Indians	Artisanal mining; Protected Areas (Environmental Conservation).

List of Isolated Peoples in Brazil (NB. TI = Indigenous Land)

	Reference/ People	Municipality	State	Land Situation	Source	Type of Risk
77	Isolated peoples of the River Novo and Cachoeira of the River Pacas Novas	Guajará Mirim	RO	No action	Cimi, rubber tappers, Oro Wari Indians	Pacas Novas Extractive Reserve
78	Isolated peoples of the Guajará Mirim State park	Guajará Mirim and Nova Mamoré	RO	No action	Cimi and Oro Wari Indians	Drug trafficking route; Logging; BR 421 Federal Highway;
79	Isolated peoples of the River Mutum	Nova Mamoré and Porto Velho	RO	No action	Cimi and Cunpir	Illegal seizure and registration of public land in the region
80	Isolated peoples in the Bom Futuro National Park	Porto Velho and Buritis	RO	No action	Cimi, Funai and Karitiana Indians	Illegal seizure and registration of public land in the region; Logging; Artisanal mining;
81	Isolated peoples of the Rivers Formoso and Jaci-Paraná	Nova Mamoré, Buri TI and Campo Novo	RO	No action	Cimi and Pacas Novas Indians and Cunpir	Occupation by farms;
82	Isolated peoples of the Igarapé Karipuninha	Porto Velho and Lábrea	RO/AM	No action	Cimi and Funai	Hydroelectric installations in the River Madeira; Agribusiness;
83	Isolated peoples of the River Jacundá	Cujubim, Itapuã, Candeias do Jamari and Porto Velho	RO	No action	Cimi and Funai	Logging;
84	Isolated peoples in the Jaru Biological Reserve	Ji-Paraná	RO	No action	Cimi and Gavião and Arara Indians	Loggers and Farmers; Overlapping of the Jaru Biological Reserve;
85	Isolated peoples of the upper River Alalaú (Pirititi)	Rorainópolis	AM/RR	Restricted use	Funai	
86	Isolated peoples of Monte Caburaí	Uiramutã	RR	TI Raposa Serra do Sol Registered	Ingaricó Indians	
87	Isolated peoples of the Serra da Estrutura	Mucajá	RR	TI Yanomami Registered	Funai	
88	Isolated peoples of the upper River Jatapu	Caroebe	RR	No action	Funai	
89	Isolated peoples in the TI Ináwébohona	Pium and Lagoa da Confusão	TO	In the TI Ináwébohona Ratified	Karajá and Javaé Indians and Cimi	Development projects in the region; Construction of the TO 242 State Highway; Overlapping of the Araguaia National Park;
90	Isolated peoples of the Minaçu (Avá Canoeiro)	Minaçu	GO	No action	Funai	
91Is	Isolated peoples of the Pau Pixuna	Tapauá	AM	No action	Cimi	Hunters; Fishermen;
92	Isolated peoples in the TI Pirahã	Humaitá	AM	In the TI Pirahã	Cimi and Pirahã Indians	
93	Isolated peoples of the Headwaters of the Jutai (Itacoai interfluvium)	Atalaia do Norte	AM	In the TI Vale do Javari	Funai	
94	Isolated peoples of the headwaters of the Jandiatuba	Atalaia do Norte	AM	In the TI Vale do Javari	Funai	
95	Isolated peoples of the Upper Jandiatuba	Atalaia do Norte	AM	In the TI Vale do Javari	Funai	
96	Isolated peoples of the Igarapé Kumaia	Atalaia do Norte	AM	In the TI Vale do Javari	Funai	
97	Isolated peoples of the Igarapé Paraguai	Atalaia do Norte	AM	In the TI Vale do Javari	Funai and Cimi	

CHAPTER V

Memory and Justice



163 The forced removal of the
Pataxó Hã-Hã-Hãe people



“ The long delay in guaranteeing an area, however small, for the Pataxó is just one more chapter in the story of the social dismantling of their community. The historical documents that have been brought together not only make it possible to perceive the dimension of their forced removal but also to identify the actors and entities responsible for that violent process, impregnated with coercion and submission,”

The forced removal of the Pataxó Hã-Hã-Hãe people

Marcelo Zelic*



Based on archives of articles and reports, official records of parliamentary speeches and decisions and information made available by state entities, it is possible to recuperate a considerable part of the history of the forced removal of the Pataxó Hã-Hã-Hãe people from their lands in the southwest of the state of Bahia. Today the Brazilian State recognizes the right of those indigenous people to 54,105 hectares of land; just a fraction of the lands they originally lived in. The stretch of land reserved in the form of the Caramuru/Paraguassu Indigenous Land, which can be seen in the map at the side, is being “addressed as an indigenous reserve “that is to say, according to the National Indian Foundation (*Fundação Nacional do Índio - Funai*) “it is undergoing an administrative procedure with a view to securing its acquisition (by direct purchase, expropriation, or donation)”.

The long delay in granting an area, however minimal it may be, to the Pataxó is just another chapter in the story of the social dismantling of their community, a factor directly related to the violence that culminated in at least thirteen assassinations among this people registered in reports of the Indigenist Missionary Council (*Conselho Indigenista Missionário - Cimi*) and the *Pastoral da Terra* Committee. The cases include internal power struggles, domestic violence and various deaths that the police have failed to elucidate.

The historical documents that have been brought together not only make it possible to perceive the dimension of their forced removal but also to identify the actors and entities responsible for that violent process, impregnated with coercion and submission. This recovery of information also provides the basis for calling attention to the seriousness of the sluggishness in the process of regularizing the status of the reserve and the basis for defining the parameters for due reparation that includes compensation for the victims.

Leasing and donations

The first records of violence in the region date back to the middle of the last century when attacks unleashed by crop and cattle farmers supported by the police forces resulted in the massacre of indigenous people, as registered in the Legal Bulletin issued by the Pro-Indian Commission of 1983². The attack was merely the beginning of unbridled persecution that grew steadily worse during the dictatorship when the lands the Indians lived in were leased or donated to others.

That policy of occupying areas already occupied is at the root of the land tenure conflicts that afflict the Pataxó people up to today. The leasing strategy was notoriously flawed and noted for frauds and the usurpation of public funds and public areas as the documents clearly reveal. Funai Informative document nº 17³, of 1976, for example, helps to identify the discrepancy between the amounts paid to Funai for the leasing of land and the real value of the land at the time. In the details set out on page 37 of the document it can be seen that for the indigenous lands located in Itaju da Colônia, assessed as being worth 460.00 cruzeiros per hectare in 1972, the farmers paid 0.10 cruzeiros per hectare, that is, 0.02% of the real worth. Those payments were supposed to be made to Funai and used to benefit the original inhabitants of the lands.

* Deputy Chairman of the Tortura Nunca Mais-SP Group (Torture: never again) and a member of the Justice and Peace Committee of the Archdiocese of São Paulo. Coordinator of the Armazém Memória project (Memory Warehouse) he was one of the proponents of the Indigenous Work Group of the National Committee for the Truth (*Comissão Nacional da Verdade - CNV*) and a collaborator with the same Group.

In practice the conditions for the survival of the Indians people grew steadily worse. In one of the areas occupied by the Pataxó Hã-Hã-Hãe, which was an area of 36 thousand hectares, no less than 35,997 hectares were leased to farmers, leaving a mere three hectares for the indigenous people to live on (30 thousand square meters²). That totally unequal distribution of the land benefited 604 farmers who, in 1976, paid just 3,600 cruzeiros for the leased land. Considering the real worth of the land in that year they should have paid 16.56 million cruzeiros, which is 4,600 times more.

The greed for the land was partly because the area was particularly fertile. The farmers who took over those lands were no simple peasants, but part of an economic group with great influence and representation in the National Congress. In a speech in defense of the invaders made in the House of Representatives in 1976⁴, Federal Representative Henrique Brito (Arena-Bahia) declared that in the area of the reserve there were already "500 thousand head of cattle and thousands of bushels of cocoa" and insisting that the government needed to support the farmers and ranchers he argued, totally ignoring the presence of the Pataxó that "there are no Indians in those lands".

Again speaking in defense of the ranchers and farmers, on June 19, 1975, another Federal Representative, Henrique Cardoso (MDB-Bahia) had already submitted a petition to the presiding group of the house and basing himself on the same argument that there were no Indians in those lands, he delineated a strategy for taking over the lands of the Pataxó Hã-Hã-Hãe definitively and registering them in the names of those that were leasing them:

In conclusion, we require that Funai, together with the Executive Branch shall proceed to the extinction of the Caramuru and Paraguaçu Posts so that the land may revert to the Federal Government and that the Federal Government, in turn shall, donate the stretch of territory that embraces the Caramuru and Paraguaçu Posts to the state of Bahia and in the terms of donation stipulate that the lessees shall have the right to preferential acquisition from the State of Bahia of the lands they occupy (unabridged draft bill⁶).

Coercion, forced removal and violence

In addition to being confined to minute areas and dispersed among the ranches and farms where they became laborers working for the new landowners with their big holdings, the local indigenous people suffered direct forms of violence that destabilized their social structures even further. Those leaders that dared to rebel were arrested and imprisoned in the Krenak Agricultural Reformatory and after 1972 kept on the Guarani (prison) Farm (Fazenda Guarani) which were Detention Centers for indigenous people maintained by the dictatorship in the state of Minas Gerais. There are plenty of records of such imprisonments. As an example, issue 23 of the *Porantim*⁷ journal, in October 1980 reported that "in July, 41 Pataxó were transferred from the Indigenous Post of Caramuru, in Itajú do Colônia (Bahia) and dispatched to the Guarani prison in order to leave the ranchers and farmers free to occupy the indigenous area".

The coordinated actions of various representatives of the State and the crop and cattle farmers consolidated a regional development process marked by coercion, forced eviction and violence. It must be mentioned that today the Krenak Reformatory is considered to have been a concentration camp and torture center of the dictatorship⁸. The dismantling of the community and the direct and indirect attacks they had to endure are all very well documented. In 1976, on page 38 of Funai Informative Document nº 17⁹, the situation is described in the following terms:

Friction in the region has been constant. The Indians refuse to leave the land and but are under pressure to do so, including assassinations arrests and imprisonment in the Krenak for those that decide to contest the situation. Others, however, prefer to give up the land which is theirs by right and go off to work as employees or as land lessees in exchange for food and clothing. The women are forced to become prostitutes in the whore houses along the highways. The dispersion of the group is currently very much accentuated and there are only three Indians in the post whereas there are 300 in the neighboring municipalities.

Arquivo da Memória

DOSSIE PATAXÓ I	
CRONOLOGIA DA LUTA PATAXÓ	
1926 - criação dos Postos Indígenas Caramuru e Paraguaçu pela Lei Estadual nº 1916 de 09/08/1926	grande pressão dos fazendeiros e do governador da Bahia para remover os Pataxó da área reconquistada
1926/30 - delimitada a área de 50 16 guas quadradas	21/09/82- as Entidades de Apoio à Causa Indígena representam a Justiça contra a pretensão de transferência dos índios pela FUNAI
1936 - invasão da reserva por fazendeiros auxiliados por forças policiais para combater a "revolução comunista do P.I. Caramuru", resultando: <ul style="list-style-type: none"> grande chacina de índios fuga dos sobreviventes para junto dos Maxacali e Krenak em Minas Gerais redução da reserva para 36.000 ha. arrendamentos de terra aos fazendeiros 	out/82 - pressionada pelos fazendeiros mais governo da Bahia a FUNAI transfere os Pataxó para a Fazenda Experimental de Almada (Ilhéus)
1949 - nova onda de violência contra os índios: é a "grande carreira" dos Pataxó: mais índios se refugiam em Minas Gerais	23/11/82- os Pataxó impetram Mandado de Segurança contra a transferência para Almada
1957 - fazendeiros reivindicam extinção da reserva	29/11/82- concedida liminar no Mandado de Segurança
1957/75 - SPI depois FUNAI desativam os Postos Indígenas	os Pataxó retornam à área reconquistada de suas terras
1976/78 - o governo da Bahia "doa" as terras indígenas aos fazendeiros	01/12/82- o governo da Bahia consegue cassar a liminar concedida em 20/11
1979 - pressionada pela opinião pública a FUNAI tenta demarcar 10.000 ha na área - é impedida pelos fazendeiros	dez/82- os fazendeiros reacendem as pressões - ameaças de violência iminente
1982 - os Pataxó dispersos decidem retornar à sua reserva	- a FUNAI propõe Interdito Proibitório em defesa da posse indígena - liminar concedida
28/04/82- Os Pataxó retomam 1.200 ha na área (Fazenda São Lucas)	abril/83- em andamento na Justiça Federal da Bahia duas ações propostas pela FUNAI discutindo a posse do território imemorial dos índios Pataxó.
30/06/82- FUNAI ingressa em juízo na defesa do território indígena, com uma "Ação Ordinária Declaratória de Nulidade de Títulos de Propriedade sobre Imóveis Rurais"	1) Ação Declaratória de Nulidade de Títulos
	2) Interdito Proibitório
	07/06/83- em razão da situação de instabilidade vivida na área e gerada pela discussão da posse de seu próprio território deu-se o assassinato de Edísio Pataxó.

In spite of reports that prove that many indigenous individuals were imprisoned in Minas Gerais only eleven such cases were officially registered. That sub-notification of imprisonments was common at the time as was confirmed to the National Committee for the Truth by João Geraldo Itatuitim Ruas who at the time was the head of Funai's Minas-Bahia "Ajudância. Considered at the time to be one of the first civil servants of indigenous origin in Brazil he took over command from the military predecessor Captain Pinheiro. Highly uncomfortable with situation he encountered in the detention centers he made denunciations and approached his superiors but without success (an article entitled "An indigenous concentration camp 200 kilometers from Belo Horizonte" published in 2013 in *Pública*¹⁰, tells more about the episode). His statement to the Truth Committee helped to delineate the size and the seriousness of what was going on in the region.

In the official list of detentions recovered by researcher José Gabriel Silveira Corrêa based on documents in the Museum of the Indian, eleven Pataxós are listed, three of whom were arrested for "conflicting with the head of the post". They are cases like that of Samado Bispo dos Santos, who was imprisoned in 1970 and again in 1983 for defending his peoples' territorial rights, as Federal Representative Mário Juruna¹¹ (PDT-Bahia) denounced in his speech in the House of Representatives.

Government responsibility

Another well documented aspect is the participation and responsibility of civil servants in the usurpation of the incomes and the lands of the Pataxós and it involves representatives of all three branches of power, various spheres of authority and various different moments. Against a background of serious land tenure conflicts, including the involvement of hired gunmen (details in the *Porantim* journal nº 94, published in December 1986¹²), the documents reveal a coordinated action between the Executive and Legislative branches in Bahia and their representative in the Federal Legislative body and the administrators and civil servants of the Federal Executive as well as the Judiciary and the Security Forces All of it was aimed at legalizing the eviction of the Indians and guaranteeing the possession of the Caramuru/Paraguassu lands.

In a statement made to the Russel Report, an informative report of more than 7 thousand pages produced by Prosecutor Jader de Figueiredo Correia about violations directed at indigenous peoples, indigenous agent Hélio Jorge Bucker, who was head of various different posts of the Indian Protection Service (*Serviço de Proteção aos Índios - SPI*) at different times described the details of how the Pataxó were expelled saying:

(...) that those usurpations occurred when I was the intervener on behalf of the State of Bahia and JURACY MAGALHÃES was Chief of Police and General LIBERATO DE CARVALHO was one of the main beneficiaries of that usurpation together with former Minister MANUEL NOVAES; that the area with which General LIBERATO DE CARVALHO was benefited was of 6 thousand *tarefas* apart from those attributed to other persons on his indication; that other areas were consigned to persons



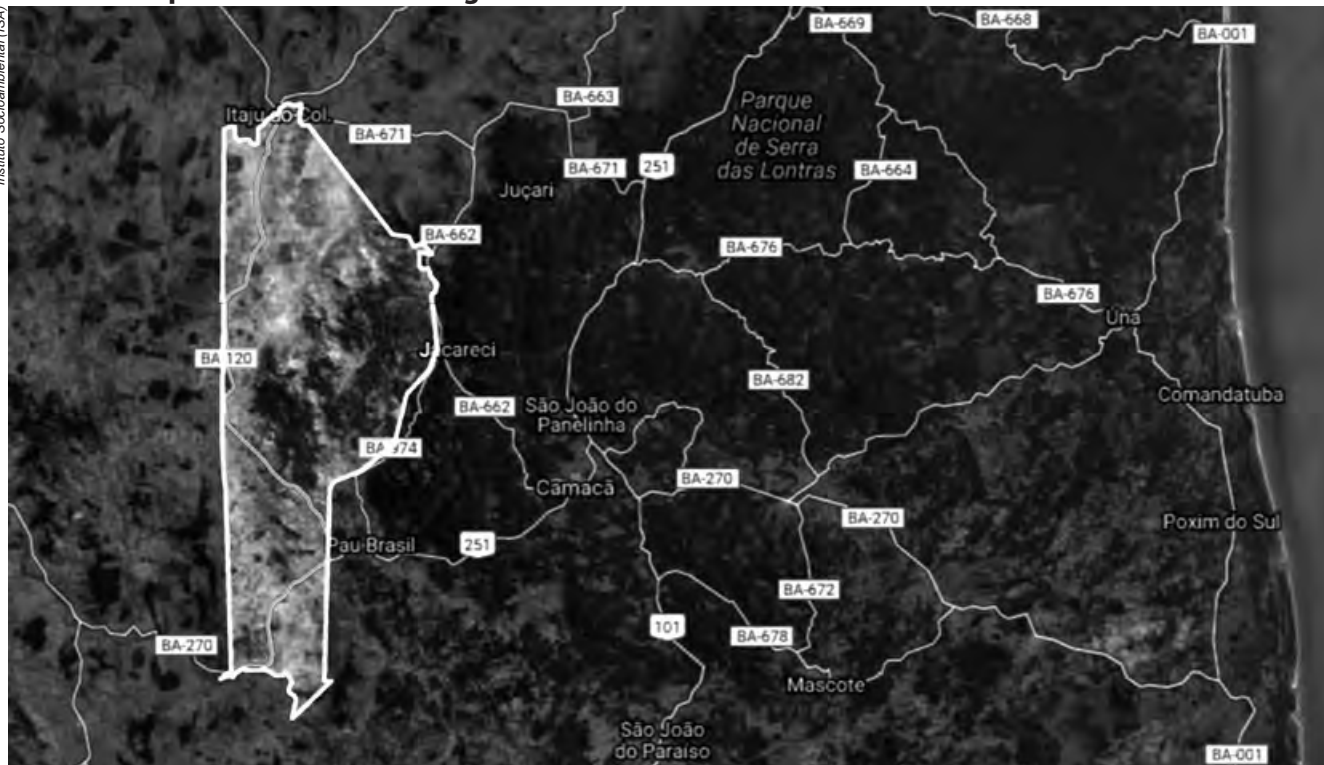
indicated by JURACY MAGALHÃES; that there was not exactly a usurpation but a veritable genocide through the contamination of the Pataxó tribe with smallpox virus; that the indigenous reserve was left uninhabited because only half a dozen natives were left (...) – pages 3784-3785 of the Report¹³.

He went on to tell how he had informed his boss Airforce Major Luis Vinhas Neves, director of the SPI, of the violations but to no avail. Neves played an active role in the land leasing contracts involving the leasing of the indigenous lands in the region that were drawn up from 1965 on as well as participating in other highly serious episode such as the distribution of smallpox infected clothes which entirely decimated at least two whole villages in the south of Bahia. The author of the denunciation registered his attempt to denounce the case:

(...) that the deponent communicated the occurrence of the atrocities and the irregularities practiced by employees of the IR-6 to Major VINHAS NEVES but the director merely told him "not to dig up corpses or create problems"; that Major VINHAS was in possession of all the respective processes and did not take action because he did not want to".

After the expulsion and dismantling of the communities, the efforts to guarantee the regularization of the formerly indigenous lands invaded by the big landowners came from the legislative branch. In 1981, Federal Representative Fernando Gomes (PMDB-Bahia) made a speech defending that even the

Location Map of TI Caramuru / Paraguassu



tiny area being claimed for an indigenous reserve, immensely reduced in comparison with the original size of the area the people had originally occupied, should not be recognized. In his effort to justify the consolidation of the expulsion of the Pataxós, he quoted the following technical opinion issued by Funai's sector for the regularization of lands:

“Thus there is no land to be claimed as being the domain of the Pataxós in the state of Bahia so that the property deeds issued by the State in favor of the occupants are legitimate and valid and they are the title holders of full dominion of the areas they possess and, furthermore, the denomination “Paraguassu Indigenous Reserve” is unacceptable to designate the area located in the municipalities of Camaeã, Pau Brasil, Itaju do Colonia, in the state of Bahia in view of the non-existence of any legal act that so denominates it”.

To make it perfectly clear how the action was orchestrated among the different government agencies, the case of the expulsion of the Pataxós is one that could become the object of the work of the National Indigenous Committee for the Truth recommended by the National Committee for the Truth to the Brazilian State as part of the transitional measures of reparation and justice being contemplated.

Under Subjugation

It is worth underscoring the fact that at the time the leasing contracts were signed by the State, the indigenous people in Bahia and in the whole of Brazil were under a regime of Guardianship. Prosecutor Carlos Eduardo Raddatz Cruz, of the Office of the Federal Public Prosecutor (*Ministério Público Federal* - MPF) discoursed on that question when presenting a legal appeal regarding the application of a temporal deadline

in regard to the lands of the Guarani people in Mato Preto, in the state of Rio Grande do Sul¹⁵:

The Statute of the Indian (Lei 6.001/73), maintained unaltered the relative incapacity, the guardianship and the attributions of a Federal assistance body for the Indian for the "legal or extra-legal defense of the rights of the native people and the indigenous communities". It was only with the advent of the 1988 Constitution that the integrational ideology was overcome and a vision was adopted of respect for indigenous culture; it was only then that the old regime of State guardianship of indigenous interests came to be rethought.

In synthesis the guardianship regime that predominated in the last century severely restricted the autonomy of the will of those populations so that the satisfaction of any interest or question of their rights involving private entities or the state itself demanded the intermediation of a legal representative of the state on their behalf. Initially it was one that was attached to the SPI and later to Funai; both were state agencies over which a very black cloud hung for a long time tinged by the atrocities committed precisely against those they were supposed to protect, as was shown in the receding section.

The Brazilian State, the moment it signed those leasing contracts entirely injurious to the interests of those under its guardianship, and the moment it covered up or promoted by its direct acts or by omission various forms of violence and illegal procedures, effectively violated international conventions. The forced removal of the Pataxó Hã-Hã-Hãe, which resulted in the radical destabilization of that people and the usurpation of their lands and natural assets, was a flagrant infraction of Decree nº 58.824, dated July 14, 1966¹⁶, which internalized, in the Brazilian legal system, Convention nº 107¹⁷

Basic data for monetary correction according to the IGP-DI (FGV)

DATA PROVIDED		DATA PROVIDED	
Initial Date	01/1972	Initial Date	01/1976
Final Date	10/2015	Final Date	10/2015
Nominal Amount	Cr\$ 460,00 (Cruzeiro)	Nominal Amount	Cr\$ 0,10 (Cruzeiro)
DATA CALCULATED		DATA CALCULATED	
Correction Coefficient for the Period	10.858.952.562.626,8834490	Correction Coefficient for the Period	4.666.815.155.712,5259723
Corresponding Percentage Value	1.085.895.256.262.588,3449000%	Corresponding Percentage Value	466.681.515.571.152,5972300%
Value corrected to the final date	R\$ 1.816,41 (Real)	Value corrected to the final date	R\$ 0,17 (Real)

adopted in Geneva on July 26, 1957. That treaty provides for the protection and integration of indigenous populations.

Brazil is also a signatory to the United Nations Declaration on the Rights of Indigenous Peoples¹⁸, which in its Article 8, item 2-c determines that “the States shall establish effective mechanisms for the prevention and reparation of any form of forced population transfer which has the aim or effect of violating or undermining any of their rights”¹⁹.

The Basis for Amends

The gathering together of documents and registrations of the amounts involved in the transactions involving the leasing of the lands in question makes it feasible to establish parameters for actions to make amends. In September 2016, the *Tortura Nunca Mais São Paulo* group will be delivering into the hands of the Justice and Peace Committee of the Archdiocese of São Paulo and to the Office of the Federal Public Prosecutor, a set of files and information with the aim of assisting the authorities to identify responsibilities and steps to be taken.

The data regarding the values involved in the leasing, for example, could readily be expressed in current day values using the Central Bank's calculator²⁰, which would make it possible to calculate the difference between the estimated value of the lands and what was actually paid under the aegis of the land leasing policy unfolded by the ‘Guardian’ State.

Considering the values practiced in the 1970s mentioned at the beginning of the text, for example, then it is feasible to estimate the value that should have been paid at the time

for the leasing of a single hectare which would have been the equivalent of 1,816.41 reals today (or 460,00 cruzeiros per hectare, according to evaluation of the 1972 report), whereas what was actually paid was the equivalent of 17 cents (that is 0.10 cruzeiros per hectare paid in 1976), as seen in the table above.

In other words, for the 36 thousand hectares being considered here, the value that should have been paid was 65.3 million reals in today's money, whereas the amount actually paid was 6.19 thousand reals. If we consider an arbitrary reference period of five years from 1972 to 1976, the value of the amount the ranchers and farmers of Itajú da Colônia should have paid would be 326.8 million reals, all of which should have been collected by the State and reverted into Indigenous Income. These estimates are merely to establish a parameter which could be increased or complemented with other registrations for the periods from 1947 to 1971 and from 1976 to the present day.

The experience of other countries that have sought to make amends for historical violations could help to identify suitable methodologies and references for such a process. The compensations for the violations committed by Nazism in Germany and the condemnations for crimes committed by dictatorships in other countries could serve as an inspiration for the Brazilian legal system. In addition to the demarcation of the indigenous lands, the State, in all its spheres of authority needs to compensate for the historical crimes committed against the indigenous peoples in Brazil. The usurpation of their land by forcefully removing them and the theft of the income due to the Pataxó Hãe-Hãe-Hãe is an explicit example of the tremendous debt Brazil owes to its native peoples. ♦

- 1 <http://www.funai.gov.br/index.php/indios-no-brasil/terras-indigenas>
- 2 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Hemerolndio&PagFis=5874>
- 3 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=docindio&pagfis=11979&pesq=>
- 4 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=docindio&pagfis=16721&pesq=>
- 5 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Doclndio&PagFis=16659&Pesq=>
- 6 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Doclndio&PagFis=16659&Pesq=>
- 7 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Hemerolndio&PagFis=3248>
- 8 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=ComissaoVerdade&PagFis=6633&Pesq=>
- 9 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Doclndio&PagFis=12018>
- 10 <http://apublica.org/2013/06/um-campo-de-concentracao-indigena-200-quilometros-de-belo-horizonte-mg/>
- 11 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Doclndio&PagFis=17351>
- 12 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Hemerolndio&PagFis=4326>
- 13 <http://www.docvirt.com/docreader.net/DocReader.aspx?bib=Doclndio&PagFis=3734>
- 14 <http://imagem.camara.gov.br/Imagem/d/pdf/DCD08MA11984.pdf>
- 15 <http://www.mpf.mp.br/rs/atos-e-publicacoes/outras/APELACaO%20MATO%20PRETO%20-%20versao%20definitiva-assinado.pdf/view>
- 16 http://www.planalto.gov.br/ccivil_03/decreto/1950-1969/D58824.htm
- 17 <http://www.oitbrasil.org.br/content/popula%C3%A7%C3%B5es-ind%C3%ADgenas-e-tribais>
- 18 <http://www.funai.gov.br/arquivos/conteudo/cogedi/pdf/Livros/Coletanea-da-Legislacao-Indigenista-Brasileira-2008/cap1-Legislacao-Fundamental.pdf>
- 19 Para saber mais sobre a Declaração: http://www.un.org/esa/socdev/unpfi/documents/Q&A_Declaracao.pdf
- 20 <https://www3.bcb.gov.br/CALCIDADAOPublico/exibirFormCorrecaoValores.do?method=exibirFormCorrecaoValores&aba=1>

ATTACHMENT

170 Summary of violence against
indigenous peoples in Brazil
– Data for 2015

SUMMARY OF VIOLENCE AGAINST INDIGENOS

Chapter I – Violence against the Heritage

States + Federal District	Omission and sluggishness in the regularization of land tenure	Conflicts associated to territorial rights	Invasions to take possession, illegal exploitation of natural resources and various kinds of harm to the heritage	Total Cases
AC	17			17
AL	8		1	9
AM	180	1	6	187
BA	15	2		17
CE	21			21
DF	1			1
ES	1		1	2
GO	1			1
MA	9	1	18	28
MG	11			11
MS	96	10	2	108
MT	42		3	45
PA	57		12	69

States + Federal District	Omission and sluggishness in the regularization of land tenure	Conflicts associated to territorial rights	Invasions to take possession, illegal exploitation of natural resources and various kinds of harm to the heritage	Total Cases
PB	2			2
PE	12			12
PI	1			1
PR	29			29
RJ	7			7
RN	1			1
RO	27	2	5	34
RR	3		3	6
RS	54	1		55
SC	18	1	2	21
SP	34		1	35
TO	7		1	8
Total	654	18	53	725

Chapter II – Violence against the person

States	Assassination	Attempted Murder	Manslaughter	Threat to kill	Various kinds of threat	Deliberate bodily harm	Abuse of Power	Racism and ethnic-cultural discrimination	Sexual Violence	Total Cases
AC	1				1	1	1			4
AL		1								1
AM	5	2		2	5	3	3			20
AP	3								1	4
BA	5				1		1	2		9
CE				1			1			2
DF								1		1
GO	1							1		2
MA	3	7	3	6	11	1		1		32
MG	1	1	1				1			4
MS	20	12	5	1	1	5	1	3	3	51
MT		3			1	1		1	1	7
PA	2	1	1		1			2		7
PE	1									1
PR	5	2	2							9
RO	1			1	2					4
RR								1	2	3
RS		1	3		1	1		1	1	8
SC	1	1	3	1						6
SP					1				1	2
TO	5									5
Total	54	31	18	12	25	12	8	13	9	182

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Chapter III – Violence by omission on the part of the public authorities

UF	Lack of health care services	Death from lack of health care services	Dissemination of alcoholic drinks and other drugs	Lack of assistance in indigenous school education	Generalized lack of assistance	Total Cases
AC	2	1	1		2	6
AM	2		1	8	5	16
AP	1				2	3
BA	1				1	2
CE					1	1
ES					1	1
MA	11			11	1	23
MG	1				1	2
MS	4			1	8	13
MT	5			2	1	8
PA	9		3	4	6	22
PE		1				1
RJ	1			1	1	3
RO	3			1	1	5
RR	2	1		1	1	5
RS	1			2	1	4
SC	2			5	1	8
SP	2			1	1	4
TO	5			4	1	10
Total	52	3	5	41	36	137

Infant Mortality¹

Dsei	Nº of deaths
Alagoas & Sergipe	7
Altamira	11
Upper Rio Negro	29
Upper Rio Purus	27
Upper Rio Solimões	77
Amapá & North of Pará	12
Araguaia	2
Ceará	5
Cuiabá	17
Guamá-Tocantins	10
Interior Sul	13
Kayapó do Mato Grosso	10
Kayapó do Pará	10
East of Roraima	34
Litoral Sul	3
Manaus	7
Maranhão	15

Dsei	Nº of deaths
Mato Grosso do Sul ²	46
Middle Purus	9
Middle Solimões and Tributaries	19
Minas Gerais and Espírito Santo	14
Pernambuco	4
Porto Velho	15
Potiguara	6
River Tapajós	9
Tocantins	9
Vale do Javari	18
Vilhena	8
Xavante	79
Xingu	2
Yanomami ³	72
Total	599

Suicide¹

Dsei	Self inflicted harm ²
Amapá and North of Amapá	1
Upper Rio Negro	8
Upper Rio Purus ³	1
Upper Rio Solimões	13
Araguaia ⁴	1
Roraima East	8
Mato Grosso do Sul ⁵	45
Middle Rio Solimões	2
Tocantins	2
Yanomami	2
Interior Sul ⁶	4
Total	87

¹ Indigenous Health Care Information System (Sistema de Informação da Atenção à Saúde Indígena - (Siasi), consulted on May 24, 2016. Data subject to revision

² Dsei-Mato Grosso do Sul

³ Mortality Information System of the Ministry of Health

¹ Indigenous Health Care Information System (Sistema de Informação da Atenção à Saúde Indígena - (Siasi), consulted on May 24, 2016. Data subject to revision

² Self-inflicted harm (X60 a X84)

³ Cimi Regional Amazônia Ocidental (Western Amazon)

⁴ Cimi Regional Mato Grosso

⁵ Dsei-Mato Grosso do Sul

⁶ Cimi Regional Sul (South)

Cimi

Indigenist Missionary Council



Indigenist Missionary Council

Ever since its creation in 1972, when the Brazilian State openly assumed the integration of indigenous peoples with society at large as the only perspective for the indigenous peoples, Cimi has sought to favour the articulation among indigenous peoples and communities themselves, promoting large indigenous assemblies, where the plans were drawn for the struggle to guarantee the right to cultural diversity.

Cimi is an organism of the National Conference of Brazilian Bishops (CNBB).

“Bear witness of and prophetically proclaim the Good News of the Kingdom, serving the projects of life of the indigenous peoples, denouncing the structures of domination, violence and injustice while practicing intercultural, inter-religious and ecumenical dialogue, supporting the alliances of these peoples among themselves and with the popular sectors of society to build a world for everyone, egalitarian, democratic, multicultural and in harmony with nature, in the direction of the definitive Kingdom.”

PRIORITIES OF CIMI

LAND

Cimi's principal action is to support indigenous peoples and communities in their struggle to recuperate, demarcate and guarantee the integrity of their territories. Land is a condition for life and for full cultural fulfilment of every indigenous people. From this standpoint, Cimi's advocacy role is the protection of the territories of all indigenous peoples, including those who still remain isolated from Brazilian society.

INDIGENOUS MOVEMENT

Throughout these five hundred years, indigenous people have found creative and diverse ways to resist oppression and attempts of extermination. In the last three decades, numerous forms of organization, articulations and mobilizations have developed which today constitute the Indigenous Movement. Cimi acts as a partner in the struggle of the indigenous movement by providing information, discussing possibilities and courses of action and supporting the indigenous' initiatives.

ALLIANCES

It is fundamental to consolidate alliances in order to build a new social order, based on solidarity, respect for human dignity and ethnic and cultural diversity. To ensure the conditions for indigenous people to gain their autonomy, Cimi, through its work, aims to establish alliances with sectors of civil society, Latin-American organizations, solidarity groups and organizations as well as international cooperation.

FORMATION

Formation is an essential tool servicing the current efforts of indigenous peoples and indispensable for

missionary action, therefore it has been a Cimi priority since its origin. Cimi understands formation as an integral process, constructed collectively and based on social practice.

EDUCATION, HEALTH AND SELF-SUSTAINABILITY

Cimi's work in these three dimensions is based on recognizing and valuing the characteristic ways that each people conceives and builds their lives. It is imperative to know, profoundly comprehend and radically respect their different visions of the world, thus building with Indigenous Peoples, and based on their own systems, differentiated health care, education and self-sustainability.

INTERCULTURAL AND INTER-RELIGIOUS DIALOG

Cimi works to establish a mutually respectful dialog, based on equality among peoples and cultures. Inter-religious dialog presupposes the profound respect for the diverse concepts of sacredness, origin and meaning of human life and the valorisation of the multiple ways of ritualizing faith and nourishing one's own beliefs. These principles are a driving force behind the life projects of indigenous peoples and are alternatives to the neoliberal project.

INDIGENOUS IN URBAN CENTERS

The intense and constant pressures upon indigenous cultures and territories result in constant migrations of indigenous families or even entire peoples. This situation puts forth a new challenge for Cimi. And with it, the need to better understand this reality: determine the motives that push some indigenous families out of their traditional areas and initiate a systematic dialog with them, with the view of guaranteeing their rights and articulating their struggles with the broader indigenous issue.

THE MISSIONARY ACTIVITY OF CIMI IS BASED ON THE FOLLOWING PRINCIPLES:

- ♦ Respect for the indigenous otherness in its historical and ethno-cultural plurality and the valorisation of the traditional knowledge and religiousness of the indigenous peoples;
- ♦ The protagonism of the indigenous peoples, CIMI being an ally in the struggle to guarantee their historic rights;
- ♦ The choice for and commitment to the indigenous cause within a broader perspective of a democratic, just, compassionate, solidary, pluri-ethnic and pluricultural society.

And for this new society, forged in the struggle itself, Cimi believes that the indigenous people are sources of inspiration for the revision of the meaning: of the history, of social, political and economic orientations and practices constructed until this day. Just over 40 years ago, Cimi published its first document reporting on the situation of violence that indigenous people in Brazil were submitted

to, not only because of the military period and the expansion to the Amazon, but above all by the declared policy of physical and cultural extermination executed against these peoples.

It is in this context that Cimi came into existence. Today, Cimi is the largest nongovernmental organization working with indigenous peoples in Brazil. Working via our teams in the areas, we help these peoples to reflect on the problems they experience, their relationship with the national society and we focus especially on the study and knowledge of their rights. The participation of indigenous peoples in the construction of the present Federal Constitution has had the singular support of Cimi, with regard to the awareness of that historical moment and opportunity and with regard to the support of the articulated protagonism of these people, in order for them to participate in the constitutional process and thereby guarantee their rights in the Magna Carta of the country. The support Cimi has offered ever since for the grand assemblies of the indigenous peoples, offering advice for the conjunctural analyses, the legal demands in combination with the unconditional support for the great indigenous manifestations, makes CIMI the main entity acting in defense of the human and territorial rights of the indigenous peoples in Brazil.

Approximately 350 missionaries, forming 120 teams, live on a day to day basis supporting around 180 indigenous peoples throughout the entire country. They are lay persons and religious who seek with their solidary presence, commitment and testimony to place themselves

at the service of the indigenous peoples. To articulate, assist and guide these missionaries and to support the struggle of indigenous peoples to guarantee their rights, Cimi is organized in 11 Regional Offices distributed throughout the country plus a National Secretariat located in the federal capital Brasília. Cimi's maximum authority is the General Assembly which meets every two years.

Its directorship is composed of a Presidency (President, Vice-President and two Secretaries) and 11 Regional Coordinators. Through its National Secretariat and Regional Offices, Cimi offers the missionaries, indigenous peoples and their organizations support and assistance on legal, theological, and anthropological matters and with communication, formation, education, health and documentation. Cimi maintains a corporate website and publishes the *Porantim* newspaper, specialized in the indigenous cause, on a monthly basis.





CONSELHO INDIGENISTA MISSIONÁRIO

Support
for
English
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SUPPORT

