

REPORT

Violence against Indigenous Peoples in Brazil

DATA FOR 2016



R E P O R T

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Indigenous Peoples in Brazil**

D A T A F O R 2 0 1 6



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PRESIDENT
Dom Roque Paloschi

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REPORT
Violence against Indigenous Peoples in Brazil – Data for 2016

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RESEARCH COORDINATOR
Lúcia Helena Rangel

RESERACH AND DATA SURVEY
CIMI Regional Offices and CIMI Documentation Center

ORGANIZATION OF DATA TABLES
Eduardo Holanda, Leda Bosi and Marluce Ângelo da Silva

REVIEW OF DATA TABLES
Lúcia Helena Rangel and Roberto Antonio Liebgott

IMAGE SELECTION
Aida Cruz

EDITING
Patrícia Bonilha

LAYOUT
Licurgo S. Botelho

COVER PHOTO
Funeral of Health Agent Clodiodi Aquileu Guarani-Kaiowá
Photo: Ana Mendes

This edition is dedicated to the memory of Léia Aquino, a tireless fighter for the rights of the Guarani-Kaiowá people, especially the Nhanderu Marangatu communities. In June 2016 she joined Marçal, Dorvalino, Semião and thousands of fighters among her people who died in the fight and hope to conquer Terra Sem Males (Land Without Evil).

Léia was a mother, teacher and one of the main leaders of the Aty Guasu Guarani and Kaiowá peoples throughout the 21st century. She gave voice to an endless number of reports of violence and violations of indigenous rights involving farmers, the police and governments. She also devoted herself to the fight for the right to education. She took part in the Convention on Indigenous Rights of Mato Grosso do Sul and was one of the founders of the Continental Council of the Guarani Nation (CNNAGUA).

Léia will always be alive in the memory of the resistance and certainly will further encourage the affirmation of the rights and projects not only of the Guarani-Kaiowá people, but of all indigenous peoples in Brazil.

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The indigenous issue in Brazil: between omission and cynicism

Dom Roque Paloschi*

*“But let justice roll down like waters and righteousness like an ever-flowing stream”
(Amos 5,24)*

In this report, the Indigenist Missionary Council (CIMI) provides data and information about dramatic realities, in which acts of violence against indigenous peoples are becoming increasingly over the top and far too frequent. The number of communities subjected to absolute abandonment grows as regards both the effective guarantee of their constitutional rights – which are materialized in the demarcation of their lands – and aspects related to protection and respect for human life and dignity.

The data presented show that the political turmoil currently engulfing the country has also left its mark in the direction of indigenous policy: until April 2016, we witnessed the continuation of a strategy of omission aimed to accommodate the corporate and political interests of sectors that the Dilma Rousseff government had close ties with – agribusiness, large landed estates and mining elites.

In the following months a wave of hatred and wrath against indigenous peoples swept over the country, because of the cynicism of a coup-plotting government that nurtured certain strategies aimed at expropriating indigenous lands. Reactionary politicians spearheaded by President Michel Temer began to obstruct the work of state agencies responsible for implementing actions and services for and within indigenous communities. This type of intervention led to the spread of acts of violence like death threats, attacks against indigenous communities, killings, logging, and forest destruction, among others, as well as of renewed ways to disseminate intolerance.

We are extremely concerned about these acts of intolerance and racism against indigenous peoples voiced by anonymous individuals, on social media and in the speeches of Congress members, journalists, and radio and television commentators. This growing wave of disrespect for indigenous peoples worsens when news about disputes over land demarcation is published or when communi-

ties choose to no longer wait for an inert government to promote the guarantee of their rights and decide to mobilize in demonstrations or actions to retake part of their lands.

We understand that the increase in violence is a response to, among other things, the fiery speeches of government officials who scorn, mock or disrespect the constitutional rights of original and traditional peoples and communities, and deliberately encourage farmers to use any means to deter the initiatives of collectivities that have been historically disrespected and robbed of their rights. As if the racism that sadly persists in Brazilian society were not enough, publicly stimulated intolerance has portrayed indigenous peoples as threats and led to increasingly brutal attacks.

Persecutions against indigenous and quilombola (descendants of runaway slaves) peoples, landless workers, entities and institutions that provide support and solidarity to social and ethnic groups have increased and reached dangerous proportions, to the extent that any form of collective expression and action is criminalized, and every expression of solidarity and support becomes suspicious. This scenario of persecutions brings back to mind the painful times Brazilians experienced during dictatorial regimes.

“Persecutions against indigenous and quilombola peoples, landless workers, entities and institutions that provide support and solidarity to social and ethnic groups have increased and reached dangerous proportions, to the extent that any form of collective expression and action is criminalized, and every expression of solidarity and support becomes suspicious,”

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



"The indigenous cause must mobilize us because it is a cause for justice, life and dignity"

Photo: Ana Mendes

A second Parliamentary Inquiry Commission (CPI) into the activities of the National Foundation for Indigenous People (FUNAI) and the National Institute of Colonization and Agrarian Reform (INCRA) was re-discussed and set up in the Chamber of Deputies in 2016. This CPI served as a political space intended almost exclusively to criminalize all those in favor of the demarcation and titling of lands for indigenous and quilombola peoples and those who advocate the agrarian reform.

CIMI once again presents this report in the hope that the accusations contained herein will alert to an unsustainable situation of disrespect for the life, human rights and political rights of indigenous peoples. Systematized data should be used as an instrument to evaluate the directions of the Brazilian indigenous policy and its very concrete and cruel effects on the lives of so many human beings. It is necessary to rethink the relations of the State and its branches with indigenous peoples, to create a culture of respect and appreciation for differences

and for the effective guarantee of the constitutional rights of indigenous and traditional peoples and communities.

In the face of so many acts of violence and violations against native peoples, we must echo the words of Pope Francis, who challenges the world by stating that *"For them, land is not a commodity but rather a gift from God and from their ancestors who rest there, a sacred space with which they need to interact if they are to maintain their identity and values. When they remain on their land, they themselves care for it best. Nevertheless, in various parts of the world, pressure is being put on them to abandon their homelands to make room for agricultural or mining projects which are undertaken without regard for the degradation of nature and culture"* (Laudato Si 146). The indigenous cause must mobilize us because it is a cause for justice, life and dignity. Defending indigenous territorial rights is, beyond the achievement of rights provided for in our Federal Constitution, an attitude in defense of our 'Common House,' our land, our life. ♦

“ The anti-indigenous political, economic and ideological forces that already existed in the Planalto Palace and the Ministries Avenue of previous governments were joined by even more conservative groups, fundamentalists and financiers. With them, Temer took over the most important seat in the Republic and brought with him all the commitments they had agreed upon. As subject and object in the process, Temer took to the extreme the governmental option in behalf of the interests of capital to the detriment of the rights of Brazilians and the national interest,”

Fabio Rodrigues Pozzebom/Agencia Brasil



Integration in sight: violence against indigenous people and the coup plot in Brazil

*Cleber César Buzatto**

The situation of violations and violence against indigenous peoples took a sharp turn to the worse in 2016. Data of violence were compounded by structural elements that interfered directly in the relationship between the Brazilian State and native peoples, subverting the Constitutional provisions in force in the country. The attempt to implement the theory of the absolute unicity of the State came back at full force. With the political, legal and media coup that led Michel Temer to the presidency, the ideology of “One country for one people” gained steam and began to vent out the windows of the Brazilian Executive branch.

The anti-indigenous political, economic and ideological forces that already existed in the Planalto Palace and the Ministries Avenue of previous governments were joined by even more conservative groups, fundamentalists and financiers. With them, Temer took over the most important seat in the Republic and brought with him all the commitments they had agreed upon. As subject and object in the process, Temer took to the extreme the governmental option in behalf of the interests of capital to the detriment of the rights of Brazilians and the national interest.

In this scenario, indigenous rights have played a significant role in the coup plot. On the eve of the impeachment vote, the rural caucus – a group of Congress members representing the interests of the agribusiness sector – and about 40 national and regional agribusiness associations and representatives of agricultural commodity producers, mainly exporters, set their sights on the document “Positive Agenda - Biennium 2016-2017”¹. It should be noted that among the many items

¹ See: <http://www.fpagropecuaria.org.br/wp-content/uploads/2016/04/DOC-Pauta-Positiva-FPA.pdf>

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



demanded by the ruralists (i.e. members of the rural caucus) were “Respect for the ‘*marco temporal*’ or ‘time limit’ (a 1988 cut-off date for indigenous occupation of traditional lands) and for the conditions stipulated by the Federal Supreme Court (STF) in connection with the Raposa Serra do Sol case (PET 3388/STF)”; “Republishing of Ordinance 303 issued by the Attorney General’s Office (AGU)”; “Constitutional Amendment Bill (PEC) 215/2000...”; and “Review of recent demarcations of indigenous/quilombola areas, as well as of expropriations for the purpose of agrarian reform ...” (sic). Temer reiterated his commitment to the ruralists and to this retrogressive agenda on different occasions throughout 2016.

In this same direction, the budget of the National Foundation for Indigenous People (FUNAI) approved for 2017 was the lowest in the last ten years. Placing FUNAI in a vegetative state through budget restrictions is part of the government-ruralists strategy in the attack against indigenous rights under way in

the country. The ruralists know that on such an extremely tight budget, the Brazilian state’s indigenous organization is incapable of meeting the minimum necessary conditions to carry out its institutional tasks. The creation of Working Groups (WG) to conduct studies on the identification and delimitation of indigenous lands; compensation for people occupying demarcated lands in good faith; protection of indigenous lands against invaders; presence of civil servants in indigenous communities attacked by armed

militias or left to fend for themselves along roadsides; protection of isolated and recently contacted peoples; and investment in demarcated lands are some of the actions made unfeasible by the budgetary stranglehold of the indigenous agency.

Also in 2016, to serve the financial sectors, the Temer government and the National Congress passed Constitutional Amendment Bill (PEC) 241/2016, further aggravating the situation. In practice, the passing of this PEC means that FUNAI’s budget will stagnate at an

“The budget of the National Foundation for Indigenous People (FUNAI) approved for 2017 was the lowest in the last ten years. Placing FUNAI in a vegetative state through budget restrictions is part of the government-ruralists strategy in the attack against indigenous rights under way in the country,”



The FUNAI/INCRA PIC was the main weapon of the ruralists to criminalize indigenous peoples and their supporters

extremely low level for the next 20 years. This proposal also established a ceiling for non-financial public spending. The rule does not apply to interest expenses and public debt repayments. That is, the government “bled” more than two hundred million Brazilians to guarantee payment to half a dozen big investors. This is a flagrantly biased initiative for the benefit of financiers, since almost 50% of the current expenses of the Brazilian State are precisely of financial character.

Government initiatives indicating that anti-indigenous political groups are using the indigenous agency for their own agenda have gained ground. In the new government composition, FUNAI was assigned to the Social Christian Party (PSC). With a fundamentalist religious identity, the PSC is a long-time ally of the ruralists in the Chamber of Deputies, with whom the party has sided in the debates and votes on PEC 215/00 and in the Parliamentary Inquiry Commission (PIC) involving FUNAI and the National Institute of Colonization and Agrarian Reform (INCRA). FUNAI’s regional coordination offices began to be staffed with people appointed directly by deputies from the rural caucus.

Therefore, political harassment and religious proselytism against indigenous leaders, communities and peoples have been and tend to be further aggravated. Because of these initiatives, there is a great risk that internal divisions and conflicts will increase among indigenous peoples in the coming periods.

The criminalization of indigenous leaders and allies of indigenous peoples in Brazilian society has reached an even more dangerous level. In addition to local actions in which some Federal Police commissioners conduct persecutory investigations and work as real branches of the farms where they usually go fishing on weekends, the ruralists have increased the use of state instruments to incriminate those who fulfill their institutional responsibilities by advocating the rights of indigenous peoples. The FUNAI/INCRA CPI was the main weapon used in this regard in 2016. It was repeatedly used as a stage for the same rehashed, reiterated accusations and discriminatory discourses that instigate hatred and violence against indigenous leaders, members of the Federal Public Prosecutor’s Office (MPF) and academics, particularly from the field of anthropological science, as well as members of civil society organizations that work legally and legitimately for the benefit of indigenous peoples in Brazil.

“The criminalization of indigenous leaders and allies of indigenous peoples has reached an even more dangerous level with some Federal Police commissioners conducting persecutory investigations and working as true branches of farms,”

With the political instability that preceded the change in federal government leadership for months, the ruralists enjoyed a greater sense of safety and a long perspective of impunity at all levels. As a result, their attacks against indigenous peoples in their own territories have become increasingly violent. In Mato Grosso do Sul, to prevent the Guarani-Kaiowá people from retaking at least a small part of their traditional lands, landowners acted as militiamen and increased the level of lethality in extrajudicial evictions. It was on one of those occasions that the indigenous leader Clodiodi Guarani-Kaiowá was killed and five others were wounded by firearms.

In Rondônia, indigenous lands duly regularized and in the peaceful possession of indigenous peoples were not only invaded for the illegal removal of natural resources but also subdivided, sold and illegally seized and deforested for the establishment of pastures and crops by non-indigenous people. This is a clear indication that the ruralists had implemented the strategy of promoting, all over Brazil, a new phase of deterritorialization and “disseisin” against indigenous peoples.

It should be noted that the increased hostility from ruralists is not restricted to original peoples. Quilombolas, other traditional communities, small farmers, squatters and peasants in all regions of the country are also on the firing line. In this scenario of ample institutional protection, there is a high risk that farmers will resort to massacre in this movement to expel the poor from rural areas, so as to boost land grabbing and exploitation in Brazil.

The year 2016 ended with the assimilationist and integrationist perspective on the rise. Whether through the action of farmers, in violation of the law – by promoting extrajudicial evictions and the forced deterritorialization of indigenous peoples by armed militias – or through the action of the ruralists and fundamentalist religious groups via institutional spaces, the constitutionally recognized rights of indigenous peoples to their “social organization, customs, languages, creeds and traditions, and their original rights to the lands which they traditionally occupy ...” (Article 231 of the Brazilian Federal Constitution) have been severely violated and are seriously endangered.

Indigenous peoples have no choice but to continue to resist and fight to uphold the Brazilian Constitution and defend their life and future projects. Their allies are left with no alternative but to continue to support their fights and stand by their side for better or worse. ♦



“ With the Michel Temer government there has been a change in proposition, in which a clearly anti-indigenous discourse was adopted in opposition to constitutionally enshrined rights,”

Disputes over political power in the country lead to increased violence against indigenous peoples

Lucia Helena Rangel*

Roberto Antonio Liebgott**

The 2016 Report on *Violence against Indigenous Peoples in Brazil* will address primarily the impacts of two moments of the indigenous policy, given that the State was governed by rulers with different perspectives on the constitutional rights of communities. President Rousseff's government prioritized, in its policy, what became known over the years as "dialogue tables," in which demands were discussed but not met. In other words, the period of an administration focused on omission. The Michel Temer government changed that proposition by introducing a clearly anti-indigenous discourse of opposition to constitutionally enshrined rights. The policy of cynicism, focused on the need to promote the integration of indigenous peoples as an alternative to survival, was incentivized. At the same time, the process of criminalizing the fight for the land while legitimizing the invasion and destruction of territories – including those that had been demarcated – was intensified.

Throughout 2016 the Judicial branch, in both trial courts and federal regional courts, followed the logic of the current governance, taking upon itself the discussions of indigenous rights and overshadowing demarcation procedures, alleging, in order to legitimize it, the "time limit" (*marco temporal*) theory of the 1988 Constitution. According to the "time limit," only indigenous peoples and communities that were occupying their territory on October 5, 1988 can benefit from the recognition of their right to land; all other peoples would have to be claiming their lands in court or physically fighting for them on that same date – the so-called obdurate dispossession. The indigenous peoples that failed to meet these requirements would lose the right to demarcation of the claimed area.

As far as land policy is concerned, from what can be seen in official data and data from the Indigenist Missionary Council (CIMI), the trend indicates even more severe changes.

The logic, as it is being announced, is that the Federal Constitution would go through drastic changes, especially with regard to land demarcation. In this sense, there are proposals currently under legislative review – all of them systematized in Constitutional Amendment Bill (PEC) 215/2000 and in the Parliamentary Inquiry Commission (CPI) involving the National Foundation for Indigenous People (FUNAI) and the National Institute of Colonization and Agrarian Reform (INCRA), instruments alleging that the demarcations are fraudulent and that those who support and fight for them are criminals.

It can be said that there have been serious setbacks over the period in terms of consolidating policies that meet indigenous needs and rights, especially regarding specific ethnic and cultural aspects. There are deep uncertainties about the future. Land demarcation, which is deemed a fundamental right and on which other rights are based, has come to a halt due to pressure from the ruralists. FUNAI has been ransacked and diminished over the last decade. The federal government has imposed such severe budgetary constraints on the agency that local and regional coordination offices do not even have money for fuel. In the last five years budget cuts have exceeded 60% of the amount earmarked for FUNAI between 2006 and 2009. In 2016, less than R\$ 110 million were allocated for all activities of the agency, including land demarcation, compensation for improvements, land inspection, and protection of isolated and at-risk indigenous peoples.

But while these measures are not implemented definitively, FUNAI, through its coordination unit for land affairs, tries to consolidate an internal tendency to demarcate land in accordance no longer with constitutional rules but with the rules proposed in the Statute of Indigenous Peoples (Law 6001/1973), which in addition to demarcation also

* Anthropological advisor at CIMI and Anthropology Professor at the Catholic University of São Paulo (PUC-SP)

** Missionary and coordinator of CIMI's South Regional Office, holds a degree in Philosophy from the Nossa Senhora da Imaculada Conceição Faculty of Philosophy (FAFIMC) and a degree in Law from the Catholic University of Rio Grande do Sul (PUC-RS)

provides for the establishment of indigenous reservations. Reservations are, in practice, remnants of authoritarian and integrationist policies designed to confine indigenous peoples to small portions of land, freeing traditional areas for economic exploitation and expansion. The establishment of reservations as an alternative to demarcation is justified because it avoids political erosion and the judicialization of demarcation procedures. However, this new system annihilates constitutional rights and, if it is effectively imposed, changing the Federal Constitution will no longer be necessary.

Regarding health, actions were maintained through agreements between the Special Secretariat of Indigenous Health (SESAI) and service provider organizations. It must be considered that attempts were made throughout the year to change the rules regarding the control of financial resources, since the idea was to strip the Special Indigenous Health Districts (DSEIs) of autonomy and right to manage their funds, by transferring them to the Ministry of Health and thereby taking away from them the possibility of planning and using the money through an annual district plan. There are also serious omissions in actions and services aimed at preventive health care, the training of professionals and agents, social control and basic sanitation. The result of this policy is the increase in diseases and endemics that could be eradicated, but that in practice still affect important segments of the population, causing suffering and death. It is worth mentioning that the funds expected for 2016 totaled R\$ 1.4 billion, of which 68% were executed. Under the heading “basic sanitation,” which is one of the main factors to guarantee health protection, less than 50% of the planned funds were executed (according to information provided by SESAI during a meeting of the Inter-Sectoral Commission on Indigenous Health in December 2016).

Data on infant mortality are striking but quite scarce. Based on the Law on Access to Information, CIMI obtained from SESAI data on mortality among indigenous children. Although partial, these data show that there has been an increase in the number of deaths among children less than 5 years of age. A total of 599 under-five deaths were recorded in 2015, against 735 reported by SESAI reports in 2016.

The main probable causes of death were: pneumonia; gastroenteritis of presumed infectious origin; unspecified pneumonia; unspecified septicemia; death due to lack of health care; severe unspecified protein-calorie malnutrition; and other ill-defined and unspecified causes of mortality. Despite the lack of more information on the deaths of

children, the official entity itself recognizes deaths due to lack of healthcare and severe malnutrition.

The indigenous school education policy maintained its fragile structure. Although Ethno-Educational Territories – which serve as the basis and reference for the policy – have been created, they are managed by state or municipal education secretariats that develop, each in their own way, the services that best suit local interests. The structures of the schools are precarious, and no investment is made in the construction and maintenance of school facilities. But worse than that is the fact that little is invested in training and preparing indigenous teachers, who would be, strictly speaking, the main responsible, together with the communities, for planning, managing and implementing actions in school education.

The brutality of the indigenous policy has been most dramatically seen in the state of Maranhão, where indigenous people who oppose deforestation and illegal logging are being hunted by loggers. Eight persons from the Guajajara tribe have been murdered. Some of the victims had parts of their bodies ripped out and exposed by the killers.

In Bahia, leaders of the Tupinambá people are criminalized, persecuted, beaten, threatened and murdered. The situation is not different for the Xakriabá people of Minas Gerais. In Rio Grande do Sul, Santa Catarina and Paraná, violations on indigenous rights occur alongside the persecution, criminalization and imprisonment of leaders fighting for land.

In Mato Grosso do Sul, the attacks on the Guaraní-Kaiowá and Terena peoples have been recurrent, especially in 2016, when federal judges suspended their right to areas already demarcated or areas in which demarcation should be in progress but had been halted. At the same time, they ordered the eviction of communities with the use of police force.

In the states of Maranhão, Rondônia, Mato Grosso, Pará and Acre, deforestation and exploitation of rivers and lakes were devastating. According to the Amazon Environmental Research Institute (IPAM), deforestation in the Amazon grew by almost 30% in 2016, marking the worst result since 2008. Hundreds of thousands of hectares of forest located inside indigenous lands were illegally cut down or burned.

It should be noted that through the rural caucus, the Legislative branch has become the main articulator and mobilizer of anti-indigenous theses in the country. They promote various campaigns, via parliament and social media, among others, against the rights of indigenous peoples and quilombola communities. The intention is to

“Land demarcation, which is deemed a fundamental right and on which other rights are based, has come to a halt due to pressure from the ruralists. FUNAI has been ransacked and diminished over the last decade,”

legitimize all forms of violence with a view to exploiting the land in a predatory manner. In this scenario, bills, laws and amendments to the Federal Constitution drafted by Congress members to obstruct land demarcation should, as a rule, be deemed illegal. To give an idea of the articulation and force against indigenous peoples, more than 100 propositions amending articles relating to the rights of indigenous and quilombola peoples are currently being considered by the National Congress. It is not possible to dissociate the high rates of murders and suicides that occurred in Brazil during the year from this context. The lack of perspective of living in peace in demarcated lands and the insecurity regarding the guarantee or maintenance of constitutionally established rights have triggered internal and external conflicts that resulted in the spreading of violence. A total of 118 murders were recorded in Brazil.

In the municipality of Caarapó in Mato Grosso do Sul, the murder of Clodiodi Aquileu Rodrigues de Souza occurred amid a massacre perpetrated against the Tey i Kue community of the Guarani-Kaiowá people, in an incident related to the retaking of Yvu Farm, which is located on indigenous land and is in the process of being demarcated by the Ministry of Justice (MJ). The camp was barbarically attacked by one hundred armed men who arrived in trucks, firing, and burned motorcycles and various belongings of the indigenous people. In addition to the murder of Clodiodi, six other people were wounded, including a 12-year-old child.

Episodes such as this have become frequent in Mato Grosso do Sul, marking with horror the desperate and inevitable attempts to retake lands that by right belong to the indigenous peoples.

As for the number of indigenous people killed in 2016, SESAI provided information concerning “assaults, negligence and maltreatment,” with as many as 118 deaths in 19 Special Indigenous Health Districts (DSEI). According to SESAI, “the data are still being input by the Districts.” The number of deaths among the Yanomami people is noteworthy. SESAI reports 44 deaths from assault in the area covered by the Yanomami DSEI. As in previous years, Mato Grosso do Sul continues to rank high in the number of deaths from assault – 18 deaths were recorded by SESAI in the state.

Besides the data on murder, equally impressive are the 106 cases of suicide, of which 30 occurred in Mato Grosso do Sul. Also of concern is the information on suicide cases in other regions such as the Amazon, according to records in the DSEIs of the Upper Negro River (6), Upper Solimões River (30), Middle Purus River (6), Middle Solimões River and Tributaries (6), and Vale do Javari (2).

“Reality shows that a policy of deconstruction of rights and deterioration of life and resources inside the territories of traditional and indigenous communities and peoples is underway in Brazil, due to the whole context of adversity and persecution of indigenous peoples,”

As the data obtained are not conclusive, the situation is believed to be much more serious than the one presented in this report, which is already very worrying and unacceptable. Reality shows that a policy of deconstruction of rights and deterioration of life and resources inside the territories of traditional and indigenous communities and peoples is underway in Brazil, due to the whole context of adversity and persecution of indigenous peoples.

As for demarcation procedures, the pressure from the indigenous movement on Rousseff to accelerate the regularization of indigenous lands before the start of the impeachment process against her, resulted in the following: identification by FUNAI of 9 indigenous lands; recognition by the Ministry of Justice of 10 territories; and ratification of three indigenous lands by the President’s Office, in addition to the Establishment of two Working Groups and the publication of a restriction ordinance. Still, Dilma Rousseff left the government with the lowest annual average (5.25) of indigenous land ratification by a Brazilian president since the end of the military dictatorship.

Especially since the updating of information by FUNAI in 2016, the database of the Indigenist Missionary Council (CIMI), which also includes this information, shows that the total number of indigenous territories in Brazil increased from 1,113 in 2015 to 1,296 in 2016. Of these 1,296 territories, only 401, which account for 30.9% of the total, have already been registered by the Union.

The data presented in this report, which were updated on September 19, 2017, point to the worrying existence of 836 indigenous lands, or 64.5% of the total, still awaiting action by the Brazilian government. Of these, 530 lands, or the equivalent to 63.3%, are still awaiting measures by the federal government. The state of Amazonas alone reports 19 lands in this situation, followed by Mato Grosso do Sul (74), Rio Grande do Sul (37), Pará (29), and Rondônia (24).

Again, in this report CIMI provides a summary of the general situation of indigenous lands in Brazil and an extensive table showing the 836 indigenous lands still awaiting administrative action, divided by state and according to the situation of each of them in the demarcation process.

It is important to point out that this analysis was based on the information and data collected by CIMI teams, on information provided by indigenous peoples, communities and organizations, on information available on the media, especially agencies such as the Public Prosecutor’s Office, as well on official data requested from aid agencies, primarily SESAI and FUNAI. ♦

An Unconstitutional Time frame: not one right less

Adelar Cupsinski⁽ⁱ⁾

Alessandra Farias Pereira⁽ⁱⁱ⁾

Íris Pereira Guedes⁽ⁱⁱⁱ⁾

Rafael Modesto dos Santos^(iv)

Roberto Antônio Liebgott^(v)

What part of the Judiciary is calling a “time limit” is nothing more than an interpretation of the current Federal Constitution (FC) that restricts the scope of the right to the demarcation of indigenous lands, since it makes this right conditional on the physical – rather than traditional – presence of the communities in their territories on October 5, 1988, the day the Federal Constitutional was approved.

Specialists in Law and Anthropology, as well as the indigenous communities themselves, warn of the danger of a setback in these rights. The use of the “time limit” as a condition for land demarcation violates the provisions set out in articles 231 and 232 of the Federal Constitution and conflicts with International Human Rights Treaties and Conventions and other specific legislation on indigenous and tribal peoples.

It should also be noted that although the Brazilian Federal Supreme Court (STF) has not exhausted the debate on the subject, more conservative sectors linked to agribusiness are not only falling short of a constitutional interpretation but also trying to prevent the completion of demarcation procedures based on the strict “time limit” theory.

What we want to show here is that there are no elements in the legal system to support this inconsistency and that Supreme Court jurisprudence leaves no room to reduce the provisions set forth in the 1988 Constitution’s Chapter on Indigenous Peoples.

“The Federal Constitution of 1988 ensures indigenous peoples a political and legal structure of their own. It therefore enables them to speak in their mother tongue and preserve original cultural ties, customs and uses. It also guarantees them the right to the lands which they have traditionally occupied,”

The traditional character of the land and the nullity of property titles on indigenous areas do not accept the “time limit” theory.

The Federal Constitution of 1988 ensures indigenous peoples a political and legal structure of their own and the maintenance of a social organization based on tradition, ethnic differences and pluralism. It therefore enables them to speak in their mother tongue and preserve original cultural ties, uses and customs. It also guarantees them the right to the lands which they have traditionally occupied, it being incumbent upon the Union to demarcate them within a period of five years from the date of promulgation of the Charter.

According to the judgment of the case of the Raposa Serra do Sol Indigenous Land (Petition No.3388/RR)¹², lands traditionally occupied by indigenous peoples are those:

[...] demarcated to serve concretely as permanent dwelling for the indigenous people of a certain ethnic group, along with the lands used for their productive activities, those “indispensable to the preservation of the environmental resources necessary for their

1 BRAZIL. Federal Supreme Court: Plenary. Petition No. 3.388. Augusto Affonso Botelho Neto and Federal Union. Rapporteur: Justice Ayres Britto. Electronic Justice Gazette of 7/1/2010.

⁽ⁱ⁾ Legal Adviser at CIMI; holds a degree in Law from the Região da Campanha University (URCAMP) and a graduate degree in Civil Law and Civil Procedure from the Estácio de Sá Faculty, in Rio de Janeiro; member of the National Human Rights Council (CNDH) in the period 2015-2016

⁽ⁱⁱ⁾ Specialist in Popular Education at the Human Rights Society of Maranhão (SMDH); former Legal Adviser at CIMI; holds a degree in Law from the Federal University of Goiás (UFG), with specialization in Criminal Law from Estácio de Sá Faculty in Rio de Janeiro

⁽ⁱⁱⁱ⁾ Researcher in the areas of Human Rights, Public International Law, Indigenous Rights, State, Democracy and Public and Social Administration. She currently studies for her Master’s degree in Law at Ritter dos Reis University Center (UNIRITTER) with the support of a CAPES/CNPQ scholarship

^(iv) Legal Adviser at CIMI, holds a degree in Law from the Federal University of Goiás (UFG), with specialization in Rural Social Rights also from UFG.

^(v) Missionary and coordinator of CMI’s South Regional Office, holds a degree in Philosophy from Nossa Senhora da Imaculada Conceição Faculty of Philosophy (FAFIMC) and a degree in Law from the Catholic University of Rio Grande do Sul (PUC-RS)

well-being” and those that have proven “necessary for the physical and cultural reproduction” of each of the ethnic-indigenous communities “according to their uses, customs and traditions” (uses, customs and traditions of indigenous peoples and not uses, customs and traditions of non-indigenous people). Indigenous land, in the Aboriginal collective imagination, is not a simple object of right, but gains the dimension of a true entity or being that sums up all ancestry.

The interpretation above, coined in the case of the Raposa Serra do Sol Indigenous Land, purges the “time limit” theory. This provision, set out in art. 231, §2 of the 1988 Federal Constitution, recognizes the rights of indigenous peoples to lands traditionally occupied by them and on which they live on a permanent basis and use for their productive activities, i.e., dwelling places and places they use for fishing, hunting, harvesting, growing crops, etc., together with the lands that are indispensable to the preservation of natural and environmental resources, such as reserves and

forests, which are the very guarantee of indigenous well-being; and also those that prove necessary for physical and cultural reproduction, such as sacred geographical features, cemeteries, cult and festivity grounds, and any other cultural aspect of each ethnic group.

These, according to the Constitution, are traditional areas. The form of occupation is not civil, but constitutional. The traditional character of the occupation occurs through indigenous religiosity, mythology, uses, customs and traditions, since they are necessary for the physical and cultural reproduction of the peoples. Therefore, there is no mention of a “time limit,” based on the knowledge that the possession is totemic, permanent, constant in the indigenous imaginary, and not necessarily daily and physical (article 231, §2, FC/1988).

In this sense, traditionally occupied lands are not only those where indigenous people live, but also those that are necessary for their physical and cultural reproduction².

2 Art. 231, § 2 and Pet. 3388/RR.



The “time limit” theory conflicts with the Federal Constitution, with International Human Rights Treaties and Conventions, as well as with specific legislation on indigenous peoples

José Afonso da Silva explains that the Federal Constitution establishes that property rights and original rights³ apply to lands traditionally occupied by indigenous peoples. The jurist argues that these rights are “*fundamental rights of indigenous people*,” which can be classified in the category of “*fundamental rights of solidarity*,” such as the right to the ecologically balanced environment.⁵

This means that indigenous land and native possession are broader concepts than physical permanence, such as spiritual, psychic and traditional possession in a certain territorial space. From the perspective of land traditionally occupied by this or that indigenous people, it should be said that the area necessary for the physical and cultural reproduction of the people will prevail.

Traditionality refers not to a time circumstance, but to the traditional way indigenous peoples occupy and use the land and the traditional way of production, i.e., to the traditional way they relate to the land, since there are more and less stable communities and communities with wider spaces in which they move, etc. Hence the saying that everything is done according to their uses, customs and traditions.⁴

Still according to José Afonso da Silva, there is no constitutional provision for this “time limit” orientation, as it finds no substantiation in the traditional form of occupation provided in the Constitution:⁵

Where exactly is it [the time limit] in the Constitution? How could it have worked with that date, if it says nothing about it either explicitly or implicitly? No clause, no word in ARTICLE 231 on the rights of indigenous peoples seems to authorize this conclusion. On the contrary, a careful reading of the heading of article 231 shows that something very different is drawn from it.

In this sense, the Federal Supreme Court (STF) states the following about the “time limit”:⁶

This “being collectively situated in a certain landed space” also needs to boast the character of perdurability, in

“Should a ‘time limit’ be provided for in the 1988 Constitution, before applying it to the specific case, based on the right to consultation the indigenous peoples would have to be asked if they had *animus*, interest or willingness to have back the territory of which they had been dispossessed by non-Indians,”

the spiritual and psychic sense of ethnographic continuity. The traditional character of possession by native peoples, however, is not lost because when the 1988 Constitution was promulgated, repossession did not occur only because of obdurate dispossession by non-indigenous people.

See, then, that the “time limit” finds resistance in the very traditional nature inherent in indigenous peoples or in the very inherency of the concept of traditional land provided for in article 231, § 2 of the 1988 Federal Constitution. Also, if it were constitutional, the “time limit” would have to respect the STF’s intention in its response to the Motions for Clarification in Petition 3388/RR, by determining that said understanding does not automatically apply to similar cases.

Should a “time limit” be provided for in the 1988 Constitution, before applying it to the specific case, based on the right to consultation, the indigenous peoples would have to be asked if they had *animus*, interest or willingness to have back the territory of which they had been dispossessed by non-Indians. Dispossession, therefore, would be another exception to be analyzed in each specific case, should the “time limit” be ruled constitutional by the Supreme Court.

What is palpable, then, is the unconstitutionality of this juridical theory, since it does not find reason to exist in the framework of art. 231 of the 1988 Constitution. In addition to the heading of art. 231, of the provision of its §2, already repeatedly mentioned, paragraph 6 does not even allow

the possibility of enforcing the “time limit.” This is justified by the fact that the original constitution prohibited the occupation by non-Indians, in 1988, of traditional lands; or that titled occupations, where they existed, would all be void. It would be a “reverse time limit” in favor of the right of indigenous peoples.

It should be noted that the Federal Constitution provides for the nullity and extinction of titles over indigenous territories. This means that the provision extends to the nullity of titles of lands that were not physically occupied by indigenous peoples on October 5, 1988, due to the titling illegally issued by the State and the consequent expulsion of the indigenous peoples – the “time limit” theory is invariably based on the non-presence of indigenous peoples on the day the 1988 Constitution was promulgated. Thus, in the judgment of the case of the Raposa Serra do Sol Indigenous Land there are completely discrepant positions – if a title had been issued for the traditional land at some point in the past, in the limiting concepts of civil possession⁷ the presence of

3 SILVA, José Afonso da. *Parecer sobre Marco Temporal e Renitente Esbulho*. São Paulo, 2016. Available at: https://mobilizaconacionalindigena.files.wordpress.com/2016/05/parecer-josc3a9-afonso-marco-temporal_.pdf. Access on: 25 Sep. 2016.

4 SILVA, José Afonso da. *Parecer sobre Marco Temporal e Renitente Esbulho*. São Paulo, 2016. Available at: https://mobilizaconacionalindigena.files.wordpress.com/2016/05/parecer-josc3a9-afonso-marco-temporal_.pdf. Access on: 25 Sep. 2016.

5 SILVA, José Afonso da. *Parecer sobre Marco Temporal e Renitente Esbulho*. São Paulo, 2016. Available at: https://mobilizaconacionalindigena.files.wordpress.com/2016/05/parecer-josc3a9-afonso-marco-temporal_.pdf. Access on: 25 Sep. 2016.

6 BRAZIL. Federal Supreme Court: Plenary. Petition No. 3.388. Augusto Affonso Botelho Neto and Federal Union. Rapporteur: Justice Ayres Britto. Electronic Justice Gazette of 7/1/2010.

7 Possession by indigenous people finds no support in the Civil Code, but only in the Federal Constitution. It is, therefore, an eminently constitutional right, while possession by non-Indians is infraconstitutional and, therefore, hierarchically inferior to the possession by indigenous peoples.

indigenous peoples in the territory at that time would have been impossible. If, on the other hand, the title is null, there is no need to speak of “time limit.”

Paragraph 6 of article 231 then recognizes that in 1988, lands had already been invaded or officially granted to private individuals and that indigenous peoples could not remain in them. These lands, therefore, would be in possession of non-Indians; but the titles are invalidated by the rule of “extinction” and “nullity” set out in paragraph 6, and, for this reason, they should be given back to the indigenous peoples.

The “time limit” theory is therefore a fiction, an exegesis without support; it is unconstitutional and conflicts with the provisions set forth in paragraphs 2 and 6 and with the heading of article 231 of the Federal Constitution.

The conclusion is that the “time limit,” as an illogical creation or an unreasonable political interpretation, and the nullity of land titles as a constitutional reality, provided for in §6 of article 231 of the 1988 Federal Constitution, do not coexist. The latter purges the first. That is because, if titled areas did exist during the Constituent Assembly, there was no indigenous occupation on the day of the enactment of the Constitution by virtue of disseisin. It should be noted again that these titles are null, precisely because the areas are traditional lands.

a) The “time limit” and the decisions of the Plenary with hierarchical prevalence over the decisions of the 2nd Panel of the Federal Supreme Court (STF)

The “time limit” theory emerged in the judgment of the case of the Raposa Serra do Sol Indigenous Land in 2009. Subsequently, in 2012, the Supreme Court ruled on Public Civil Suit (ACO) No. 312 regarding the Caramuru-Catarina-Paraguarçu Indigenous Land of the Pataxó Hã-Hã-Hãe people.

Both decisions on the demarcation of indigenous land had conflicting positions, although they resulted in the lands being given back to the indigenous peoples. In ACO 312, the *indigenato* (inborn right of indigenous peoples to land) theory was used, which contrasts with the “time limit” theory and is in tune with the complex provisions set out in articles 231 and 232 of the 1988 Constitution and Convention 169 of the International Labor Organization (ILO), internalized in 2004 and deemed supralegal by the national legal system.

If the interpretation of the “time limit” is removed from verb tense of the word “occupy” contained in the

“The ‘time limit’ theory is therefore a fiction, an exegesis without support; it is unconstitutional and conflicts with the provisions set out in paragraphs 2 and 6 and with the heading of art. 231 of the Federal Constitution. If titled areas did exist during the Constituent Assembly, there was no indigenous occupation on the date of the enactment of the Constitution by virtue of disseisin. It should be noted again that these titles are null, precisely because the areas are traditional lands,”

heading of art. 231, the interpretation of *indigenato* comprises the entire indigenous constitutional legal framework. It also ranges from the first legal rules on indigenous territorial rights to respect for the political and legal institutions of the multicultural and multiethnic universe of traditional peoples.

In view of these two iconic cases, the Supreme Court, through the Second Panel, has been applying in some cases and in a contradictory way, the reductionism of the “time limit” theory to the detriment of indigenousness or of the constitutional provision on indigenous rights⁸. On the other hand, the Plenary has not allowed the “time limit” theory to be extended to cases like that of the Raposa Serra do Sol Indigenous Land⁹, thus maintaining a discrepant and hierarchical position in relation to the decisions of the Second Panel.

This means that a reversal of principles – and even a legal hierarchy – is under way in the Supreme Court, where the decisions of the Second Panel overrule the position of the Plenary.

In addition, the “time limit” theory finds support neither in the jurisprudence and the Federal Constitution nor in the collegiate of the STF Plenary. On the other hand, *indigenato*, a right that precedes the Constitution of the Brazilian State, and ethnic guarantees, especially the right to land and demarcation, are binding rules already consolidated by the Supreme Court as a duty of the State and a constitutional priority.

b) Conclusion

In present times, the construction of the Brazilian nation based on democracy, equality and justice as the supreme values of a fraternal, plural and unprejudiced society is under threat. In the case of indigenous peoples, the “time frame” theory forces the deconstruction of rights that have been hardly won and built over the last five centuries.

In this sense, the existence of indigenous peoples is enough to dismiss the “time limit” theory, since the permanence and the future of an indigenous people are conditional on the land itself. Otherwise, the right loses its effectiveness, its purpose and its prominence, and the death of indigenous peoples is the death of the right itself. ♦

8 See RMS 29.084, reported by Justice Gilmar Mendes and ARE No. 803462, reported by Justice Teori Zavascki

9 See MS 27.939, reported by Justice Ricardo Lewandowski and MS No. 31.100, reported by Justice Luiz Edson Fachin.

Ruralists pressure FUNAI and smother indigenous rights both economically and politically

Ricardo Verdum*

As the first year of implementation of the 2016-2019 Federal Government Multiannual Plan (PPA), 2016 also marked a break in the party coalition that had ruled Brazilian institutional politics for nearly fourteen years. Unfortunately, this break benefited its more conservative – or more neoliberal – wing, as some prefer to call it, putting at risk and/or in some cases promoting effective setbacks in social and political achievements obtained by organized social movements over the last twenty years.

In relation to indigenous peoples in the country, sectors that have been permanently active in different institutional spaces inside or outside the state apparatus gained strength. These sectors, even from afar, interfere in the daily life of local communities by failing to recognize and enforce their rights as indigenous peoples and revoking any right that creates “obstacles” to free access to and incorporation of indigenous lands and territories to the capitalist system of production and exploitation of land and its natural resources. Concepts such as “sustainable development” and the various policies that had it as a referential ideology/utopia in the last twenty years were disregarded in the new setup of governmental power.

Producing knowledge and understanding “how” this could have happened is both necessary and urgent, including for trying to understand “why.” This will be a goal that will certainly follow us closely for some time. Not to find culprits, as this approach (in my opinion) will shed very little light on the deeper structures that have guided

“Since the end of 2015, the responsibility and the work carried out by the National Foundation for Indigenous People (FUNAI) which, by the way, is slow and constrained, has been the target of a Parliamentary Inquiry Commission (PIC) established in the National Congress with the explicit goal of calling into question the territorial and ethnic rights of indigenous peoples and quilombola communities in Brazil. The PIC also seeks to criminalize people and institutions that have contributed to the effective realization of this right,”

and constrained the practical implementation of political changes that are far more radical than the ones we experienced in the last decade.¹

I understand that the “witch-hunt” will not be sufficient to adequately elucidate the creative process that has generated the political opportunity for the (temporary, we hope) downfall of the constituent power (both legal and political) of social forces articulated and motivated by the will to transform the conditions that enable such social inequality, cultural discrimination, political exclusion, economic exploitation, and selective State attention, in relation to policies and their financing, of restricted groups and people in the country. What was seen more clearly in 2016 is that it is not enough to reach the highest official positions in the state apparatus. Depending on the social and political circumstances, an organized collective action working openly or in the gray zone of politics, supported by a media that we have gotten used to follow to be “updated” on the “latest events” of the scandal of the hour can strengthen

and selectively guide certain relatively shared beliefs and values. It can develop certain agentic abilities and bring together individuals and social groups to act in a certain direction – or to not react and feel defenseless or helpless. It can also draw social attention and energy to topics and issues that are not always substantive.

¹ See Ricardo Verdum (2017), *Povos indígenas, meio ambiente e políticas públicas: uma visão a partir do orçamento indigenista federal* - Rio de Janeiro: E-papers, 208p.

* PhD in Social Anthropology from the University of Brasília (UnB), currently linked to the Graduate Program in Social Anthropology of the Federal University of Rio Grande do Sul (UFRGS)



The decreasing budgetary allocation for indigenous policies in Brazil makes it virtually impossible for the rights of its native peoples to be realized.

Often – from that or because of that – legal, political and administrative changes may occur that will give new meaning to rights statements; new, more restrictive, complex and burdensome administrative procedures may be established; or rights that were considered as achieved and irreversible can be amputated. This becomes very clear when, for example, the control and autonomy of indigenous peoples and local communities over land and natural resources in the territories they have traditionally occupied are at stake.²

2 This is the case, for example, of Ministry of Justice Ordinance No. 68 of January 19, 2017, which creates a Specialized Technical Group (STG) that mediates the process of identification, delimitation and homologation of indigenous territories, with the aim of "providing inputs on matters involving demarcation of indigenous land." As if the limitations and pressures to which the recognition of Indigenous Land is subject within the official indigenous agency were not enough, a structure within the Ministry of Justice (MJ) has been created with the power to question the results of the identification. The problem with this ordinance is that it comes at a time when the MJ is clearly in line with the interests and world view of the rural and agribusiness elites (<http://politica.estadao.com.br/noticias/geral,mpf-diz-que-portal-demarcation-of-lands-indigenous-and-illegal-and-petition-revocation,70001634429>). The MJ is under the command of the same sectors responsible for Constitutional Amendment Bill (PEC) 215, which seeks to restrict the original territorial rights of indigenous peoples in the country. In this sense, it wants to transfer to the National Congress, under the hegemony and control of representatives of agribusiness, mineral extraction, construction companies, etc., the decision to recognize a certain territorial space as Indigenous Land. On indigenous self-determination and territorial autonomy, see: Ricardo Verdum and Edviges M. Ioris (2017), *Autodeterminação, autonomia territorial e acesso à justiça: povos indígenas em movimento na América Latina* - Rio de Janeiro: Brazilian Association of Anthropology, 252p.

Since the end of 2015, the responsibility and the work carried out by the National Foundation for Indigenous People (FUNAI) which, by the way, is slow and constrained, has been the target of a Parliamentary Inquiry Commission (CPI) established in the National Congress with the explicit goal of calling into question the territorial and ethnic rights of indigenous peoples and quilombola communities in Brazil. The CPI also seeks to criminalize people and institutions that have contributed to the effective realization of this right.^{3,4} In addition, historically conservative parties (political machines) belonging to the party-political base that underpins the relative governability of the current federal government have competed for the command of the agency.⁴

3 On 17 August 2016, the Committee concluded its work without presenting the results of the "diligences" and "investigations" carried out. Formally recreated on October 17, 2016, the PIC was reestablished on October 25. To follow the work of the second CPI into FUNAI and INCRA, visit: <http://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-temporarias/parlamentar-de-inquerito/55-legislatura/cpi-funai-e-incra-2>.

4 See Felipe Milanez, "Golpe, Funai e a resistência indígena em Brasília," published on October 25, 2016, in the digital magazine Carta Capital; available at: <http://www.cartacapital.com.br/sociedade/golpe-funai-e-resistencia-indigena-em-brasilia>; Articulation of Indigenous Peoples of Brazil (APIB), "O golpe chega à Funai," published on October 18, 2016; available at: <https://mobilizacaoanacionalindigena.wordpress.com/2016/10/18/o-golpe-chega-a-funai/>. On March 24, 2017, the Federal Government published Decree 9,010 in the Federal Official Gazette (DOU), changing FUNAI's structure and making drastic cuts in jobs and positions.

Indigenous budget in the 2016 LOA

In the 2016-2019 PPA, the main program of the federal government's indigenous policy boasts the title *Protection and Promotion of the Rights of Indigenous Peoples* (PPDPI) and the number 2065.⁵ The title of the program implies an intention which, when translated into acts and results, shows how limited and selective the action and means used in the "protection and promotion of rights" are. In practice, terms such as "guarantee," "preserve," "promote" and "protect" end up being trivialized and devoid of meaning. The report by Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples, who was on a mission in Brazil from March 7 to 17, 2016, shows the practical content and effects of the national State's action on indigenous peoples in the country.⁶

In its 2016-2019 version, this program comprised five "objectives," four of which under the responsibility of FUNAI/Ministry of Justice and one under the responsibility of the Special Indigenous Health Secretariat (SESAI/Ministry of Health). The Ministry of the Environment (MMA) is jointly responsible with FUNAI for achieving the objective of promoting the "territorial and environmental management of indigenous lands" within the framework of the so-called National Policy on Environmental and Territorial Management of Indigenous Lands (PNGATI).⁷ The five objectives, in turn, become operational through eight "budget actions." See table 1 below.

5 The 2016-2019 PPA was established by Law No. 13249 of January 13, 2016.

6 The report is available at <http://unsr.vtaulicorpuz.org/site/index.php/es/documentos/country-reports/154-report-brazil-2016>.

Table 1: Protection and Promotion of the Human Rights of Indigenous Peoples: objectives and actions

Objective/Agency	Action/Budget Unit
Ensure indigenous peoples full possession of their lands, through actions to protect isolated indigenous peoples, land demarcation and regularization and territorial protection. Ministry of Justice	Demarcation and Inspection of Indigenous Lands and Protection of Isolated Indigenous Peoples. National Foundation for Indigenous People (FUNAI)
Preserve and promote the cultural heritage of indigenous peoples through research, documentation and dissemination of their languages, cultures and collections, primarily as regards those in a situation of vulnerability. Ministry of Justice	Cultural Preservation of Indigenous Peoples. FUNAI
Promote health care for indigenous peoples by improving basic healthcare and sanitation actions in the villages, in compliance with traditional health practices knowledge, and coordinating with other SUS managers the implementation of complementary and specialized actions with social control. Ministry of Health	Promotion, Protection and Recovery of Indigenous Health National Health Fund
	Basic Sanitation in Indigenous Villages for Disease Prevention and Control National Health Fund
Promote the territorial and environmental management of indigenous lands. Ministry of Justice	Environmental Management in Indigenous Lands Ministry of the Environment
	Management and Ethno-Development FUNAI
Promote and protect the social and cultural rights and the right to citizenship of indigenous peoples, ensuring their specificities in public policies. Ministry of Justice	Promotion of the Rights of Recently Contacted Indigenous Peoples FUNAI
	Social, Cultural and Citizenship Rights FUNAI

Table 2: Other programs in the 2016 LOA that explicitly include the indigenous population as beneficiary of some budgetary action

PROGRAM	OBJECTIVE	ACTION / BUDGETARY UNIT
Policies for Women: Promotion of Equality and Fight against Violence	Expand and strengthen dialogue with civil society and social movements, particularly with feminist and women's movements; women with disabilities; LBT; urban, rural, peasant, forest and water women; women from traditional peoples and communities, from indigenous peoples and from different ethnic-racial and generational groups.	4641 - Public Utility Advertising. Secretariat of Women's Policies.
Promotion of Racial Equality and Fight against Racism	Coordinate, monitor and strengthen the set of governmental actions under the Quilombola Social Agenda	210Y - Support for the Sustainable Development of Quilombola Communities, Indigenous Peoples and Traditional Peoples and Communities. Secretariat of Policies for the Promotion of Racial Equality
Conservation and Sustainable Use of Biodiversity	Promote the sustainable development of productive chains and of knowledge derived from the use of genetic heritage and related traditional knowledge by implementing a system of access to and sharing of benefits, safeguarding the rights of indigenous peoples and traditional peoples and communities.	20TS - Sustainable Development of the Economy of Genetic Heritage and Traditional Related Knowledge and Benefit Sharing. Ministry of the Environment

Source: *Siga Brasil*. Accessed on March 20, 2017

“ Compared to the budget authorized for this Program in 2015, we saw that the amount authorized to be used particularly by FUNAI and SESAI in 2016 is approximately R\$ 111.9 million less than that of the previous year. This ‘reduction’ occurred in all the objectives, including the action for the *Promotion, protection and recovery of indigenous health*,”

In addition to this program, the PPA analysis reveals that there are three more programs in which there is an explicit indication that the “indigenous population” is “beneficiary” of at least one action. See table 2.

Through the database maintained by the Federal Senate, called *Siga Brasil*, we have learned that the National Congress authorized the allocation of about R\$ 1.534 billion to the PPDPI in 2016. We have also learned that as of December 31, the “budget units” responsible for the eight actions had committed 86.76% of this total. Therefore, about R\$ 203 million were not even committed. If this was owed to the fact that the money was not

7 See Mônica Carneiro, *Plano Integrado de Implementação da PNGATI é lançado em Brasília*, posted on FUNAI’s website on August 18, 2016 (<http://www.funai.gov.br/index.php/comunicacao/noticias/3883-plano-integrado-de-implementacao-da-pngati-e-lancado-em-brasilia>). The Integrated Plan for the Implementation of the National Policy for Territorial and Environmental Management of Indigenous Lands (PII-PNGATI) was launched on August 17, 2016, during the 9th ordinary meeting of the Management Committee of the National Policy on Territorial and Environmental Management of Indigenous Lands. On PII-PNGATI, see Maira Smith; Graziela R. de Stibich; Luis Donisete Benzi (orgs.) PNGATI: *Plano Integrado de Implementação da Política Nacional de Gestão Territorial e Ambiental de Terras Indígenas*. Brasília: GATI/Funai Project, 2016.

Table 3: Implementation of the Program for the Protection and Promotion of the Rights of Indigenous Peoples in the 2016 LOA

Objective/Agency	Action/Budget Unit	Amount Authorized (A), in R\$	Amount Committed (B), in R\$	Amount Paid, (C), in R\$	% (C/A)
Ensure indigenous peoples full possession of their lands, through actions to protect isolated indigenous as well as land demarcation, regularization and territorial protection actions. Ministry of Justice	20UF - Demarcation and Inspection of Indigenous Lands and Protection of Isolated Indigenous Peoples. National Foundation for Indigenous People	16,542,795	15,952,354	11,750,021	71.02
Preserve and promote the cultural heritage of indigenous peoples through research, documentation and dissemination of their languages, cultures and collections, primarily those in a situation of vulnerability. Ministry of Justice	8635 - Cultural Preservation of Indigenous Peoples. National Foundation for Indigenous People	4,140,177	4,054,848	2,134,812	51.56
Promote health care for indigenous peoples by improving basic healthcare and sanitation actions in the villages, with respect for traditional health practices and knowledge, and coordinating with other SUS managers the implementation of complementary and specialized actions with social control. Ministry of Health	20YP - Promotion, Protection and Recovery of Indigenous Health. National Health Fund	1,438,130,000	1,256,251,152	1,172,708,233	81.54
	7684 - Basic Sanitation in Indigenous Villages for Disease Prevention and Control. National Health Fund	53,250,000	33,251,880	25,048,662	47.03
Promote the territorial and environmental management of indigenous lands. Ministry of Justice	20W4 - Environmental Management in Indigenous Lands. Ministry of the Environment	200,000	200,000	4,648	02.32
	2150 -Environmental Management and Ethno-Development. National Foundation for Indigenous People	7,932,544	7,890,679	6,181,314	77.92
Promote and protect the social and cultural rights and the right to citizenship of indigenous peoples, ensuring the inclusion of their specific needs in public policies. Ministry of Justice	215Q - Promotion of the Rights of Recently-Contacted Indigenous Peoples. National Foundation for Indigenous People	492,302	485,633	482,905	98.09
	2384 – Social, Cultural and Citizenship Rights. National Foundation for Indigenous People	13,803,255	13,347,610	9,387,826	68.01
Total		1,534,491,073	1,331,434,156	1,227,698,421	80.00

Note: Data are from *Siga Brasil* (Federal Senate), accessed on March 20, 2017

transferred to the budget unit, or if it did not have the operational conditions to commit it, this is information that we have not had access to yet and that the federal government should clarify. We have also learned that up to December 31, R\$ 1.227 billion (80% of the authorized amount) had been paid.

Through *Siga Brasil* we have also learned that some R\$ 129.751 million had been paid by December 31, as “balance payable” from previous years. The “balance payable” paid in 2016 refers to goods and services procured by the government in previous years, whose commitment to pay was registered in the Federal Government Integrated Financial Administration System (SIAFI) by the budget units, but that were only actually paid in 2016. The “action” for the *Promotion, protection and recovery of indigenous health* had the highest balance payable of all, totaling R\$ 97,934 million. See table 3.

Compared to the budget authorized for this Program in 2015, we saw that the amount authorized to be used particularly by FUNAI and SESAI in 2016 is approximately R\$ 111.9 million⁸ less than that of the previous year. This “reduction” occurred in all the objectives, including the action for the *Promotion, protection and recovery of indigenous health*. According to an official we interviewed, who chose not to be identified, the reduction in the budget proposal in 2016 (which occurs again and worsens in 2017) cannot be explained by the political changes of 2016 alone. The last increase in FUNAI’s budget occurred in 2013, when it reached R\$ 193 million. Since then, successive reductions have been made and fund restrictions have hindered the management of activities by the agency, whose deficits of all kinds are piling up. In short, the budget and funds made available to FUNAI have been on a declining trend since 2014, affecting its ability not only to recognize the territorial rights of indigenous peoples in the country but also to properly address the pressure it has been facing to be even more “flexible” when analyzing and deciding on requests for environmental licenses.⁹

8 See Verdum, R. (2016). *É preciso avançar na transparência e na execução orçamentária*, in *Relatório Violência contra os povos indígenas no Brasil – dados de 2015*, Brasília: Indigenist Missionary Council, pp. 34-39

9 Senate Bill No. 654 of 2015 by Senator Romero Jucá (PMDB/RR), currently under debate in the Federal Senate, provides for special environmental licensing procedures for infrastructure projects deemed strategic and of national interest (<http://www25.senado.leg.br/web/atividade/materias/-/materia/123372>). I recommend the careful reading of Technical Note No. 01/2016, issued by the National Council of Attorneys General of the Public Prosecutor’s Office of the States and the Union (CNPG), which was registered and attached to the Senate Bill documents. The document is available at <http://www.senado.leg.br/atividade/rotinas/materia/getPDF.asp?t=202366&tp=1>. PEC 65/2012, which is under debate in the Federal Senate, also proposes dismantling the current environmental licensing process. It establishes that construction works, once started and after the environmental license has been issued and other legal requirements have been met, “cannot be suspended or canceled except in the face of new facts that supervene on the situation that existed when the studies were conducted and published.”

Table 4: Balance payable from annual budgets of previous years paid in 2016*

Action	Amount Paid in R\$
Improvement of FUNAI’s infrastructure	491,078
Demarcation and inspection of indigenous lands and protection of isolated indigenous peoples	6,063,428
Environmental management in indigenous lands	110,225
Promotion, protection and recovery of indigenous health	97,934,198
Program management and administration	1,680
Social, cultural and citizenship rights	12,276,416
Promotion of ethno-development in indigenous lands	3,134
Environmental and territorial management of indigenous lands	540
Basic sanitation in indigenous villages for disease prevention and control	8,315,593
Cultural preservation of Indigenous Peoples	4,555,299
Total	129,751,591

Source: *Siga Brasil*. Accessed on March 20, 2017.

* “Balance payable” refers to funds committed by management units in previous years but that were paid only in 2016. The amounts relate to what had been paid by December 31, 2016.

“The budget and funds made available to FUNAI have been on a declining trend since 2014, affecting its ability not only to recognize the territorial rights of indigenous peoples in the country but also to properly address the pressure it has been facing to be even more ‘flexible’ when analyzing and deciding on requests for environmental licenses.”

On December 31, 2016, of the R\$ 16,542 million authorized for the action intended for *Demarcation and inspection of indigenous lands and protection of isolated indigenous peoples* that year, FUNAI had been able to commit R\$ 15.952 million (96.43%), having paid 71.02% of this total. In addition, a “balance payable” of approximately R\$ 6.063 million for services and goods procured in previous years had been paid.

In 2016, only twelve areas were identified by the Brazilian State as Indigenous Lands (IL); another ten were declared Indigenous Lands and only three were ratified. Compared to the previous four years, the number of declared areas in 2016 was 1.5 times higher than in the period 2012-2015, when only eight areas were declared. As for ratification of land already approved, the number of indigenous lands ratified in 2016 was higher than in 2013

“The official indigenous action of the Brazilian State is being led to a situation of economic and political asphyxia. It does not seem to be in the current government’s plans to maintain and develop institutional spaces for dialogue and political coordination like the ones established in past administrations, which at least had the merit of getting the State to ‘listen’ to indigenous peoples,”

and 2014 combined, when only the Kayabi Indigenous Land (PA/MT) was ratified.

With an authorized budget of R\$ 1.438 billion, the Special Secretariat of Indigenous Health (SESAI/Ministry of Health) had committed, until December 31, approximately R\$ 1.256 billion, and to date has been able to pay only R\$ 1,172 million (81.54%). But regarding the action for the *promotion, protection and recovery of indigenous health* – and considering the pattern of implementation of the action over the last fifteen years – it can be said that it is performing “normally.” However, the same cannot be said of the action for *Basic sanitation in indigenous villages for disease prevention and control*. According to the figures collected on the *Siga Brasil* database, of the authorized R\$ 53.250 million, only 47.03%, or R\$ 25.048 million, had been paid on the last day of 2016.

It is true that there are problems in the management of the indigenous healthcare system, such as the purchase of products with a variation of more than 1,000%, and a host of issues with the Labor Public Prosecutor’s Office (MPT), the Federal Public Prosecutor’s Office Service (MPF) and control agencies. However, in our view it does not justify the attempt of the Ministry of Health – which in the person of Minister Ricardo Barros signed, on October 17, ordinances 1,908/16 and 2,141/16 – to further restrict the financial and budgetary autonomy of the Special Indigenous Health Districts (DSEI) and of SESAI. The measure was revoked days later (11/25), in response to public demonstrations by indigenous peoples in different regions of the country, who protested the ordinances.¹⁰

Finally, it should be noted that the amount of R\$ 769,638 was authorized in 2016 for the *Management and Maintenance Program of the Ministry of Justice and Citizenship* to cover expenses with the construction of FUNAI’s headquarters in Brasília (DF), but that nothing had been committed by December 31. Another R\$ 784,819

was authorized to improve the agency’s infrastructure, of which R\$ 434,161 was committed; and R\$ 86.240 million was authorized to cover the administrative expenses of FUNAI’s units, of which 99.54% was committed.²³

In interviews with officials from the headquarters in Brasília and from regional coordination offices we learned that in several of the agency’s units, material conditions are precarious. This happens both in units that are in direct contact with local communities and that receive and must respond to their demands, and in units located in urban areas that must meet the demands coming from different indigenous lands, and of indigenous people who have developed ties with or are living temporarily or permanently in urban centers. An example of that are high school and university students. Data from the Higher Education Census conducted in 2014 by the Anísio Teixeira National Institute of Educational Studies and Research (INEP) show that in that year there were 22,030 Indigenous people enrolled in undergraduate courses in public and private educational institutions in the country.

Final considerations

It is therefore clear that the official indigenous action of the Brazilian State as known until recently is being led to a situation of economic and political asphyxia. In addition to budgetary and financial cuts, political and administrative measures are taken arbitrarily.

It does not seem to be in the current government’s plans to maintain and develop institutional spaces for dialogue and political coordination like the ones established in past administrations, which at least had the merit of getting the State to “listen” to indigenous peoples, namely the National Commission for Indigenous Policy (CNPI), established in 2007; the “dialogue tables” created at a time of crisis in federal government relations with indigenous organizations and movements, under the guise of addressing specific problem situations but that were used to postpone the necessary demarcations; and the National Council for Indigenous Policy created in December 2015 under the Ministry of Justice (Decree No. 8,593, December 17, 2015). This is all very worrying.

The decreasing budget for actions to implement products and services that contribute to the realization of indigenous rights, coupled with the closing of the limited paths for the “participation” of indigenous peoples and their organizations in public policies, creates a scenario of uncertainties, fear, intrigues and greed. If we follow this course and considering the tense situation experienced by Brazilian society, the country will face the high risk of an increase in ethnic conflicts and disputes over land and of aggravation of violence against indigenous peoples, which are already unacceptably high. ♦

¹⁰ In 2016, FUNAI had 260 units, of which 37 were Regional Coordination Offices, 219 Local Technical Coordination Offices, The Indian Museum, Cultural Centers in Goiânia and Cuiabá and its Headquarters in Brasília.

Abandoned and objectified, indigenous peoples live exiled between fences and roads

Roberto Liebgott*

In Brazil, there are thousands of indigenous families surviving without access to land and enduring the pain, suffering and injustice of living on the roadsides. However, some chiefs of the Guarani people – such as Silvino Werá da Silva, Estevam Garai and Augusto Benites, among others – nurture the hope that someday, during their tough lives, they will have their ancestral lands demarcated.

Silvino Werá, who has been living in a camp on the roadside of BR-290 in the municipality of Caçapava do Sul (RS) for 40 years, reported to the Federal Public Prosecutor's office (MPF) that the story of his life unfolds fully on the roadside where he raised his children and grandchildren under a tarpaulin shack. He says that he has already thought about giving up on the struggle for demarcation, but he is unable to do it because "life only makes sense if it can be lived in your ancestors' abode, in the place where traditions can be fully maintained." According to him, the Guarani exist because of the land. It is all they have and what they are. It is the dream, ritual, food, life. However, they are not allowed to set foot on it, they have been expelled from it and subjected to the condition of living at the margins of society – although they struggle tirelessly, although the Federal Constitution and infra-constitutional legislation guarantee them the original right over the lands.

For many decades these Guarani families have survived in tiny spaces, enduring the cold of winter and the scorching heat of summer under the black tarpaulins of the shacks. They are subjected to precarious sanitation conditions, forced to use improper water taken from ditches, rivulets or streams contaminated by agricultural or municipal waste. They endure total food and nutritional insecurity, living on the little money they make from the sale of handicrafts, small production of grains under the ravines or, in some cases, food donations. They coexist with the insecurity produced by the traffic of vehicles and their wheels, which pass by only a few meters from them, and not infrequently weep the loss of children and adults hit and shattered on the asphalt. Their hopes for peaceful and respectful negotiations are dashed when they are threatened, persecuted, prohibited

from entering their lands to collect medicinal plants or raw materials for their basket ware; and these violence acts are promoted or perpetrated by men who illicitly or illegally have seized their lands.

It is noticed, more specifically, that this dramatic reality occurs in the states of Rio Grande do Sul, Santa Catarina, Paraná and Mato Grosso do Sul, where children are born, raised, become adults and grow old on the roadside, watching future generations being equally punished for the omission, negligence and collusion of succeeding governments.

Fathers and mothers raise their sons and daughters in the precariousness of life, still hoping that they will one day be safe in a plot of land that was stolen from them, plundered, contaminated and devastated. The land ravaged by developmental and agribusiness projects is the same as most indigenous peoples treat as their mother, which gives

life to all beings – plants, animals, insects, birds, fish, water, and people. This land is being sacrificed because of the greed of men and women who prefer big and easy profits over the protection, care and preservation of life.

With their bodies and lives on the roadside, indigenous people confirm that it is not any land that can be good for living, but only those that are recognized in their cosmology. That is where the conditions – both material and spiritual – to live fully are found. The Guarani and

the Kaingang peoples do not like to live in camps; it is not part of their traditional practices. They do not get used to living in precarious conditions. They persist, resist, believe and fight for the demarcation and guarantee of their lands.

Indigenous peoples live under black tarpaulins. They believe in a "land without evils." They believe that the land is to be cared for and that is why God (Tupã, Nhanderú) gave it to the peoples; not to cause suffering, pain or death. This gift should not be intended exclusively for some privileged ones, but rather generate life in abundance for all. From the point of view of the natives, people need to learn to live with and respect the land. But when profit and power are set as goals, life becomes almost worthless and the ethical sense of human existence is lost.

“ Indigenous peoples live under black tarpaulins. They believe in a “land without evils” They believe that the land is to be cared for and that is why God (Tupã, Nhanderú) gave it to the peoples; not to cause suffering, pain or death.”

* Missionary and coordinator of CIMI's South Regional Office, holds a degree in Philosophy from Nossa Senhora da Imaculada Conceição Faculty of Philosophy (FAFIMC) and a degree in Law from the Catholic University of Rio Grande do Sul (PUC-RS).



Several indigenous peoples in Brazil face the dramatic reality of living a “sublife” between the roadside and the farm fence

Roberto Liebgott

But what to expect from an unethical State that perpetrates through its rulers the crimes of racism, omission, negligence or collusion with those who violate indigenous rights? A State that has, in its power structures, managers, parliamentarians and judges who in a mere speech convert a right into injustice and citizenship into privilege and criminalize those who fight for and advocate their rights. These legal, political and social anomalies seem to serve as a kind of code that guides the action of those who practice governance with no willingness at all to enforce the precepts of our Constitution.

From there they distribute the wealth, based on the condition of *existing* and selectively, while feeding on power to subjugate others, those who do not benefit from the schemes and, therefore, are deprived of rights, rejected in their human dignity, pushed towards the margins of employment, nourishment, retirement, housing and, ultimately, towards a “sublife.”

This scenario shows that indigenous peoples are among those who suffer the most, and the precarious conditions to which they are subjected deprive them even of the most basic human rights – thus, they are treated by rulers as marginal people. They are seen as the ones who, when they come forward and fight for the full enjoyment of their citizenship, cause disturbance and problems. They continue to be treated, therefore, as gewgaws or cysts to be removed.

Unfortunately, in Brazil many of those who are established on power structures (and who are seen as public representatives) insistently seek to disqualify indigenous rights provided for in international laws, treaties and conventions.

Against these rights, legal theories and noxious measures – such as the “time limit” of the Federal Consti-

tution of 1988 (which has served attempts to prevent, through anomalous interpretations, guarantees constitutionally consolidated in articles 231 and 232) – are forged in air-conditioned offices, together with bills and amendments to the Constitution like PEC 215/2000. The Parliamentary Inquiry Commission (CPI) set up to investigate the National Foundation for Indigenous People (FUNAI) and the National Institute of Colonization and Agrarian Reform (INCRA) and the CPI on CIMI, in Mato Grosso do Sul, can be seen as attempts to smother the fight for indigenous rights by criminalizing leaders and their supporters.

Violence against the lives of indigenous people over the last few years, as well as attacks on their rights, are concrete effects of this context, which is based exclusively on maintaining the benefits and privileges of those who have taken possession of environmental, water and mineral resources, thus restricting the meaning of land to one of economic resource.

In the struggles for justice and rights, it should be considered that these economic power groups are insatiable and, therefore, will continue to intensify institutional and informal actions against the life and way of being of indigenous peoples, since their lands and natural assets are considered new investment niches.

This struggle entails an inequality of forces and an almost insurmountable barrier that lead roadside camps, filled with lives and pains, to continue to exist as shelter and dwelling for indigenous families for long periods to come, as the exile of peoples and communities. On the other hand, the struggles and hopes in the fight against inequalities and injustices will be maintained. And the mother land, which is both the dream and utopia of Living Well, will prevail as a horizon to be reached. ♦

Why it is so hard to fight violence against indigenous women in Brazil

Ana Beatriz Rosa*

The non-indigenous father was accused of raping his five daughters. The abuse happened in the house where he lived with the girls and three other sons after separating from his wife. The mother, who is indigenous, reported the case because of the suspicious behavior of one of the girls.”

“Of the acts of violence reported by indigenous people, one of the most shocking was the collective rape of a young Guarani and Kaiowá girl by twelve gunmen. They trapped her in the woods when she got lost trying to escape the assault.”

“The victim was picking fruit in the village’s orchard when she was attacked by a member of the community. The child was found injured and taken to the hospital. The perpetrator is already serving time under house arrest. After committing the crime, he ran away.”

Women and indigenous. Sexually assaulted and indigenous. Anonymous and indigenous. Forgotten and indigenous. In common, explicit and veiled violence.

Women are the main victims of violence against indigenous communities in the world, according to a UN report.¹ Data from the organization show that more than 1 in 3 indigenous women are raped throughout their lives – and violence is part of a strategy to demoralize the community or as an “ethnic cleansing.” In Brazil it is no different.

In Mato Grosso do Sul, the state with an indigenous population of 72,000 – the second largest in the country – cases of violence against indigenous women have increased by approximately 495%. In 2010, the number of physical assaults stood at 104.² In 2014, 619 assaults were reported.

This year alone, the survey conducted by the Public Security Secretariat of that state showed that the number of reports of violence against women in the region grew by 23.1%³ in the first half of 2016 over the same period last year.

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An invisible violence

The accounts that open this text are true and were recorded by the 2015 report on Violence against Indigenous Peoples in Brazil,⁴²⁷ published by the Indigenous Missionary Council (CIMI). This survey by CIMI shows that in 2015 alone, 137 murders of indigenous people were reported in the country. Other data obtained from the Special Indigenous Health Secretariat (SESAI) and teams from the Council’s regional offices reported 87 suicides of indigenous peoples in 2015. In addition, 9 cases of sexual violence against several women were reported in communities spread throughout Brazil.

However, these data cannot be read naively. The Council itself draws attention to the fragility of the numbers:

“The data still need to be better qualified. They do not allow a more in-depth analysis, since detailed information on the events such as the age group of the victims, location, ethnic group, etc. have not been provided. The fragility of these data hampers a clear perception of the perpetrators of violence, if it was committed against the backdrop of the fight for land or, in this sense, if it is a consequence of the fact that indigenous people are not living in their traditional territories.”

1 To learn more, see <http://memoria.ebc.com.br/agenciabrasil/noticia/2010-01-14/mulheres-indigenas-sao-vitimas-de-estupro-como-forma-de-desmoralizacao-diz-onu>

2 See: <http://g1.globo.com/mato-grosso-do-sul/noticia/2016/09/violencia-contra-indias-cresce-e-ms-traduz-cartilha-sobre-maria-da-penha.html>

3 See: <http://www1.folha.uol.com.br/cotidiano/2016/08/1807693-mato-grosso-do-sul-traduz-cartilha-sobre-lei-maria-da-penha-para-indios.shtml>

4 Available at: <http://www.cimi.org.br/pub/relatorio2015/relatoriiodados2015.pdf>

* Reporter at Voices, Women and News, HuffPost Brazil; article published on 11/25/2016, updated on 04/19/2017. Available at: http://www.huffpostbrasil.com/2016/11/25/por-que-a-violencia-contra-mulheres-indigenas-e-tao-dificil-de-s_a_21700429/



Land demarcation is an agenda to overcome violence against women, because it is the land that guarantees the restructuring of indigenous communities

In March 2016, the UN⁵ Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, was also clear in her recommendation: the problems faced by indigenous women in the country need to be better documented. During her visit, she highlighted cases not only of domestic violence but also of rapes resulting from land invasions, and reinforced the importance of documenting these incidents so that they can be included on the political agenda to be resolved.

Why does violence happen?

Marcia Wayna Kambemba is a geographer and activist of indigenous rights. She belongs to the Omaguá Kambemba people, who at the beginning of the colonization were divided between the territories of the present-day Ecuador and the north part of the Amazon River.⁶ Beyond numbers, she knows that violence is real.

"Indigenous women suffer various types of violence. First, they suffer for seeing their people being affected,

marginalized, and discriminated against. Then they suffer as women and this violence is not only physical – it is also psychological and social. Rape exists and is a way to demoralize the village. Last year we had, in one village alone, three cases of sexual violence," she said in an interview to *HuffPost Brazil*.

"Indigenous women have been subjected to forced sterilization. Women and children are raped and murdered by gunmen as a way of intimidating the people to leave the village. Those responsible are not punished,"

Today, with a Master's degree in Geography from the Federal University of Amazonas (UFAM), she has transformed her origin into art, as a songwriter in the Tupi Guarani language, and into fight, as a militant and educator on indigenous rights. She explains: "Indigenous women have been subjected to forced sterilization. Women and children are raped and murdered by gunmen as a way of intimidating the people to leave the village. Those responsible

are not punished. In the Tururucari-Uka village of the Kambemba people, the houses have been thrown to the ground several times. The chief there is a woman. She fought bravely, and the village today remains in the same place. A non-indigenous community invaded the village in an attempt to expel them. The leader of the invasion told the Kambemba: what indigenous people want so much land for?"

5 See: <http://www.onumulheres.org.br/noticias/relatora-especial-da-onu-sobre-os-direitos-dos-povos-indigenas-recomenda-maior-documentacao-dos-problemas-enfrentados-pelas-mulheres-indigenas-do-brasil/>

6 See: <https://pib.socioambiental.org/pt/povo/kambemba/320>

Faced with a significant increase in reports of violence, the Center for the Protection and Defense of Women's Rights of the Public Defender's Office in the State of Mato Grosso do Sul (NUDEM) decided to distribute handbooks on the Maria da Penha⁷³⁰ Law in indigenous communities. A total of 1,500 documents will be divided between Terena and Guaraní women, with specific aspects of the Law translated into their mother tongues.

Edmeiry Silara Broch Festi is the Center coordinator and was directly involved in the project. She says that the Public Defender's Office implements projects throughout the year in defense of women's lives, and during one of the events there was a request for the Maria da Penha Law to be translated:

"In September, we officially launched the handbook with local leaders. Now we have begun to visit the villages to hand out the document along with lectures. We have the help of interpreters to make the presentation in the Guaraní and Terena languages. In addition to the work with women, this handbook will be helpful for community schools to develop reading skills in classes, not only with girls but also with boys," she explained in an interview to *HuffPost Brazil*.

In the presentations in seminars, the coordinator's objective is to explain the service provided to women by the Public Defender's Office as well as to inform them that the Maria da Penha Law is an instrument of the State to be used in their defense.

"When we come in contact with the communities, we realize that the State does not have numbers that portray the reality of indigenous peoples. Another challenge is the influence of white culture. Most of the cases we hear are associated with alcohol consumption, as well as conflicts over land demarcations. Yet, it is common to hear from local leaders that indigenous peoples are less sexist. Because male dominated culture is so deeply ingrained, our great difficulty is to make women recognize themselves as victims. The Public Defender's Office assists people who are already vulnerable, and among the vulnerable we still have a more delicate situation, which is that of indigenous women."

The limits of the Maria da Penha Law for indigenous women

Despite efforts by projects such as NUDEM's, enforcing the law that typifies domestic violence⁸ as a crime is still far from meeting the needs of indigenous women.

Whether for lack of access to information; for the difficulty, including in geographical terms, since most of the villages are distant from the places that receive the reports; or for the complexity that exists when it comes to a society that has its own organization, which is different from that of the cities, the Maria da Penha Law⁹ does not apply to the reality of most indigenous women¹⁰.

7 See: <http://www.defensoria.ms.def.br/images/cartilhas-folders-icons/Cartilha%20NUDEM%20GUARANI.pdf>

8 See: <http://www.huffpostbrasil.com/news/violencia-domestica/>

9 See: <http://www.huffpostbrasil.com/news/lei-maria-da-penha/>

10 See: <http://www.huffpostbrasil.com/mulheres/>

Publicly released image



Indigenous women find it difficult to feel that they are recognized by "white laws," which fail to account for the diversity of their profiles within their different realities

Livia Gimenes is a lawyer and author of the research *A construção Intercultural do Direito das Mulheres Indígenas a uma vida sem violência: A experiência brasileira* (The Intercultural Construction of the Right of Indigenous Women to a life without violence: The Brazilian experience), in which she analyzed FUNAI documents about workshops organized by the agency with women from the villages to discuss domestic violence.

According to Gimenes, law 11,340/2006 was designed for an urban context and even in cities it is not easily enforced. When taken to the context of the villages, it is still more inefficient and even problematic.

“When we talk about policies against violence, we do not have a universal woman. We have difficulty dealing with the various profiles of women in their many different realities. And in the case of indigenous women, this diversity is even greater. I have heard from indigenous women that they fear that enforcing the law could de-structure the reality in which they live, and this always generates a great deal of anxiety. They are not against the law, but they also do not recognize themselves in it either,” explains the lawyer.

In her research, the lawyer had access to the minutes of the seminars promoted by FUNAI between 2008 and 2010, which were guided by three questions:

- “Which and how has violence been addressed in your community?
- How can laws help overcome violence against indigenous women?
- How could violence against indigenous women be addressed?”

In response, at least three points that are of concern to indigenous women stand out:

1. The future of young women in the community, and for those living in villages close to cities, the situation of underemployment and unemployment needs to change;
2. The training of state agents who relate to indigenous peoples in terms of domestic violence and the internal regulations of the villages;
3. State instruments for the psychological outreach to victims of violence and of aggressors who need to be adapted to the indigenous reality;

The demand for the arrest of aggressors came up as the response of only one of the groups heard.

However, most suggest the joint enforcement of the Maria da Penha Law and the internal regulations, but with priority given to the village rules, and there is also a

“Whether for lack of access to information; for the difficulty, including in geographical terms, since most of the villages are distant from the places that receive the reports; or for the complexity that exists when it comes to a society that has its own organization, which is different from that of the cities, the Maria da Penha Law does not apply to the reality of most indigenous women,”

proposal specifying how it would work: “Bring the aggressor to the presence of the indigenous chief and leaders and representatives of FUNAI, reminding him that he will have two opportunities to resolve the issue in the community; the third time he will be subject to the white man’s law.”

According to the researcher, the resistance to any state intervention and the reason why these women do not feel recognized in the Maria da Penha Law can be associated with the lack of trust in “white laws,” which can further deepen the internal disruption promoted by the contact with the non-indigenous world.

“There is a very strong demand for the autonomy of indigenous peoples in making decisions and for the design of public policies to involve direct – and preferably collective – consultations with

these peoples. A truly democratic State should be able to represent or allow different groups to coexist, but with the same dignity as that of rights holders. In this case, right is to be understood not as an equivalent of legal systems, but as an expression of overcoming conditions of oppression through legitimate organized action by those who endure it,” explains Gimenes in her research.

The researcher also brings the issue of demarcation of indigenous lands to the center of the debate. In the CIMI survey, the annual average number of ratifications between 2011 and 2015 was 3.6%, totaling 18 officially recognized territories. The number is far below the average of previous periods. Between 2003 and 2010, for example, the annual average was 10%, with 79 recognized territories; between 1995 and 2002, the percentage was 18%, resulting in 145 ratifications of land already approved.

“The State needs to understand that land demarcation is an agenda to overcome violence against women, because it is the land that guarantees the restructuring of indigenous communities. Without recognized land, what we see is the domino effect of violence, and the most vulnerable part is women. Demarcation is an agenda of gender and defense of indigenous women,” says Gimenes.

How is the gender issue addressed in the villages?

Talking about violence against women also means talking about gender inequality. But again, the topic gains different nuances when it comes to indigenous communities.

According to Iza Tapuia, a UNESCO consultant and one of the leaders of the Tapuia people, interpreting the

roles of women and men in the villages requires warding off the influence of the city:

"In the context of the communities, the world of men and women is very well defined. If you take a small plot of land, for example, the men will clear it, cut down the trees, and open up the space. But planting is our duty. We have this closer relationship with the land and everything has to do with reproduction. The land reproduces the seed, right? And we produce the other members of the group so as not to let our people disappear." And she adds:

"This gender issue is very complicated to us. In the non-indigenous world, it is linked to power and submission. But in the indigenous world it is more complex. Men do not make decisions on their own. Although they are nearby, or talking in the men's house, they will not leave without considering the advice of mothers, sisters, wives. It is very difficult for a man to make a decision that is not shared with women. It gives the impression to those who come from the outside world that they are the almighty, the core of the village. But that does not mean we do not have our power. If you live in a village you will see that. These rules are made long before we are born. My role is already defined there, and so is my responsibility."

She further states that rape cases have become a reality in the communities and argues that external motivations, such as excessive alcohol consumption, need to be restrained.

"Rape is not a natural practice in the villages. It is a moral and cultural distortion. Indigenous women begin to be prepared for the physical and cultural reproduction of the people from the first menstrual period. In the non-indigenous concept this will have distortions. We already have many problems caused by white men. And when these problems like rape and alcohol consumption reach the villages, they are much more serious because they affect the traditional social organization of the peoples. That is why everything has to be analyzed on a case-by-case basis."

Marcia Kambeba also draws attention to another type of violence that is also related to gender: stereotyping indigenous women:

"Violence against indigenous women is not just rape. We are subjected to all forms of constraint. For example, how many times have I heard 'you do not look like an Indian!'. If the woman no longer speaks the mother tongue, she is brutally criticized. If she wears clothes, she is also criticized or called 'acculturated.' And what about

marriage when she does not feel like getting married? And also, when nature is assaulted, the indigenous woman also feels it. The land, the water and the forest are females."

The aggressor's profile

In a public note¹¹ released in April 2016, UN Women warned of land conflicts in states like Mato Grosso do Sul, Bahia and Ceará.

"In a context of territorial defense and social exclusion, indigenous women have been subjected to perverse gender-based violence, such as femicide, sexual exploitation, trafficking in persons and other types of violence that increase as they affirm their political prominence in defense of their peoples and their rights."

In addition, reports of excessive use of alcohol or other drugs by crime perpetrators are very common. Other acts of violence deemed more subtle – such as prohibiting indigenous women from occupying public spaces – are also forms of abuse.

For a long time, indigenous peoples were associated with the images of a "backward" past. The example of a society to be "saved" by a "modern" settler. Indigenous men, and mainly indigenous women, were left with nudity, paintings, necklaces, as something exotic to be showcased.

Before, they were about 3 to 4 million. According to the 2010 IBGE Census, now they are 817,963 among the more than 240 peoples. They have survived extinction, but they continue to be violated.

"We must consider that the Maria da Penha Law is controversial also outside the "village world." How could it be different among indigenous women? This issue is even more complex among indigenous women because they think about the logic of the set of problems that affect their people, and internal solidarity issues are more complex," says the anthropologist Arneide Bandeira Cemin from the Federal University of Rondônia (UNIR).

"We need to decolonize our imaginary about these peoples. We do not have to speak for indigenous women, but to learn from them," concludes Cemin. ♦

“ Rape is not a natural practice in the villages. It is a moral and cultural distortion. Indigenous women begin to be prepared for the physical and cultural reproduction of their people from the first menstrual period. In the non-indigenous concept this will have distortions. We already have many problems caused by white men. That is why everything has to be analyzed on a case-by-case basis,”

11 See: <http://www.onumulheres.org.br/noticias/nota-publica-onu-mulheres-alerta-para-violencia-contra-mulheres-indigenas-e-conclama-garantia-de-direitos/>



Indigenous peoples interrupted the expansion works of Vale's Carajás Railroad to report rights violations and lack of redress

Cimi Team in Maranhão

A R T I C L E

Get out of the way 'cause here comes the Vale train!

Violations and Illegality in the Expansion of the Carajás Railroad

*Rosana de Jesus Diniz Santos**

This account provides a description of the violations and illegalities perpetrated in the expansion of the Carajás Railroad (EFC) in the Amazonian region of Maranhão. The account is, first and foremost, a warning, because the mining company Vale S.A. has been repeatedly questioned for its ventures in Brazil and around the world. The expansion of the EFC is a *fait accompli*, despite its failure to comply with the legal system and the rights of indigenous peoples.

Because it is about the construction of a new railroad, a parallel was drawn with the construction of the first railroad in the 1980s, during the military dictatorship, with the

implementation of the Grande Carajás Program (PGC) in Eastern Amazonia, in order to show the continuity of violations against the Awa Guajá, Guajajara and Ka'apor peoples under the Constitutional Statute of Indigenous Peoples and the Brazilian Constitution itself, which establishes the Social and Democratic State of Law in Brazil, without duly redressing previous acts of violence.

Failure to comply with the rules and procedures related to Prior, Free and Informed Consultation of Indigenous Peoples by the Brazilian State in another undertaking of the mining company Vale, triggered constant conflicts between indigenous peoples and between these and Vale and the National Foundation for Indigenous People (FUNAI),

* Missionary at CIMI's Regional Office in Maranhão; holds a degree in Letters, with specialization in Development and Social Relations in Rural Areas from the University of Brasília (UnB). Thanks to Lara Tatiana Bonin and Adelar Cupsinski for revising the text.

ultimately leading to the closing of the railroad by indigenous people. The works were also interrupted twice by court orders, due to the illegal granting by the Brazilian Institute of the Environment and Natural Renewable Resources (IBAMA) of prior and installation licenses in the section of the Indigenous Land Caru, and to the failure to consult the affected peoples.

The conflicts intensified during the discussion of the so-called “preliminary actions” of the Basic Environmental Plan of the Indigenous Component (PBACI). The entire process, which Vale claimed to be regular, had FUNAI as the sole and exclusive mediator of public and indigenous interests, thus showing that the peoples impacted in the process continued to be silenced. Conflicts of interest and violations of indigenous rights became explicit in the negotiations between FUNAI and Vale and between these and indigenous peoples the Indians, which had the clear objective of securing Vale’s interests. In addition to these factors, various interests were involved in the negotiations around the so-called “Vale and FUNAI Agreement,”¹³⁵ to be renewed once again, providing for the continuity of Vale’s control in the management and outsourcing of indigenous heritage through an “Implementing Partner of Vale.”

This study focuses on my practical experience as a human rights advocate and as a teacher among the Awa Guajá. This is an opportunity for reflection and critical interpretation, inspired by the dialectical methodological conception of Paulo Freire (2011), which presupposes from practice itself – from the reality in which one is immersed – a theoretical reflection on this conception and a return to practice with new ways of understanding and acting.

To corroborate these reflections, I have resorted to the bibliographical readings of specialists on topics such as Prior, Free and Informed Consultation and violation of human rights and fundamental rights, as well as to a case study on the expansion of the Carajás Railroad (EFC), the preliminary ruling on the Public Civil Actions related to the expansion, and also some legal opinions about the case. I also had access to documents and studies concerning the “Vale and FUNAI Agreements,” reports, handouts and the Study of the Basic Environmental Plan of the Indigenous Component (PBACI). Also, as a listener at the request of the indigenous people, I participated in some meetings and workshops on the EFC expansion.

Let us move on to a brief contextualization of the violations committed and their continuity in the present. First of all, I would like to point out that because it involves the construction of a new railroad, both the State and Vale need to repair the damages caused to the indigenous peoples affected, as a result of violations committed since the implementation of the Grande Carajás Program (PGC) in the Eastern Amazon, of which the EFC is part of the

construction conglomerate. Rodrigues (2002) refers to this region as the habitat of many Tupi-Guarani peoples, and mentions that several ethnic groups have disappeared since the 17th century due to the European colonization process.

The Guajajara, Awa Guajá and Ka’apor peoples have managed to stay in part of their territories, have not abdicated their languages and cultures and, at present, their populations boast a significant quantitative growth.

Since the PGC was a project of the military dictatorship (1964-1985), the region of influence, also known as “lands of Carajás,” continued to be the stage of numerous violations, which were extensively documented by Father Vitor Asselim (2009) and repeatedly reported by civil society advocacy institutions in the region. According to an account of the Awa, groups of their people were exterminated, and others were expelled from their traditional territories and relocated (by the federal government). These territories could then be taken over by land grabbers, sold and occupied by colonization projects.

In the Brazilian case, the military linked to national security agencies, in partnership with and full support of economic sectors interested in exploiting the natural resources of the indigenous lands, led the indigenous policy of the Sarney government between 1985 and 1990. That was when the demarcation of the Awá Guajá Indigenous Land began, as a result of national and international pressures against the deterritorialization of this people. It was a period of threats, reduction in the size of the Awá Land and a long judicialization process.

It was only in 2014 that the Awa people of the Juriti community received the Demarcation Documents from the Brazilian State. In all previous decades, indigenous peoples were unable to enjoy their ancestral land because of the many invasions, and the resettled groups could never return to their traditional *hakwa* (territories), which had been taken and occupied. To this day, free Awa groups are still deprived of the right to exclusive usufruct, because the demarcated lands are corroded by various types of invaders.

Right to redress²

Here it is worth mentioning excerpts from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),³ which meant a historic step towards the recognition of the rights of these peoples, to the extent that it provides, at a universal level, the minimum rules for guaranteeing these rights. Among them is the right to redress,

1 Agreement between Vale and FUNAI to promote mitigation actions for the peoples impacted by the railroad. It started in the 1980s and has been repeatedly renewed since then.

2 “Article 8 (...) 2. States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources; (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights; (d) Any form of forced assimilation or integration; (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.”

3 Approved by the UN General Assembly on December 13, 2007.

which consists of restitution or compensation for damages and losses caused by the violation of these rights. Special mention should be made of three articles of the UNDRIP, according to which indigenous peoples have the right to fair, impartial and equitable redress, whenever:

They have been deprived of their means of subsistence and development (art.20.2); lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent (art.28.1); any project affecting their lands or territories is implemented (art.32.2).

Since the emergence of Transitional Justice in Law, especially in the decision of the Inter-American Commission on Human Rights (IACHR) of 1988 (Velásquez Rodrigues v. Honduras), obligations have been imposed on the States. These include conducting serious investigations whenever human rights violations are committed and ensuring redress to the victims. These obligations were subsequently reaffirmed in the Commission's own decisions and corroborated by other regional and national courts worldwide and by the United Nations Human Rights Committee.

Unfortunately, this is not happening in Brazil, so impunity prevails.⁴ This time, with the decision of the Federal Supreme Court (STF), the Right to Memory and Truth of the Awa Guajá people remains on the horizon of struggle, since their territories and their lives were violated by the projects and programs implemented during the military dictatorship. Renan Quinalha (2013, p 118) properly observes the disregard for fundamental rights, as it happens in this region. "Among the many doubts [referring to the Transitional Justice], one thing is certain in this widespread situation of disrespect for fundamental rights: one cannot restart from where one left off, as if nothing had happened." As if they had not caused numerous violations without proper redress, the State and Vale started to build a new railroad, now under a rule of law, disregarding a significant part of the legal system that protects the peoples and safeguards a healthy and balanced environment, self-determination, social participation and the right of affected peoples to consultation.

⁴ Total impunity of torturers and all those who committed human rights violations during the military dictatorship continues to prevail, and of significant relevance is the recent Supreme Federal Court ruling on the Action Against the Violation of a Constitutional Fundamental Right proposed by the Brazilian Bar Association (OAB), in which by 7 votes to 2 the justices maintained pardon for those who committed a crime of torture during the military dictatorship, based on the Amnesty Law of 1979.

Two Public Civil Actions (PCA) filed in the Federal Court of Maranhão question the railroad expansion procedure. In 2012, the Human Rights Society of Maranhão (SMDH), the Black Culture Center of Maranhão (CCN-MA) and the Indigenist Missionary Council (CIMI) filed PCA No. 61827-77.2015.4.1.3700 against Vale and IBAMA, on the grounds of defects in the environmental licensing process regarding the expansion of the EFC, which resulted in several damages to both the environment and the affected communities (indigenous, quilombolas and traditional peoples). In 2015, the Federal Public Prosecutor's Office (MPF) filed a second action, ACP No. 0061827-77.2015.4.01.3700 against Vale, IBAMA and FUNAI, questioning the lack of consultation of the Awa Guajá people that were directly affected by the expansion of the railroad.

The expansion of the EFC is illegal and operates without a license

In the Public Civil Action filed in 2012, the Federal Judge of Maranhão granted a request for interlocutory relief

to determine the suspension of the environmental licensing process, as well as of the validity of the environmental licenses resulting from the public meetings held, as they are in violation of internal rules. Thus, the judge prohibited any activity related to the expansion of the EFC, setting the fine for noncompliance at R\$ 50,000. However, Vale filed an appeal for Stay of Preliminary Injunction and Interlocutory Relief (SL No. 0056226-40.2012.4.01.0000/MA) in the Federal Regional Court of the 1st Region (TRF1), and the President of the Court granted the injunction (bond for costs), authorizing the works to continue, on the grounds of serious damage to the public order and economy.

In March 2016, in an interlocutory decision the Federal Judge granted a request for judicial expertise, to be carried out in the form of examination of the environmental study performed, appointing experts to work together with the interested parties.

From the decision, the authors of the PCA appointed a technical assistant to the court and submitted their questions. However, the investigation has not started yet and moves at a slow pace, which benefits Vale only.

In the ACP filed by the Federal Public Prosecutor's Office (2015), the Federal Judge also granted the motion for interlocutory relief (injunction) and ordered that Vale refrain from initiating or continuing any intervention for the expansion of the EFC in the stretch of the Caru Indigenous Land. The injunction also determined that Vale "refrain from making any promises, donation, delivery of goods, advan-

tages, works, etc., to indigenous peoples before and during the prior consultation phase, except for actions regarding the fulfillment of agreements or covenants already entered into with FUNAI and in the implementation phase.” In view of this decision, Vale filed an interlocutory appeal (AI No. 0040112-21.2015.4.01.0000) with TRF1 and the Judge of the Court of Appeals accepted the request to overrule the decision of the Federal Judge of Maranhão, thus authorizing the project to proceed. The aforementioned Public Civil Actions are still being heard in the Trial Court and the merits of the cases are yet to be decided.

In view of the lower court decisions and the abstentions contained therein related to Vale, as a result of the decisions of the Regional Court Vale and FUNAI, in partnership, continued the discussions with the so-called “Preliminary Actions of the PBACI.” Tempers raged again, and the railroad was closed for the second time. New negotiations were held between the parties. The minutes of these negotiation meetings were not always recorded, so as to make their decisions public. This, to a certain extent and with the full consent of a large number of indigenous people, shows that the path to follow was the negotiation of rights, having only FUNAI as the mediator, and the complete absence of qualified and independent advisors (as contemplated in the Consultation procedure provided for in Convention 169 of the International Labor Organization - ILO).

Some indigenous people tried to obtain independent advisors through the Attorney General’s Office of Maranhão (PGR-MA) for them to participate in the negotiation, but this effort was fruitless since the Attorney General’s Office itself questions the legality of the project.

Consequently, innumerable goods (boats, ferries, cars, quadricycles, equipment and others) were transferred by Vale to FUNAI and to indigenous peoples. In the face of enormous pressure, the PBACI was approved *en bloc* by the indigenous peoples, thus indicating that the interests, world views and time needed to decide their future in the territories that are left to them have not been respected. Even without legal support for the negotiations, without the possibility of access to information, and although the delay in providing this information and the opinions of FUNAI and the complexity of the issue were clearly understood by the indigenous peoples, especially the Awa Guajá, the PBACI was approved under pressure from indigenous peoples, the mining company Vale and outsourced companies that implement PBACI actions in these communities.

In November 2016, during a feedback meeting of PBACI actions, the Awa informed FUNAI that Vale trains were already operating on the new railroad. FUNAI, immediately and without showing appropriate initiative, asked them to

take photos and report the fact, despite the insistence of the natives that the indigenous body should be responsible for gathering evidence. In fact, the trains are already running in the new railroad, although its operating license has not been issued and continues to be questioned.

Interventions by institutions (MPF, SMDH, CCN and CIMI) are at the same time the “defense trenches” and the “strengths” of resistance against the system of domination established in this “war of positions,” in which Vale and the Brazilian State impose their projects.⁵ It is still necessary to dig deeper as regards the way indigenous peoples resist and in the legal field, both nationally and internationally,

and identify the “trench” and “strength” elements established inside and outside State institutions. Following Gramsci’s analysis (quoted by Garcia, 2009), I reiterate that “Winning the war of positions in the political arena is decisive.”

In these defense and strength trenches and in view of Vale’s predominance, in the legal field, to date, it is important to highlight the case study by the Professor of Economic Law and Political Economy at the Law School of the University of São Paulo (USP), Gilberto Bercovici,⁶ which enables expanding the vision in the legal field. I reproduce, with emphasis, the answers given by him to the arguments made by the plaintiffs (SMDH, CIMI, CCN) in ACP/2012 regarding the environmental licensing granted by IBAMA.

IBAMA’s decision that allowed the use of simplified licensing, provided for in CONAMA Resolution 349/2004, for expansion works of the Carajás Railroad is null and void, as it is a deviation of purpose. The environmental agency committed an illegal act by allowing the use of simplified procedure for a much larger and more complex project. Licensing cannot be granted in a piecemeal way, by stretches of expansion. Environmental licensing must encompass all the work that is to be carried out, under penalty of invalidation of the licensing and consequent illegality of the entire project (Bercovici, 2015, p.32).

The answer given by the same professor regarding the appeal obtained by Vale in the Stay of Preliminary Injunction and Interlocutory Relief (No. 0056226-40.2012.4.01.0000 / MA) at TRF1, when its president granted the injunction (bond for costs) and authorized the works to continue on the grounds of serious damage to the public order and economy, is transcribed below.

Is it possible to affirm that there is a public interest in the expansion of the Carajás Railroad? The debate

“The dispute is over the legal system for the coverage of national and international rights of indigenous peoples. It is a dispute to take place in the two areas: the struggles of these communities and the legal arena. It is important to reinforce – with indigenous people and in their struggles to advance in the political arena – the right to consultation and its procedures,”

5 The terms quoted are from Gramsci (in Garcia, 2009), taken from his discussions on Common Sense.

6 Study presented as “*Duplicação da Estrada de Ferro Carajás: Estudo de Caso.*”

about the existence or not of a public interest in projects such as the “Carajás Grande Project” (which includes the Carajás Railroad) concerns its contribution to the country’s development. If the “Great Carajás Project” were linked to the effort to build an autonomous economy with the aim of overcoming underdevelopment, it would certainly represent the core of the public interest in the country’s mineral policy. However, this is not the purpose of Vale’s work in Serra de Carajás. The option chosen was the exclusive search for wealth through the exploitation of natural resources. As it is not the result of a productive process, the generation of this wealth can occur independently of other economic and political processes under development in the country, making up a true enclave and favoring processes that cause harmful effects to the national economy (p.31).

The dispute is over the legal system for the coverage of national and international rights of indigenous peoples. It is a dispute to take place in the two areas: the struggles of these communities and the legal arena. It is important to reinforce – with indigenous people and in their struggles to advance in the political arena – the right to consultation and its procedures, the scope of the ACPs and of injunctions and jurisprudence granted here and in international courts. On the Prior Consultation to indigenous peoples, I bring you the study of the Federal Prosecutor Maria Rezende Capucci, entitled “*A fundamental e obrigatória observância dos direitos dos povos indígenas nos projetos e na execução de grandes empreendimentos hidrelétricos: a consulta livre, prévia e informada como pressuposto de validade dos atos do poder público que afetem os povos indígenas*” (The fundamental and mandatory observance of the rights of indigenous peoples in the design and execution of large hydroelectric projects: free, prior and informed consultation as an assumption of validity of the acts of public authorities affecting indigenous peoples), included in the publication “*Empreendimentos que impactam Terras Indígenas*” [(Projects that Impact Indigenous Lands)(CIMI, 2014)]. I highlight below three aspects of Capucci’s study that, besides pointing out where this right is contained, explain the scope of the rule and reinforce the nullity of any project that fails to comply with consultation procedures.

Because of the importance of its instrumental character as a guarantee of effective respect for self-determination, the consultation is provided for not only in the Federal Constitution of 1988, but also in numerous other international documents and treaties, including Convention 169 of the International Labor Organization - ILO (2014, p. 46).

Capucci discusses the scope of the rule and overturns the unsustainable argument by entrepreneurs that these procedures should be observed only in cases where the project is located inside indigenous land.

More than that, the breadth of the rule also reaches the other spaces necessary for life in its entirety,

whether or not they are within the limits recognized by the State as indigenous land, provided that they are indispensable for the maintenance of the environmental resources that the communities use to live, in their traditional way of being. And that, of course, includes water resources (p.46).

In the case of the Awa people, the impacts caused by the expansion of the EFC compromise an important natural asset, the Pindaré River and its tributaries. The works, referred to as mitigation and requested by indigenous peoples to guarantee access to the villages (ports and roads), were executed without an environmental license, which was foregone by Vale itself, on the grounds that they had been requested by the indigenous people and are for their exclusive usufruct.⁷ The mining company used the argument that impacts should only be considered when they occur within indigenous land, asserting that the lands of the Ka’apor and the Awa Guajá peoples, from the Upper Turiaçu and Awa lands, were not impacted by the project, although these people were included as having been impacted in the “Vale and FUNAI Agreements” that have existed since the construction of the first railroad. That is, as a result of a maneuver by Vale they were no longer considered in the new project. This time, there is only one Basic Environmental Plan of the Indigenous Component (PBACI) Awa and Guajajara of the Caru and Pindaré River Lands.

It is not necessary here to go into the so-called “Vale and FUNAI Agreements” and the recently signed “Term of Cooperation” and what they have represented for the indigenous territories, self-determination and cultures affected. However, legal opinions have shown the illegality of these documents, in addition to the fact that they were constructed without the participation of indigenous people and indicated the exercise of a kind of “private guardianship” by Vale and its outsourcing in the management of indigenous heritage, in the form of compensation right for the first railway. In Capucci’s words, the process is tainted.

(...) consultation with the communities is subject to many requirements, which must be met, or the objective set by the constituent legislator will not be achieved and, consequently, the entire process conducted without the participation of the affected communities will be tainted (Capucci, p.46, 47).

Based on these two studies and on the preliminary injunction decisions, the illegalities and violations that continue to be committed by Vale to date are made explicit. For the indigenous peoples, advocacy institutions and allies of the indigenous and environmental cause, the search for possible paths without giving up any right in view of the arguments, of the power of Vale and of the fear imposed on indigenous leaders and indigenous advocates continues to be a “strength.”

7 Answer of the coordinator of the Awa Front when asked about the existence of licenses for opening up the ports and accesses to the Awa and Tiracambu communities.

Obviously, we have a great challenge to overcome in the political arena, i.e., that of encouraging and empowering the affected communities to pursue those paths. The political and legal fields of the almost insurmountable spaces of international courts also offer ways to enforce the rights that are now being violated, repair damages, rethink what should be recreated and where it is possible to recreate, considering the environments degraded by mining activities and by the power of penetration of the projects and ideologies of a mining company like Vale, among the affected communities.

I would like to point out the reaffirmation of the rights of indigenous peoples as a strength and a strategy, the jurisprudence of the Inter-American Court of Human Rights (IACHR), to which Brazil is a party and therefore is subject to, and the recent decision of TRF1, which analyzed the right to Consultation of the Mundurucu people, due to the construction of hydroelectric plants in the Teles Pires River. The IACHR incorporated the ADWE guidelines: KON⁸ "to carry out assessments of the cultural, environmental and social repercussions of planned development projects on lands or waters traditionally occupied or used by indigenous or local communities or that may affect these places, which makes these guidelines binding in the studies carried out with a view to holding consultation discussions" (Capucci, p.50).

In the TRF1 decision, which is still subject to appeals in the Superior Court of Justice (STJ) and in the Federal Supreme Court (STF), it was considered that the right of Consultation of the Mundurucu people in the construction of the hydroelectric plant, including after its construction, must be ensured, which did not occur in the project; and that this fact should bring consequences, in this case, redressing consequences. This decision is innovative and guarantees the right of consultation to the peoples.

8 IACHR. *Caso del Pueblo Saramaka Vs. Surinam. Interpretación de la Sentencia de Excepciones Preliminares, Fondo, Reparaciones y Costas. Sentencia de 12 de agosto de 2008.*

The plaintiffs alleged, in the trial court, that IBAMA issued the prior license and installation license for the Teles Pires Hydroelectric Plant (HPP) on December 13, 2010 and August 19, 2011, respectively, without consulting the affected indigenous communities. This procedure, they say, is necessary, since the project will "cause direct interference in these peoples" and will bring "imminent and irreversible damage" to their quality of life and cultural heritage. The applicants based the request for suspending the licensing of the Teles Pires HPP on two main orders of reasons: absence of prior, free and informed consultation of affected indigenous peoples and violation of sacred areas of these peoples.

The judge reiterated that, according to Article 13 of ILO Convention 169, "... governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship."

Considering all the above, the Brazilian State, its branches and its agencies are left with the challenge, if not the obligation, to indigenous peoples, their allies and all the guardians of indigenous rights and Brazilian society, of paying the necessary and urgent debt to these people. Likewise, considering the national and international legal system related to the rights of indigenous peoples, both corporations and the State should be held accountable for redressing all violations committed, or else the path hitherto trodden in the realm of the fundamental rights of human persons and the environment will proceed and these rights will continue to be disrespected. It is therefore clear that, whether in the name of public interest or private benefits, Vale and the Brazilian State have committed violations in conducting their policies, against indigenous peoples and their territories, in the implementation of the Grande Carajás Program and in the current construction of the second phase of the Carajás Railroad. ♦

REFERENCES

- BERCOVICI, Gilberto. **Duplicação da Estrada de Ferro Carajás**. Case Study In: *Direitos em Conflito: movimentos sociais, resistências e casos judicializados: estudos de casos – v.1*/Organized by José Antônio Peres Gadiel... et al. Curitiba, Kairós Edições, 2015. Available at: http://www.dedihc.pr.gov.br/arquivos/File/2015/DIREITOS_EM_CONFLITO_V1_Bilingue_WEB.pdf
- CAPUCCI, Maria Rezende. In: **Empreendimentos que Impactam Terras Indígenas**. Feitosa, Saulo Ferreira; Brighenti, Clóvis Antônio (organizes). Brasília, Indigenist Missionary Council (CIMI), 2014.
- FREIRE, Paulo. **Educação como prática de liberdade**. São Paulo, 2011.
- FABBRI, Luiz Carlos. **O marco jurídico do direito à memória e à verdade**. Available at: <http://www.cartamaior.com.br/?/Editoria/Direitos-Humanos/O-marco-juridico-do-direito-a-memoria-e-a-verdade/5/17835>
- GARCIA, Ana Saggiaro. **Empresas transnacionais brasileiras**: dupla frente de luta. In: *Empresas transnacionais brasileiras na América Latina: um debate necessário*/Organization: Rosa Luxemburg Stiftung Institute... et al. 1.ed. São Paulo, Expressão Popular, 2010.
- JUNIOR, Federal Judge Ivo Anselo Höhn. **Public Civil Action N° 61827-77.2015.4.1.3700**. Trial Court, Judicial Section, 8th Judicial District.
- MACIEIRA, Federal Judge Ricardo Felipe Rodrigues. **Public Civil Action No. 26295-47.2012.4.01.3700**. Trial Court, Judicial Section of Maranhão, 8th Judicial District.

- MEGUERIAN, Federal Court of Appeals Judge Aram. **Interlocutory Appeal No. 0040112-21.2015.4.01.0000/MA**. Federal Regional Court, 1st Region.
- MANUAL PARA DEFENDER OS DIREITOS DOS POVOS INDÍGENAS. **Due Process of Law Foundation... et al.**
- PRUDENTE, Federal Court of Appeals Judge Souza. **Appeal/Mandatory Review No. 0003947-44.2012.4.01.3600/MT**. Federal Regional Court, 1st Region.
- BASIC ENVIRONMENTAL PLAN OF THE AWA AND GUAJAJARA INDIGENOUS COMPONENT OF THE CARU AND PINDARÉ RIVER LANDS. **Environmental licensing process for expansion of the Carajás/Vale Railroad**. Brasília, 2015.
- QUINALHA, Renan Honório. **Justiça de Transição**: contornos do conceito. São Paulo, Outras Expressões; Dobra Editorial, 2013.
- RIBEIRO, Federal Court of Appeals Judge Mário César. **Preliminary Order Suspension and Advance Relief No. 0056226-40.2012.4.01.0000/MA**. Federal Regional Court, 1st Region.
- TRF1. **TRF suspende o licenciamento das atividades da UHE Teles Pires até que se realize consulta prévia aos povos indígenas**. Available at: <https://trf-1.jusbrasil.com.br/noticias/412275138/decisao-trf1-suspende-o-licenciamento-das-atividades-da-usina-hidreletrica-teles-pires-ate-que-se-realize-consulta-previa-aos-povos-indigenas>

CHAPTER I

Violence against Heritage



- 43 Omission and delays in land regularizations
- 63 Conflicts over territorial rights
- 66 Possessory invasion, illegal exploitation of natural resources and other forms of damage to heritage



Violence against indigenous heritage occurs both by the expropriation of traditional land and its common assets and by territorial conflicts resulting from the non-demarcation of territories

Violence against heritage

Indigenous heritage consists of land in its territorial dimension and in its uses according to the rules and customs of indigenous societies. Geographical features, natural resources, mythical landmarks, cemeteries, archaeological sites; goods produced and environmental management, crops, seeds, hunting techniques, food gathering, fishing and agriculture; traditional buildings; as well as current schools, health clinics, radio broadcasting; arts, handicrafts and other manufactured goods: all these items make up the indigenous heritage.

Besides these, immaterial goods such as traditional knowledge, narrative languages, rituals, religious expressions and specific knowledge are subject to copyright, image rights and intellectual property rights. Under the Brazilian Constitution, the usufruct of indigenous lands

and the entire set of items listed above belong exclusively to the peoples living in said lands, and violation of these rights is a crime.

It should be said, with concern, that indigenous heritage was severely attacked throughout 2016. Without resources to protect and inspect indigenous lands, State agencies stayed away from them, which triggered a massive attack by loggers on forests within the areas of indigenous communities and people, especially in the states of Rondônia, Mato Grosso, Pará, Acre and Maranhão. Thousands of hectares of forest were cut down and removed by loggers. In addition, communities and leaders who exercised their right to try to stop the devastation of their lands were threatened and murdered.

Omission and delays in land regularization

The year 2016 was marked by the impeachment of President Dilma Rousseff. Before her temporary suspension on May 12, 2016, social movements, including indigenous peoples, held demonstrations and pressured her to accelerate the regularization of indigenous and quilombola lands and expropriate areas for land reform purposes.

With regard to the demarcation of indigenous lands, the pressure resulted in the identification by the National Foundation for Indigenous People (FUNAI) of 9 indigenous lands; in the declaration by the Ministry of Justice of 10 territories; and in the ratification by the President of three indigenous lands already approved, as well as the creation of two Working Groups and the publication of a restriction ordinance.

Despite all that, Rousseff left the government with the lowest annual average (5.25) of indigenous land ratification by a Brazilian president since the end of the military dictatorship. The total and annual average of ratification of land already approved in that period can be seen in the table at the bottom of this page.

Especially since the update of information by FUNAI in 2016, the database of the Indigenist Missionary Council

(CIMI), which also includes this information, shows that the number of indigenous lands in Brazil increased from 1,113 in 2015 to 1,296 in 2016. Of these 1,296 lands, only 401, which account for 30.9% of the total, had their administrative processes concluded, that is, have already been registered by the Union. A summary of the general situation of indigenous lands in Brazil is shown in the table below.

The data presented in this report – updated on September 19, 2017 – point to the worrying existence of 836 indigenous lands (64.5% of the total) awaiting action by the Brazilian government. That is, with the exception of registered, reserved and domanial lands, 836 lands are awaiting administrative measures in order to have their demarcation process finalized.

Of these 836 lands, 530 (63.3%) are still awaiting administrative measures by the federal government. The state of Amazonas alone reports 199 lands in this situation, followed by Mato Grosso do Sul (74), Rio Grande do Sul (37), Pará (29), and Rondônia (24). The table on page 46 shows the 836 indigenous lands that are awaiting administrative procedures, broken down by state and according to their status in the demarcation process.

General Situation of Indigenous Lands in Brazil

Status	Quantity	%
Pending action: lands claimed by the communities awaiting administrative measures for their regularization	530	40.86
Pending identification: included in FUNAI's schedule for future identification, with Technical Groups already established	169	13.04
Identified: recognized as traditional indigenous land by a Technical Group of FUNAI and awaiting Declaratory Ordinance from the Ministry of Justice	53	4.09
Declared: Declaratory Ordinance issued by the Ministry of Justice; awaiting ratification	62	4.78
Ratified: Presidential Decree issued; awaiting registration	16	1.23
Registered: demarcation completed and registered with the Property Registry of the District and/or with the Federal Government Heritage Service	401	30.94
Restriction Ordinance: Ordinance issued by FUNAI's Presidency restricting the use, right of access, movement or permanence in the area of persons other than FUNAI personnel	6	0.46
Reserved: demarcated as "indigenous reservations" at the time of the Indian Protection Service (SPI)	38	2.93
Domanial: owned by indigenous communities	21	1.62
Total	1,296	100

Source: FUNAI and CIMI

Ratification of Indigenous Lands by Brazilian Presidents

Government	Period	Number of ratifications	Annual average
José Sarney	1985 – 1990	67	13
Fernando Collor de Melo	Jan. 1991 – Sept. 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	Jan. 2011 – Aug. 2016	21	5.25
Michel Temer	Aug. 2016 – Dec. 2016	0	0

Source: CIMI

Demarcation Procedures - Dilma Rousseff Administration in 2016

The following is a list of indigenous land regularization processes completed in the past year, still during the administration of Dilma Rousseff, who was permanently removed from the Presidency on August 1st, 2016.

Working Groups*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Areial	Tembé	PA	N/A	Pending identification: WG 959 of 8/8/2013 (Ordinance No. 883 of 8/1/2014) and (Ordinance No. 88 of 2/4/2016)
Jeju	Tembé	PA	N/A	Pending identification: WG 959 of 8/8/2013 (Ordinance No. 883 of 8/1/2014) and (Ordinance No.88 of /4/2016))

Detailed Identification and Delimitation Reports in 2016*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Baixo Rio Negro II (Jurubaxi-Tea)	Maku and Tucano. Baniwa. Nadob. Pira-Tapuya. Arapaso. Tariana. Tikuna. Kuripaco. Desana	AM	1,208,155	Identified. Ministerial Order No. 30 (DOU 4/19/2016)
Dourados Amambaieguá (GT) Laguna Joha. Urucut. Pindo Roky. Javorai	Guarani-Kaiowá	MS	55,600	Identified. Ministerial Order No. 59 5/05/2016 (DOU 5/13/2016)
Ypo'i e Triunfo	Guarani-Kaiowá. M'Bya and Nhandeva	MS	19,756	Identified. Ministerial Order No. 27 of 4/14/2016 (DOU 04/19/2016)
Sawré Muybu / Pimental	Munduruku	PA	178,173	Identified. Ministerial Order No. 28 of 4/14/2016 (DOU 04/19/2016)
Cerco Grande	Guarani M'Bya	PR	1,390	Identified. Ministerial Order No. 57 5/05/2016 (DOU 5/12/2016)
Sambaqui	Guarani M'Bya	PR	2,795	Identified. Ministerial Order No. 29 of 4/14/2016 (DOU 4/19/2016)
Campo Bonito	Guarani M'Bya	RS	94	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Estrada do Mar/Interlagos/Sol Nascente	Guarani M'Bya	RS	40	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Mato Castelhanos	Kaingang	RS	3,567	Identified. Order No. 39 of 05/10/2016 (DOU 05/11/2016)
Riozinho/Itapoty	Guarani M'Bya	RS	24	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Aldeia Kondá	Kaingang	SC	2,300	Reserved. Decree of 4/29/2016 (DOU 5/02/2016)
Amaral Tekoá Kuriy	Guarani M'Bya	SC	501	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Canelinha	Guarani	SC	–	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Itanhaém / Morro da Palha	Guarani M'bya	SC	240	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Tekoa Vãya / Águas Claras	Guarani M'Bya	SC	165	Reserved. FUNAI Ordinance No. 409 of 5/10/2016 (DOU 5/11/2016)
Ilha do Cardoso / Pacurity / Yvyty	Guarani M'Bya	SP	5,730	Identified. Ministerial Order No. 56 5/11/2016 (DOU 05/12/2016)
Tekoa Peguaoty	Guarani M'Bya	SP	6,230	Identified. Ministerial Order No. 58 5/11/2016 (DOU 5/12/2016)

Restriction Ordinance *

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Ituna/Itatá	Isolated	PA	142,402	Ordinance No. 50 of 1/21/2016

Declaratory Ordinances*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Lago do Limão	Mura	AM	8,210	MJ Ordinance No. 563 of 05/10/2016 (DOU 5/12/2016)
Murutinga/Tracajá (Tauari)	Mura	AM	13,286	MJ Ordinance No. 483 of 4/20/2016 (DOU 4/22/2016)
Riozinho	Tikuna and Kokama	AM	362,495	MJ Ordinance No. 485 of 4/22/2016 (DOU 4/25/2016)
Sissaima	Mura	AM	8,780	MJ Ordinance No. 482 of 4/20/2016 (DOU 4/22/2016)
Taunay/Ipegue	Terena	MS	33,900	MJ Ordinance No. 497 of 5/29/2016 (DOU 6/2/2016)
Bragança Marituba	Munduruku	PA	13,515	MJ Ordinance No. 568 of 5/11/2016 (DOU 5/11/2016)
Munduruku Taquara	Munduruku e outros	PA	25,323	MJ Ordinance No. 568 of 5/11/2016 (DOU 5/12/2016)
Irapuá	Guarani M'Bya	RS	222	MJ Ordinance No. 569 of 5/11/2016 (DOU 5/12/2016)
Tenondé Porã	Guarani M'Bya	SP	15,969	MJ Ordinance No. 548 of 5/5/2016 (DOU 5/6/2016)
Taego Awá/Mata Azul	Avá-Canoeiro	TO	28,510	MJ Ordinance No. 566 of 5/11/2016 (DOU 5/12/2016)

Ratification Decrees

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Pequiza do Naruwoto	Naruwoto	MT	27,878	Decree of 4/29/2016 (DOU 5/2/2016)
Cachoeira Seca do Iriri	Arara	PA	733,688	Decree of 4/4/2016 (DOU 4/5/2016)
Piaçaguera/Nhamandu Mirim/Tanigua/Tabaçu/Rekoypy	Guarani Nhandeva	SP	2,773	Decree of 4/29/2016 (DOU 5/2/2016)

Source: Federal Official Gazette (DOU)

Demarcation Procedures - Michel Temer Administration in 2016

The almost complete paralysis in the demarcation of indigenous lands and titling of quilombola lands shows Michel Temer's strong ties with agribusiness. Few processes have been carried out since May 12, 2016, when he became Brazil's interim president. On August 31, 2016, after Dilma Rousseff's impeachment, Temer took office as Brazil's president. By the end of 2016, his government had created

three Working Groups, three indigenous lands had been identified by FUNAI and a restriction ordinance had been issued.

Noteworthy was the fact that members of his government and some of his allies in Congress tried to review and even revoke the few procedures signed by former President Dilma Rousseff at the eleventh hour of her administration.

Working Groups (WG)*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Waimiri-Atroari	Waimiri-Atroari	AM RR	2,585,911	WG 509 of 6/25/2015; WG 789 of 10/07/2016 - Fifth stage of ethno-historical studies
Krenak de Sete Salões	Krenak	MG	N/A	Pending identification: Ministerial Ordinance No. 786 of 9/30/2016. DOU 10/19/2016
Apyka'y, Curral de Arame	Guarani-Kaiowá	MS	N/A	Pending identification: Ministerial Ordinance No. 560/PRES of 6/29/2016. DOU 6/30/2016

Detailed Identification and Delimitation Reports*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Ka'aguy Mirim	Guarani M'Bya	SP	1,190	Identified. Ministerial Order No. 88 of 8/19/2016 (DOU 8/24/2016)
Tekoha Amba Porã	Guarani M'Bya	SP	7,204	Identified. Ministerial Order No. 37 of 8/19/2016 (DOU 8/24/2016)
Tekoha Djaiko-aty	Guarani Nhandeva, Tupi	SP	1,216	Identified. Ministerial Order No. 86 of 8/19/2016 (DOU 8/24/2016)

Restriction Ordinance*

Indigenous Land	Indigenous People(s)	State	Area (hectares)	Act
Piripikura	Kayabi	MT	242,500	Extension No. 785 of 9/30/2016. Extended for an additional six months from the publication of this Ordinance

Source: Federal Official Gazette (DOU)

Administrative Status of Indigenous Lands - by state

State	Pending identification	Declared	Ratified	Identified	Restriction Ordinance	No action taken	Total
AC	8	2	1		1	7	19
AL	2	2		1		5	10
AM	31	12	6	2	1	199	251
BA	1	1	2	5		19	28
CE	3	5		1		22	31
DF						1	1
ES						3	3
GO		1					1
MA	3	1		2		7	13
MG	5			2		10	17
MS	10	9	3	6		74	102
MT	15	6	1	7	1	22	52
PA	24	4	2	5	1	29	65
PB	1	1				1	3
PE	5	1		1		9	16
PI						2	2
PR	14	1		4		20	39
RJ	3			1		3	7
RN	1					4	5
RO	3	1			1	24	29
RR	1			0	1	2	4
RS	23	5		2		37	67
SC	3	5		5		8	21
SE						3	3
SP	10	3	1	9		15	38
TO	3	2				4	9
Total	169	62	16	53	6	530	836

Sources: CIMI. Indigenous communities. National Foundation for Indigenous People - 09/25/2017

Renato Santana



The struggle for demarcation of their traditional territories empowers the peoples, since they cannot enjoy the indigenous way of life out of their land

Indigenous lands pending action for completion of the demarcation process - by state

AC – Acre (19)

Situation	Land	Indigenous People	Municipality
Pending identification (8)	Cabeceira dos rios Muru e Iboacu	Isolated	Tarauacá
	Ikirema	Jamamadi	Boca do Acre
	Isolados do Rio Muru	Isolated	Tarauacá
	Jaminawa do Guajará	Jaminawa	Sena Madureira
	Jaminawa do Rio Caeté	Jaminawa	Sena Madureira
	Kaxinawá do Seringal Curralinho	Kaxinawa	Feijó
	Manchineri Seringal Guanabara	Manchineri	Assis Brasil, Sena Madureira
	Nawa	Naua	Mâncio Lima
Declared (2)	Arara do Rio Amônia	Apolima Arara	Marechal Thaumaturgo
	Rio Gregório	Katukina, Yawanawá	Tarauacá
Ratified (1)	Riozinho do Alto Envira	Ashaninka and Isolados peoples	Feijó and Santa Rosa dos Purus
Restriction Ordinance (1)	Igarapé Taboca do Alto Tarauacá	Isolated	Jordão
No action taken (7)	Nova Hananeri Village	Ashaninka	Feijó
	Estirão	Kulina and Jaminawa	Santa Rosa dos Purus
	Igarapé Tapada	Isolated peoples	Mâncio Lima
	Jaminawa Basiléia	Jaminawa	Assis Brasil
	Jaminawa do Seringal São Francisco	Jaminawa	Sena Madureira
	Kontanawa do Alto Juruá	Kontanawa	Marechal Thaumaturgo
	Chandles State Park	Isolated	Santa Rosa dos Purus and Manoel Urbano

AL – Alagoas (10)

Situation	Land	Indigenous People	Municipality
Pending identification (2)	Jeripancó	Jeripankó	Pariconha, Água Branca
	Kalancó	Kalankó	Água Branca
Declared (2)	Kariri-Xocó	Kariri-Xocó	Porto Real do Colégio and São Braz
	Xukuru-Kariri	Xukuru-Kariri	Palmeira dos Índios
Identified (1)	Wassu-Cocal	Wassu	Joaquim Gomes
No action taken (5)	Karuazu	Karuazu	Pariconha
	Katokim	Catokim	Pariconha
	Koiupanká	Pankararu - Koiupanká	Inhapi
	Xukuru Palmeira	Xukuru-Kariri	Palmeira dos Índios
	Xukuru-Kariri – Taquarana	Xukuru-Kariri	Taquarana

AM – Amazonas (251)

Situation	Land	Indigenous People	Municipality
Pending identification (31)	Auati-Paraná (Santa União)	Kokana, Miranha	Fonte Boa
	Baixo Grande	Tora	Humaitá
	Baixo Rio Negro	Baré, Tukano	Barcelos e Santa Isabel
	Baixo Seruini/Baixo Tumião	Apurinã	Pauini
	Caiaupucá	Jaminawá	Boca do Acre
	Capivara	Mura	Autazes
	Garaperi/Lago da Vitória	Apurinã	Pauini
	Guapenu/Poronga	Mura	Autazes
	Igarapé Açú/Aldeia Nova Jerusalém	Kokama, Tikuna and Kambeba	Tefé
	Igarapé Paiol	Apurinã	Manaquiri
	Igarapé Preto Bauana	Kanamari	Carauari
	Iquirema	Jamamadi	Boca do Acre
	Jamamadi do Lourdes	Apurinã, Jamamadi	Boca do Acre
	Jaminawá da Colocação São Paulino	Jaminawá	Boca do Acre, Sena Madureira
	Kaxarari	Kaxarari	Lábrea (AM) and Porto Velho (RO)
	Kulina do Rio Uêre Matatibem	Kulina	Carauari
	Lago do Barrigudo	Apurinã	Beruri
	Lameirão	Mayoruna	Atalaia do Norte

AM – Amazonas (251) - continued

Situation	Land	Indigenous People	Municipality
Pending identification (continued)	Mamoriá	Apurinã	Pauini
	Monte/Primavera/Goiaba	Apurinã/Jamamadi	Boca do Acre
	Muratuba	Mura	Autazes
	Nossa Senhora de Fátima do Catuá/ Putiri	Kokama	Coari
	Pacovão	Mura	Borba
	Pantaleão	Mura	Autazes
	Porto Novo	Kokama	São Paulo de Olivença
	Porto Redenção	Tikuna	São Paulo de Olivença
	Rio Cuieiras	Baré, Tukano, Kambeba	Manaus e Nova Airão
	Sãkoa/Santa Vitória	Apurinã	Pauini
	São Francisco	Apurinã	Manacapuru
	São Gabriel/São Salvador	Kokama	Santo Antônio do Içá
	Valparaíso – Retiro	Apurinã	Boca do Acre
Declared (11)	Acapori de Cima	Kokama	Fonte Boa
	Cué Cué Marabitanas	Baré, Baniwa, Warekena, Desano, Tukano, Kuripako, Tariana, Pira-Tapuya and Tuyuka	São Gabriel da Cachoeira
	Guanabara	Kokama	Benjamin Constant
	Juruá	Kulina	Juruá
	Rio Limão	Mura	Borba
	Murutinga/Tracajá (Tauari)	Mura	Autazes
	Ponciano	Mura	Careiro da Várzea and Autazes
	Riozinho	Tikuna and Kokama	Jutai/Juruá
	Sissaima	Mura	Careiro da Várzea
	Sururuá (Nova Aliança)	Kokama	Benjamin Constant and São Paulo de Olivença
	Uneixi	Maku and Tukano	Santa Isabel do Rio Negro
Ratified (6)	Arary	Mura	Borba, Novo Aripuanã
	Banawá	Yafi do Rio Piranhas, Banawa	Tapua, Canutama, Lábrea
	Cajuhiri Atravessado	Miranha, Kambeba and Tikuna	Coari
	Mapari	Cayxana	Japurá, Tonantins, Fonte Boa
	Setemã	Mura	Novo Aripuanã and Borba
Identified (3)	Tabocal	Mura	Careiro da Várzea
	Baixo Rio Negro II (Jurubaxi-Tea)	Maku and Tucano, Baniwa, Nadob, Pira-Tapuya, Arapaso, Tariana, Tikuna, Kuripaco, Desana	Santa Isabel do Rio Negro
	Jauary	Mura	Autazes
Restriction Ordinance (1)	Vista Alegre	Mura	Careiro do Castanho and Manaquiri
	Jacareuba/Katawixi	Katawixi/Isolated	Canutama and Lábrea
No action taken (199)	Água Fria	Apurinã, Mura e Tikuna	Beruri
	Aldeia Aliança/Furo Preto	Kanamari	Itamarati
	Aldeia Gaviãozinho/Taquara	Kulina	Itamarati
	Aldeia Mari-Mari/Igarapé do Índio	Kulina	Itamarati
	Aldeia Monte Sinai	Kokama, Miranha, Kambeba, Tikuna, Mura, Madiha	Tefé
	Aldeia Patakauá	Munduruku	Manicoré
	Aldeia São Raimundo/Cauaçu	Munduruku	Manicoré
	Aldeia Tuyuca	Tuyuca	Manacapuru
	Aldeia Waraná	Sateré-Mawé	Manaquiri
	Aldeias da Sede Municipal	Kambeba	São Paulo de Olivença
	Aldeias Inhaa-bé (Lote 43) e Hiwy (Lote 44)	Sateré-Mawé	Manaus
	Amanaim do Jadua da Casta do Jussara	Kambeba and Miranha	Coari
	Anarucú	Kokama, Tikuna	Fonte Boa e Tonantins
	Andiroba	Kokama	Tefé
	Apurinã do Igarapé Grande	Apurinã	Lábrea
	Arajaí	Mura/Apurinã, Miranha	Manaquiri
	Arauacá	Miranha	Maraã
	Assunção	Kokama	Alvarães
	Baixo Rio Jatapu (Nova Bacaba e Santa Maria)	Hixkaryana, Karará, Farukwoto, Kawayana and Yowayana	Urucará
	Baixo Rio Negro III	Baré, Tukano	Barcelos

AM – Amazonas (251) - continued

Situation	Land	Indigenous People	Municipality
No action taken (continued)	Baku	Kanamari	Itamarati
	Balbina-Adelina	Mura	Borba
	Barro Alto II	Mundurucu, 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	Tikuna	Tefé
	Bom Futuro/ Lago do Jacaré	Mura	Careiro da Várzea
	Bom Jesus	Baniwa, Baré, Munduruku and Sateré-Mawé	Novo Airão
	Bom Jesus do Igapó Grande	Tikuna	Coari
	Bom Jesus do Tarará	Kokama	Jutaí
	Bonfim	Miranha	Tefé
	Caiambé/Barreirinha	Tikuna, Kokama, Kambeba	Tefé
	Caipé	Munduruku	Manicoré
	Cainã	Baré, Munduruku and Apurinã	Manaquiri
	Cajual	Mura	Manaquiri
	Cajueiro/Lourdes	Apurinã and Jamanadi	Boca do Acre
	Camaiuá	Munduruku and Mura	Manicoré
	Camaru	Kamanari	Fonte Boa
	Capanã (Guariba II)	Mura	Manicoré
	Cariru	Kokama	Jutaí
	Castanho	Baré and Tukano	Novo Airão
	Cauaçu	Tikuna	Uarini
	Ciriquiqui	Apurinã	Pauini
	Colocação Porvir	Kulina and Ashaninka	Santa Rosa do Purus
	Colônia	Witoto	Amaturá
	Cumarú	Kanamari	Fonte Boa
	Curara	Mura	Manicoré
	Curriã	Apurinã	Lábrea
	Divino Espírito Santo do Angelim	Tikuna	Coari
	Divino Espírito Santo do Laranjal	Tikuna	Coari
	Ebenézer	Miranha	Maraã
	Esperança (Estrada do Brasileirinho)	Kokama	Manaus
	Espírito Santo do Paraná das Panelas	Kaixana	Tonantins
	Feijoal Servalho	Kokama	Jutaí
	Hixkaryana	Hixkaryana	Nhamundá
	Igarapé do Índio	Kanamari	Itamarati
	Igarapé do Patauá	Kambebe, Matses Mayoruna and Tikuna	Tefé
	Igarapé Grande	Apurinã	Lábrea
	Igarapé Grande	Mundurukú e Mura	Manicoré
	Igarapé Lurdes	Jamamadi	Boca do Acre
	Igarapé Manacá	Kokama, Kaixana	Tonantins
	Ilha do Geral II	Tikuna	Coari
	Ilha do Tambaqui	Tikuna	Jutaí
	Ilha do Tarará	Kokama	Jutaí
	Isolados do Alto Rio Marmelos	Isolated	Humaitá and Manicoré
	Isolados do Bararati	Isolated	Apuí e Sucurundi(AM) and Cotriguaçu (MT)
	Isolados do Kurekete	Isolated	Lábrea
	Isolados do Rio Ipixuna	Isolated	Tapauá/Canutama
	Itapá	Karipuna	Canutama
	Itaparanã	Mura	Canutama
	Jerusalém	Kaixana	Tonantins
	Jubará	Miranha	Maraã
	Jutaí/Igapó Açú	Mura	Borba
	Kaimõ	Mura e Munduruku	Manaquiri
	Kaixana de São Franciscode (Muriá) Tonantins	Kaixana, Tikuna and Kokama	Tonantins
	Kambebe	Kambebe	São Paulo de Olivença
	Kanakuri	Apurinã	Pauini
	Kanamari do Jutaí	Kanamari	Jutaí
	Kanariá	Kanamari	Alvarães

AM – Amazonas (251) - continued

Situation	Land	Indigenous People	Municipality
No action taken (continued)	Kaninari Itixi/Deus é Amor	Apurinã	Beruri
	Kariru	Kokama	Jutaí
	Katxibiri	Apurinã	Manacapuru
	Kawá	Mura	Borba
	Kokama de Acapuri do Meio	Kokama	Fonte Boa
	Kokama de Tonantins	Kokama	Tonantins
	Kokama e Tikuna do Rio Içá	Kokama, Tikuna	Santo Antônio do Içá
	Kokama/Amaturá	Kokama	Amaturá
	Kokama/Munic. Benjamin Constant	Kokama	Benjamin Constant
	Kokama/São Paulo de Olivença	Kokama	São Paulo de Olivença
	Kulina do Médio Jutaí	Kulina	Jutaí
	Kulina do Rio Akurawa	Kulina	Envira
	Lago do Jacaré	Mura	Careiro da Várzea
	Lago dos Remédios	Munduruku	Manicoré
	Lago Piranha	Miranha and Mura	Careiro
	Laranjal	Miranha, Kokama, Pacaia	Alvarães
	Leão da Judá do Araçari	Mura and Tikuna	Coari
	Macedônia Canaã	Apurinã	Manicoré
	Mamupina	Kokama	Fonte Boa
	Mamuri/Bela Vista	Katukina, Paumari eand Mamori	Tapauá
	Maracaju II	Jamamadi	Boca do Acre
	Maraguá-Mawé	Maraguá	Borba, Maués and Nova Olinda do Norte
	Martião	Kokama	Fonte Boa
	Mata Cachorro	Kambeba	São Paulo de Olivença
	Menino Deus/Nova Esperança de Caranapatuba	Tikuna	Maraã
	Miranha do Caratiá	Miranha	Canutama
	Mirituba	Apurinã and Munduruku	Novo Airão
	Monte	Apurinã	Boca do Acre
	Monte Muriá	Kokama, Kambeba, Tikuna	Fonte Boa
	Monte São	Tukano	Coari
	Nossa Senhora da Saúde (Ilha Xibeco)	Kokama	Jutaí
	Nossa Senhora do Nazaré do Itaboca/Coari Grande	Arara	Coari
	Nova Betânia	Miranha	Maraã
	Nova Canaã	Mura	Manaquiri
	Nova Esperança	Kokama	Manaus
	Nova Esperança (Manaquiri)	Munduruku/Kulina	Manaquiri
	Nova Esperança/Bom Jesus/Bela Vista	Kokama, Tikuna	Anori
	Nova Esperança/Menino Deus	Kaixana	Tonantins
	Nova Estrela do Inoá/Novo Amazonas	N/A	Coari and Rio Solimões
	Nova Jerusalém - Ilha da Cuxiuará	Mura	Anori/Codajás
	Nova Jerusalém (Costa do Ambé)	Miranha	Anori
	Nova Jerusalém do Caruara	Miranha	Maraã
	Nova Macedônia	Avá-Canoeiro	Alvarães
	Nova Olinda	Kokama	Maraã
	Nova União	Mura	Itacoatiara
	Nova Vida	Mura	Autazes
	Novo Porto do Tipiema	Tikuna	Coari and Lago do Coari
	Onça	Mura	Borba
	Pacatuba	Apurinã. Baré. Desana. Mura. Tukano e Tuyuca	Novo Airão
	Patauá	Kambeba	Tefé
	Pedreira do Amazonas	Apurinã	Lábrea
	Pirahã	Pirahã	Borba
	Piraiçu	Mura	Borba
	Pirarara	Apurinã	Manaquiri
	Porto Praia	Kokama, Tikuna	Tefé
	Projeto Mapi	Kaixana	Tefé
	Renascer	Mura	Careiro
	Rio Coari Grande	Arara	Coari

AM – Amazonas (251) - continued

Situation	Land	Indigenous People	Municipality
No action taken (continued)	Rio Juruá Minerauá	Kanamari, Kokama	Fonte Boa
	Sabazinho	Katukina and Paumari	Tapauá
	Sahuapé	Sateré-Mawé	Irlanduba
	Sampaio/Ferro Quente	N/A	Autazes
	Santa Helena	Kokama	Jutaí
	Santa Luzia	Kokama	Fonte Boa
	Santa Maria do Igapó Grande	Tikuna	Coari
	Santa Maria do Inambé	Kokama	Fonte Boa
	Santa Maria do Rio Iça	Kaixana	Tonantins
	Santa Maria e São Cristovão	Kaixana	Santo Antônio do Içá
	Santa Rita do Badejo	Kokama	Fonte Boa
	Santa Teresa, Kapote, Triunfo e Monte Sião	Kokama, Kambeba	Fonte Boa
	Santa Terezinha	Kambeba	São Paulo de Olivença
	Santos Anjos	Kambeba	São Paulo de Olivença
	São Benedito e Menino Deus	Sateré-Mawé	Maués
	São Francisco Chaviana/Água Fria	Apurinã	Beruri
	São Francisco do Servalho	Kokama	Jutaí
	São Francisco do Tonantins	Kaixana	Tonantins
	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 de Fortaleza/Boa Esperança	Apurina, Mura e 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 Pedro do Norte e Palmari	Kokama	Atalaia do Norte
	São Pedro/Puduari	Apurinã e Baré	Novo Airão
	São Raimundo do Camatiã	Kambeba	São Paulo de Olivença
	São Raimundo do Pirum	Kokama	Fonte Boa
	São Raimundo do Servalho	Kokama	Jutaí
	São Raimundo do Universo	Kambeba	São Paulo de Olivença
	São Raimundo, Pau Queimado, São José e Baixo Grande	Munduruku, Mura and Torá	Humaitá and Manicoré
	São Sebastião da Ilha do Mapana	Kaixana	Santo Antônio do Içá
	São Sebastião da Liberdade	Tikuna	Coari
	São Sebastião do Patauá	Katawixi	Coari
	São Sebastião do Pupunha	Apurinã	Tapauá
	São Sebastião do Surubim	Kambeba, Kokama, Kulina and Tikuna	Coari
	São Tomé	Miranha e Mura	Manacapuru
	Sateré-Mawé/Boa Vista do Ramos	Sateré-Mawé	Boa Vista do Ramos
	Senhor é Meu Pastor	Kokama	Tonantins
	Seringal Lourdes	Jaminawa	Boca do Acre
	Severino	Apurinã	Tefé
	Síria	Kokama	Jutaí
	Soares Urucurituba	Mura	Autazes
	Taquara	Kanamari	Carauari
	Tauaru e Sacambu I	Kokama and Tikuna	Tabatinga
	Timbotuba, Montes Claros, São Benedito e Guariba II	Mura	Manicoré
	Tora do Baixo Grande	Torá	Manicoré
	Trevo	Apurinã and Paumari	Tapauá
	Tucano	Tucano	Uarini
	Tucumã	Apurinã and Mura	Humaitá
	Tuiuka I e II	Kokama, Kambeba, Tikuna	São Paulo de Olivença
	Tupã do Paraná do Surubim	Miranha	Coari
	Tururukari-Uka	Kambeba	Manacapuru
	Vila Alencar	Matses Mayoruna	Uarini
	Vila Presidente Vargas	Kaixana	Santo Antônio do Içá
	Vista Alegre do Samambaia	Mura	Coari
	Yepê Pacatuba/Novo Airão	Baré and Tukano	Novo Airão

BA – Bahia (28)

Situation	Land	Indigenous People	Municipality
Pending identification (1)	Tuxá	Tuxá	Nova Rodelas
Declared (1)	Aldeia Velha	Pataxó	Porto Seguro
Ratified(2)	Caramuru – Catarina Paraguaçu	Pataxó Hã-Hã-Hãe	Camacã, Itaju do Colônia and Pau Brasil
	Coroa Vermelha Gleba C	Pataxó	Porto Seguro
Identified (5)	Barra Velha (Monte Pascoal)	Pataxó	Porto Seguro
	Comexatibá (Cahy Pequi)	Pataxó	Prado
	Tumbalalá	Tumbalalá	Abaré and Curaçá
	Tupinambá de Belmonte	Tupinambá	Itapebi and Belmonte
	Tupinambá de Olivença	Tupinambá	Ilhéus, Buerarema and Una
No action taken (19)	Aldeia Aratikum	Pataxó	Santa Cruz Cabralia
	Aldeia Renascer	Pataxó Hã-Hã-Hãe	Alcobaça
	Aldeia Tuxi	Tuxi	Abaré
	Aldeias Kambiwa Reviver, Karwará, Karuara e Renascer	Kambiwa	Rodelas
	Angical	Atikum	Angical and Cotegipe
	Caldeirão Verde	Pataxó Hã-Hã-Hãe	Serra do Ramalho
	Corumbauzinho	Pataxó	Prado
	Curaçá Farm	Atikum	Curaçá
	Neo Pankararé e Pankararé/ Rodelas	Neo-Pankararé e Pankararé	Rodelas
	Nova Vida, Nova Esperança, Bento Um e Beira Rio	Atikum	Rodelas
	Pankararú Gueyah	Pankararú Gueyah	Paulo Afonso
	Pataxó	Pataxó	
	Payayá/Utinga	Payaya	Utinga and Morro do Chapéu
	Serra do Ramalho Francisca (Mountain Range)	Fulni-ô	Serra do Ramalho
	Surubabel	Tuxá	Rodelas
	Truká de Sobradinho	Truká	Sobradinho
	Truká-Tupan	Truká	Paulo Afonso
	Tupinambá de Itapebi	Tupinambá	Itapebi
	Xacriabá de Cocos	Xacriabá	Cocos

CE – Ceará (31)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Anacé	Anacé	São Gonçalo do Amarante and Caucaia
	Mundo Novo/Viração	Potiguara, Tabajara, Gavião and Tapuia	Monsenhor Tabosa and Tamboril
	Tremembé de Itapipoca	Tremembé	Itapipoca
Declared (5)	Lagoa da Encantada	Genipapo-Kanindé	Aquiraz
	Pitaguary	Pitaguary	Maracanaú and Pacatuba
	Tremembé de Barra do Mundaú	Tremembé	Itapipoca
	Tapeba	Tapeba	Caucaia
	Tremembé de Queimadas	Tremembé	Acarau
Identified (1)	Tremembé de Almofala	Tremembé	Itarema
No action taken (22)	Aldeia Gameleira	Kariri e Tapuia	São Benedito
	Aldeia Nazário	Tabajara	Crateús
	Cajueiro	Tabajara	Poranga
	Camundongo e Santo Antônio	Tremembé	Itarema
	Fidélis	Tabajara	Quiterianópolis
	Gameleira/Sítio Fernandes	Kanindé	Aratuba and Canindé
	Gavião	Gavião	Monsenhor Tabosa
	Imburama	Tabajara	Poranga
	Kalabaça	Kalabaça	Poranga
	Kanindé	Kanindé	Aratuba and Canindé
	Kariri/Bairro Maratoã	Kariri	Crateús
	Lagoa dos Neris	Potigura	Novo Oriente
	Lagoinha	Potiguara	Novo Oriente
	Monte Nebo	Potiguara	Crateús, Monsenhor Tabosa
	Nazário	Tabajara	Crateús
	Paripueira	Paiaçu	Beberibe
	Potiguara de Paupina	Potiguara	Fortaleza

CE – Ceará (31) - continued

Situation	Land	Indigenous People	Municipality
No action taken (Continued)	Sítio Poço Dantas – Umari	Kariri	Crato
	Tabajara (Olho D'Água dos/Canutos Community)	Tabajara	Monsenhor Tabosa
	Tabajara de Fideles e Croatá	Tabajara	Quiterionópolis
	Tabajara III	Tabajara	Ipueiras
	Tremembé de Arueira	Tremembé	Acaraú

DF – Federal District (1)

Situation	Land	Indigenous People	Municipality
No action taken (1)	Fazenda Bananal/Santuário dos Pajés	Several	Brasília

ES – Espírito Santo (3)

Situation	Land	Indigenous People	Municipality
No action taken (3)	Aldeia Ita Pará (Caparaó)	Guarani	Divino de São Lourenço and Dolores do Rio Preto
	Chapada do A	Tupinikim	Anchieta
	Serra do Caparaó (Mountain Range)	Guarani Mbyá	Dolores do Rio Preto, Divino São Lourenço

GO – Goiás (1)

Situation	Land	Indigenous People	Município
Declared (1)	Avá-Canoeiro	Avá-Canoeiro	Colinas do Sul and Minaçu

MA – Maranhão (13)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Pikopjé	Gavião	Amarante and Sítio Novo
	Reserva Indígena Krenyê	Krenyê	Barra do Corda
	Vila Real	Guajajara	Barra do Corda
Declared (1)	Bacurizinho	Guajajara	Grajaú
Identified (2)	Kanela/Buriti Velho	Kanela	Barra do Corda and Fernando Falcão
	Porquinhos Canela Apãjekra	Kanela - Apãjekra	Barra do Corda, Fernando Falcão and Formosa Serra Negra
No action taken (7)	Gamela	Gamela	Viana, Matinha and Penalva
	Igarapé dos Frades (Gavião de Imperatriz)	Gavião Krikatejê	Cidelândia/Imperatriz
	Mangueira	Timbira	Vitorino Freire
	Terra de Índio	Gamela	Viana
	Tikuna da Terra Indígena Rodeador	Tikuna	No data
	Tremembé de Raposa	Tremembé	Raposa
	Vila de Vinhais Velho	Tupinambá	São Luiz

MG – Minas Gerais (17)

Situation	Land	Indigenous People	Municipality
Pending identification (5)	Aranã	Aranã	Coronel Murta, Vale do Jequitinhonha
	Cinta Vermelha Jundiba	Pankararu and Pataxó	Araçaí and 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	Caxixó	Matinho Campos and Pompeu
	Xakriabá	Xakriabá	São João das Missões
No action taken (10)	Aldeia Geru Tucunã	Pataxó	Açucena
	Família Prates e de Jesus	Maxakali	Coronel Murta
	Luiza do Vale	Tembé	Rio Pardo de Minas
	Mocuriñ-Botocudo	Mocuriñ	Campanário
	Pataxó/Bertópolis	Pataxó Hã-Hã-Hãe	Bertópolis
	Santo Antônio do Pontal	Pataxó	Governador Valadares
	Serra da Candonga (Mountain Range)	Pataxó	Guanhães
	Triângulo Mineiro e Alto Parnaíba	Guarani	Uberlândia
	Tuxá de Pirapora	Tuxá	Pirapora
	Xukuru-Kariri de Caldas/Fazenda Boa Vista	Xukuru-Kariri	Caldas

MS – Mato Grosso do Sul (102)

Situation	Land	Indigenous People	Municipality
Pending identification (10)	Água Limpa	Terena	Rochedo
	Aldeinha	Terena	Anastácio
	Amambaípegua Bacia	Guarani	Ponta Porã
	Apepeguá Bacia	Guarani	Amambaí/Ponta Porã
	Apyka'y (Curral de Arame)	Guarani-Kaiowá	Dourados
	Brilhantepegua Bacia	Guarani	Paranhos
	Gua y viriLima Campo	Guarani-Kaiowá	Amambaí
	Kokue'y (Mosquiteiro)	Guarani-Kaiowá	Ponta Porã
	Ñnandévapegua Bacia	Guarani	Japorã
Declared (9)	Urukuty	Guarani-Kaiowá	Laguna Carapã
	Arroio Corá	Guarani-Kaiowá	Paranhos
	Buriti	Terena	Dois Irmãos do Buriti and Sidrolândia
	Guýraroká	Guarani-Kaiowá	Caarapó
	Jatayvari	Guarani-Kaiowá	Ponta Porã
	Ofayé-Xavante	Ofayé-Xavante	Brasilândia
	Porto Lindo/Jakarey/Yvy Katu	Guarani Nhandeva	Novo Mundo, Iguatemi and Japorã
	Potrero Guaçu	Guarani Nhandeva	Paranhos
	Sombreiro	Guarani Nhandeva	Sete Quedas
Ratified (3)	Taunay/Ipegue	Terena	Aquidauana
	Ñande Ru Marangatu (Cerro Marangatu)	Guarani-Kaiowá	Antônio João
	Sete Cerros	Guarani-Kaiowá e Nhandeva	Coronel Sapucaia
Identified (6)	Takwarity/Ivykwarusu (Paraguassú)	Guarani-Kaiowá	Paranhos
	Cachoeirinha	Terena	Miranda
	Dourados Amambaípeguá (GT)	Guarani-Kaiowá	Naviraí, Dourados and Amambaí
	Laguna Joha, Urcut, Pindo Roky, Javorai		
	Iguatemipeguá I Bacia (Pyelito Kue and Mbaraky)	Guarani-Kaiowá	Iguatemi
	Panambi/ Lagoa Rica/(Guyra Kamby'i)	Guarani-Kaiowá	Douradina and Itaporã
No action taken (74)	Taquara	Guarani-Kaiowá	Juti
	Ypo'i e Triunfo	Guarani-Kaiowá, M'bya. Nhandeva	Paranhos
	Agachi	Kinikinawa	Miranda
	Aldeia Campestre	Guarani-Kaiowá	Antônio João
	Arivada Guasu	Guarani-Kaiowá	Tacuru
	Atikum-Nioaque	Atikum	Nioaque
	Ava Tovilho	Guarani-Kaiowá	Caarapó
	Bakaiuva	Guarani-Kaiowá	Bela Vista
	Batelh'ie Botelha Guasu	Guarani-Kaiowá	Tacuru
	Bocaja	Guarani-Kaiowá	Iguatemi
	Buena Vista	Guarani-Kaiowá	Juti
	Cabeceira Comprida	Guarani-Kaiowá	Antônio João
	Cambá-Corumbá	Kamba	Corumbá
	Cambaretã	Guarani-Kaiowá	Deodápolis
	Campo Seco	Guarani-Kaiowá	Caarapó
	Canta Galo	Guarani-Kaiowá	Amambai
	Cerro Peron	Guarani-Kaiowá	Paranhos
	Che ru pai Kuê	Guarani-Kaiowá	Juti
	Chorro	Guarani-Kaiowá	Bela Vista
	Curupaity	Guarani-Kaiowá	Dourados
	Espadim	Guarani-Kaiowá	Paranhos
	Garcete Kue	Guarani-Kaiowá	Sete Quedas
	Gerovey/Aroeira	Guarani-Kaiowá	Rio Brilhante
	Gua'ay	Guarani-Kaiowá	Caarapó
	Guapuku	Guarani-Kaiowá	Dourados
	Itaco'a	Guarani-Kaiowá	Itaporã
	Itapoa Takuaremboiy	Guarani-Kaiowá	Paranhos
	Japorã	Guarani-Kaiowá	Tacuru
	Javevyry	Guarani-Kaiowá	Naviraí
	Jepopete	Guarani-Kaiowá	Itaporã
	Juiu – Barrero e Picandinha	Guarani-Kaiowá	Itaporã
	Jukeri e Tatarem	Guarani-Kaiowá	Laguna Carapã
	Ka'ajari	Guarani-Kaiowá	Amambaí

MS – Mato Grosso do Sul (102) - continued

Situation	Land	Indigenous People	Municipality
No action(Continued)	Kaakaikue	Guarani-Kaiowá	Caarapó
	Kaipuka	Guarani-Kaiowá	Coronel Sapucaia
	Kamba	Kamba	Corumbá
	Kunumi Poty Vera	Guarani-Kaiowá	Caarapó
	Kurupa'y Voca	Guarani-Kaiowá	Naviraí
	Kurupy	Guarani-Kaiowá	Naviraí
	Kurusu Amba	Guarani-Kaiowá	Coronel Sapucaia
	Lagoa de Ouro	Guarani-Kaiowá	Caarapó
	Laguna Perui	Guarani-Kaiowá	Eldorado
	Laranjaty e Arroyo'i	Guarani-Kaiowá	Japorã
	Laranjeira Nhãnderu	Guarani-Kaiowá	Rio Brilhante
	Lucero	Guarani-Kaiowá	Coronel Sapucaia
	Mbaragui	Guarani-Kaiowá	Coronel Sapucaia
	Mbarakajá Porã	Guarani-Kaiowá	Amambai
	Mboiveve Jety'ay	Guarani-Kaiowá	Amambai
	Npuku	Guarani-Kaiowá	Caarapó
	Ouro Verde	Guarani-Kaiowá	Ponta Porã
	Pantanal	Guatós	Corumbá
	Pindoroka	Guarani-Kaiowá	Maracaju
	Poique	Guarani-Kaiowá	Caarapó
	Porto Deseado	Guarani-Kaiowá	Caarapó
	Porterito	Guarani-Kaiowá	Paranhos
	Quintino Kue	Guarani-Kaiowá	Laguna Caarapã
	Quinze de Agosto	Guarani-Kaiowá	Angélica
	Rancho Lima	Guarani-Kaiowá	Laguna Caarapã
	Salobinha-Miranda	Terena	Miranda
	Samakuã	Guarani-Kaiowá	Amambai
	Santiago Kue/Kurupy	Guarani-Kaiowá	Naviraí
	São Lucas	Guarani-Kaiowá	Tacuru
	São Pedro	Guarani-Kaiowá	Caarapó
	Suvirando Gua'akua Yvyrapyraka	Guarani-Kaiowá	Antônio João
	Takuapiry	Guarani-Kaiowá	Coronel Sapucaia
	Takuru Menby	Guarani-Kaiowá	Tacuru
	Tangara'y Karanguata'y e Kururu'y	Guarani-Kaiowá	Tacuru
	Tapesu'aty	Guarani-Kaiowá	Paranhos
	Terena-Santa Rita do Pardo	Terena	Santa Rita do Pardo
	Tereré	Terena	Sidrolândia
	Toro Piré	Guarani-Kaiowá	Dourados
	Tujukua	Guarani-Kaiowá	Dourados
	Valiente Kue	Guarani-Kaiowá	Paranhos
	Ypytã	Guarani-Kaiowá	Tacuru
	Yvyhukue	Guarani-Kaiowá	Tacuru
	Yvype	Guarani-Kaiowá	Caarapó

MT – Mato Grosso (52)

Situation	Land	Indigenous People	Municipality
Pending identification (15)	Areões I	Xavante	Água Boa
	Areões II	Xavante	Água Boa and Cocalinho
	Chiquitano de Baía Grande	Chiquitano	Porto Esperidião; Cáceres; Pontes e Lacerda; Vila Bela da Santíssima Trindade
	Cinta Larga do Rio Preto	Cinta Larga and Isolated	Aripuanã
	Eterairebere	Xavante	Campinápolis; Novo São Joaquim; Santo Antônio do Leste
	Hu'uhi	Xavante	Paranatinga
	Ikpeng	Ikpeng	Gaúcha do Norte
	Isoú'pá	Xavante	Água Boa, Campinápolis, Nova Xavantina
	Kapotnhinore	Kayapó	São Félix do Xingu, Santa Cruz do Xingu, Vila Rica
	Krenrehé	Krenak	Canabrava do Norte
	Lago Grande	Karajá/Chiquitano	Santa Terezinha
	Norotsurã	Xavante	Água Boa, Campinápolis, Nova Xavantina
	Rio Arraias/BR 080	Kayabi	Marcelândia
	Rolo-Walu (Jatoba/Ikpeng)	Ikpeng	Paranatinga
	Vila Nova Barbecho	Chiquitano	Porto Esperidião

Chapter I

VIOLENCE AGAINST HERITAGE

MS – Mato Grosso (52) - continued

Situation	Land	Indigenous People	Municipality
Declared (6)	Guató Bay	Guató	Barão do Melgaço and Poconé
	Cacique Fontoura	Karajá	Luciara, São Félix do Araguaia
	Manoki (Irantxe)	Irantxe	Brasnorte
	Ponte de Pedra	Paresi	Campo Novo dos Parecis, São José Rio Claro
	Portal do Encantado	Chiquitano	Vila Bela da Santíssima Trindade, Porto Esperidião and Pontes Lacerda
	Uirapuru	Paresi	Campos de Júlio and Nova Lacerda
Ratified (1)	Pequizal do Naruwoto	Naruwoto	Canarana and Paranatinga
Identified (7)	Apiaká/Isolated (Pontal)	Apiaká and Isolated	Apiacás (MT) and Apuí (AM)
	Batelão	Kayabi	Tabaporã
	Estação Pareci	Pareci	Diamantino and Nova Marilândia
	Kawahiva do Rio Pardo	Kawahiva	Colniza
	Menku	Menku	Brasnorte
	Paukalirajausu	Katithauru	Pontes e Lacerda
	Wedese/Pimentel Barbosa II	Xavante	Cocalinho
Restriction Ordinance (1)	Piripikura	Kayabi	Aripuanã
No action taken (22)	Aldeia Guajajara	Guajajara	Cláudia
	Aldeia Kudorojare (Sangradouro)	Bororo	General Carneiro
	Arara do Rio Guariba	Arara	Colniza
	Aykatensu	Nambikwára	Comodoro
	Cabixi	Isolated	Comodoro
	Capitão Marcos	Pareci	Comodoro
	Cidade de Pedra	Paresi	Tangará da Serra
	Fortuna	Chiquitano	Vila Bela da Santíssima Trindade
	Kanela do Araguaia	Kanela	Luciara
	Kudorojarí	Bororo	General Carneiro
	Morcegal	Nambiquara	Comodoro
	Moreru-Pacutinga	Isolated	Cotriguaçu
	Nhandu-Braço Norte	Isolated	Guarantã do Norte
	Parabubure II, III, IV,V	Xavante	Nova Xavantina and Campinápolis
	Pykabara/Kayapó e Kaiowá	Mebengokrê-Kayapó and Guarani-Kaiowá	Peixoto de Azevedo
	Rio Bararati	Isolated	Cotriguaçu
	Rio Madeirinha	Isolated	Aripuanã
	Rio Preto	Maxakali e Krenak	Canabrava do Norte
	Rio Tenente Marques	Isolated	Juína
	Tapayuna	Tapayuna	Diamantino
	Terra do Moia Mala ou do Jaguarí	Guarani-Kaiowá	Cocalinho
	Trumai/Kurapeat	Trumai	Nova Ubiratan

PA – Pará (65)

Situation	Land	Indigenous People	Municipality
Pending identification (24)	Amanayé (de Goianésia do Pará)	Amanayé	Goianésia do Pará
	Aminã	Tupaiu	Itamarati
	Aningalzinho	Tupaiu	Alto Alegre
	Areial	Tembé	Santa Maria do Pará
	Baixo Tapajós/Arapiuns	Munduruku and Arapium	Santarém
	Baixo Tapajós I	Tupinambá, Maytapu and Cara Preta	Aveiro, Tapajós
	Baixo Tapajós II	Munduruku	Aveiro
	Borari de Alter do Chão	Borari	Santarém
	Brinco das Moças	Cumarauara	Santarém
	Escrivão	Cara Preta e Maytapu	Aveiro
	Jeju	Tembé	Santa Maria do Pará
	Juruna do Km 17	Juruna	Vitória do Xingu
	Km 43	Munduruku and others	Itaituba
	Marituba	Munduruku and others	Belterra e Santarém
	Mirixipi	Arapium	Santarém
	Muratuba do Pará	Tupinambá, Cara Preta	Santarém
	Nova Vista	Arapiun	Santarém
	Pacajá	Assurini	Portel
	Rio Maró	Arapium	Santarém
	São João	Arapium	Santarém
	São Luis do Tapajós	Munduruku and others	Itaituba
	Tracajá	Assurini	Baião, Tucuruí
	Tunayana	Tunayana	Oriximiná
	Turé/Mariquita II	Tembé	Tomé-Açu

PA – Pará (65) - continued

Situation	Land	Indigenous People	Municipality
Declared (4)	Bragança Marituba	Munduruku	Belterra
	Maracaxi	Tembé	Aurora do Pará
	Munduruku Taquara	Munduruku and others	Belterra, Baixo Rio Tapajós
	Paquicamba	Juruna, Yudjá	Vitória do Xingu, Anapu, Senador José Porfírio
Ratified (2)	Arara da Volta Grande do Xingu (Maia)	Arara	Senador José Porfírio
	Cachoeira Seca do Iriri	Arara	Altamira, Uruará and Rurópolis
Identified (5)	Cobra Grande	Arapium, Jaraquí, Tapajó	Santarém
	Kaxuyana/Tunayana	Kaxuyana, Tunayana, Kahyana, Katuena, Mawayana, Tikiyana, Xereu-Hixkaryana, Xereu-Katuena and Isolated	Oriximiná
	Maró	Arapium, Borari	Santarém
	Sawré Muybu/Pimental	Munduruku	Itaituba and Trairão
	Tuwa Apekuokawera	Aikewar, Suruí	Marabá, São Geraldo do Araguaia
Restriction Ordinance	Ituna/Itatá	Isolated	Altamira, Senador José Porfírio and Anapu
No action taken (29)	Açaizal	Munduruku	Santarém
	Adi Arumateuá	Tembé	Tomé Açu
	Akratikateje da Montanha	Gavião da Montanha	Nova Ipixuna
	Ororobá Village	Atikum	Itupiranga
	Barreira Campo	Karajá	Santa Maria dasBarreira
	Boa Vista Km 17	Juruna	Vitória do Xingu
	Comunidade São Francisco	Juruna	Senador José Porfírio
	Cumaruara	Cumaruara	Banks of Tapajós River
	Cuminapanema Urucuriana	Isolados, Zoé	Óbidos and Alenquer
	Dos Encantados	Tuapiu	Santarém
	Gleba São João	Canela, Guajajara, Guajá Apinajé, Xipaya, Gavião do Maranhão and Nixni Pai	São João do Araguaia
	Guajanaíra	Guajajara e Guarani M' Byá	Itupiranga
	Guaribas	Munduruku	Altamira
	Igarapé Bom Jardim (Jurucua Community)	Xipaia	Anapu and Vitória do Xingu
	Juruna da Comunidade do Buraco	Juruna	Anapu
	Kanaí	Atikum	Canaã dos Carajás
	Katuena	Kateuna	Oriximiná
	Maitapu	Maitapu	Banks of Tapajós River
	Muruci	Arapium	Santarém, Banks of Tapajós River
	Nênhogô	Kayapó	Cumaru do Norte
	Pedreira Miripixi	Arapium	Santarém
	Praialto	Gavião Parkatejê	Nova Ipixuna
	São José do Progresso	Arapium e Borari	Santarém
	Tapiíra	Arapium	Santarém
	Tavaquara	Arara do Pará, Kuruáya, Xipáya, Juruna and Kayapó	Altamira
	Tembé de Santa Maria do Pará	Tembé	Santa Maria do Pará
	Tupaíu	Tupaíu	Margens do Rio Tapajós
	Tupinambá	Tupinambá	Santarém, Banks of Tapajós River
	Franca Village	Arapium	Santarém

PB – Paraíba (3)

Situation	Land	Indigenous People	Municipality
To be identified (1)	Tabajara	Tabajara	Conde
Declared (1)	Potiguara de Monte Mor	Potiguara	Rio Tinto and Marcação
No action taken (1)	Potiguara – Taepe Village	Potiguara	Rio Tinto

PE – Pernambuco (16)

Situation	Land	Indigenous People	Municipality
To be identified (5)	Fazenda Cristo Rei	Pankaiuká /Pankararu	Jatobá
	Fazenda Tapera (São Felix Island)	Truká	
	Fulni-ô	Fulni-ô	Águas Belas
	Ilha da Tapera/São Félix	Truká	Orocó
	Pankará da Serra do Arapu	Pankará	Carnaubeira da Penha
Declared (2)	Truká	Truká	Cabrobó
	Pipipã	Pipipã	Floresta
No action taken (9)	Aldeia Altinho	Pankararu	Tacaratu
	Aldeia Foklassa	Fulni-ô	Águas Belas
	Bom Sucesso	Atikum	Santa Maria da Boa Vista
	Brejinho da Serra	Pankararu	Petrolândia
	Fazenda Funil	Tuxá	Inajá
	Ilha da Varge, Caxoi e Cana Brava	Tuxi	Belém de São Francisco
	Poruborá	Poruborá	Inajá
	Serra Negra (Mountain Range)	Kambiawá, Pipipã	Petrolândia
	Serrote dos Campos	Pankará	Itacuruba

PI – Piauí (2)

Situation	Land	Indigenous People	Municipality
No action taken (2)	Kariri de Queimada Nova	Kariri	Queimada Nova
	Tabajara de Piripiri	Tabajara	Piripiri

PR – Paraná (39)

Situation	Land	Indigenous People	Municipality
To be identified (14)	Guaraviraty	Guarani M'Bya	Guaraqueçaba
	Kaaguy Guaxy Palmital	Guarani	União da Vitória
	Karugua /Araçai	Guarani M'Bya	Piraquara and Curitiba
	Karumbey	Avá-Guarani and Guarani Nhandeva	Guairá
	Nhemboete	Avá-Guarani and Guarani Nhandeva	Terra Roxa
	Tekoha Araguaju/Terra Roxa	Avá-Guarani	Terra Roxa, Guairá
	Tekoha Marangatu	Avá-Guarani	Guaira
	Tekoha Mirim	Avá-Guarani	Guaira
	Tekoha Pohã Renda	Avá-Guarani	Terra Roxa
	Tekoha Porã	Avá-Guarani	Guairá
	Tekoha Yvyraty Porã	Avá-Guarani	Terra Roxa
	TekohaTaj Ypoty	Avá-Guarani	Terra Roxa
	TekohaTatury	Avá-Guarani	Guaira
	Y'hory	Guarani M'Bya	Guaira
Declared	Yviporã Laranjinha	Guarani Nhandeva	Abatia, Cornélio Procópio and Ribeirão do Pinha
Identified (4)	Boa Vista	Kaingang	Laranjeiras do Sul
	Cerco Grande	Guarani M'Bya	Guaraqueçaba
	Sambaqui	Guarani M'Bya	Paranaguá/Pontal do Paraná
	Xeta Herarekã	Xetá	Ivaté
No action taken (20)	Aldeamento Jataizinho	Guarani e Kaingang	Jataizinho
	Aldeia Bom Jesus (Kuaray Haxa)	Guarani, Xetá and Kaingang	Guaraqueçaba and Antonina
	Aldeia Kakané Porã	Guarani, Xetá and Kaingang	Curitiba
	Alto Pinhal	Kaingang	Clevelândia
	Arapoti	Guarani M'Bya	Arapoti
	Aty Miri	Avá-Guarani	Itaipulândia
	Guarani/Toledo	Guarani	Toledo
	Ilha das Peças e Ilha da Pescada	Guarani	Guaraqueçaba
	Itacorã	Avá-Guarani	Itaipulândia
	Jevy	Guarani Nhandeva	Guaira
	Kaingang/Vitorino	Kaingang	Vitorino
	Morro das Pacas (Superagui)	Guarani M'Bya	Guaraqueçaba
	Ortigueira	Kaingang	Ortigueira
	Rios Tapera e Cavernoso	Guarani M'Bya and Guarani Nhandeva	Cantagalo
	Serrinha	Kaingang	Tamarana
	Tekoá Tupã Nhe e Cretã	Guarani e Kaingang	Morretes
	Tekoha Yv'a Renda	Guarani M'Bya	Santa Helena
	Tekoha Mokoi Joeguá/Dois Irmãos	Avá-Guarani	Santa Helena
	Tekoha Vera Tupã i	Guarani	Campo Mourão
	Toldo Tupi Guarani	Guarani, Kaingang	Contenda

RJ – Rio de Janeiro (7)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Arandu Mirim (Saco de Mamangá)	Guarani M'Bya	Parati
	Campos Novos	Guarani M'Bya	Cabo Frio
	Guarani do Rio Pequeno	Guarani M'Bya and Nhandeva	Parati
Identified (1)	Tekohá Jevy	Guarani Mbya; Guarani Nhandeva	Parati
No action taken (3)	Ara ovy/Sítio do Céu	Guarani M'Bya	Maricá
	Camboinhas (Tekoha Itarypu)	Guarani M'Bya	Niterói
	Pataxó de Parati	Pataxó Hã-Hã-Hãe	Parati

RN – Rio Grande do Norte (5)

Situation	Land	Indigenous People	Municipality
Pending identification (1)	Sagi/Trabanda	Potiguara	Baía Formosa
No action taken (4)	Caboclos de Assu	Potiguara	Assu
	Eleotério-Catu	Potiguara	Canguaretama, Goianinha
	Mendonça do Amarelão	Potiguara	João Câmara
	Tapará	Potiguara	Macaíba

RO – Rondônia (29)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Cujubim	Kujubim	Guajará Mirim and Costa Marques
	Migueleno (São Miguel River)	Migueleno	São Francisco do Guaporé, Seringueiras, São Miguel do Guaporé
	Puruborá do Rio Manuel Correia	Puruborá	Seringueiras, São Miguel, São Francisco
Declarede (1)	Rio Negro Ocaia	Pakaa-Nova	Guajará-Mirim
Restriction Ordinance (1)	Tanaru	Isolated	Chupinguaia, Corumbiara, Parecis
No action taken (24)	Arikem (C. Estivado)		Ariquemes
	Cabeceira Rio Marmelo	Isolated	Machadinho d'Oeste
	Cascata – Cassupá – Salomã	Cassupá e Salamã	Chupinguaia
	Djeoromitxi/Jabuti	Jaboti e Djeoromitxi	Alta Floresta D'Oeste
	Guarasugwe-Riozinho	Guarasugwe	Pimenteiras do Oeste
	Igarapé Karipuninha/Serra 3 Irmãos (Mountain Range)	Isolated	Porto Velho e Lábrea
	Kampé	Kampé	Ji-Paraná
	Makurap	Makurap	Rolim de Moura
	Mata Corá		Costa Marques
	Nambiquara-Sabanê	Nambiquara and Sabanê	Vilhena
	Oro Mon	Waran	Guajará-Mirim and Nova Mamoré
	Guaporé Swamp	Isolated	Pimenteira
	Parque Nacional do Bom Futuro	Isolated	Porto Velho, Alto Paraíso and Buritis
	Paumelenhos	Paumelenhos	Costas Marques
	Rebio Jaru	Isolated	Ji-Paraná
	Candeias River	Isolated	Porto Velho
	Cautário River/Serra da Cutia (Mountain Range)	Isolated	Costa Marques and Guajará-Mirim
	Rio Formoso/Jaci Paraná	Isolated	Nova Mamoré, Guajará-Mirim, Campo Novo, Buriti
	Rio Jacundá	Isolated	Cujubim, Itapuã do Jamari, Candeias do Jamari eand Porto Velho
	Rio Muqui/Serra da Onça (Mountain Range)	Isolated	Alvorado d'Oeste and Urupá
	Rio Muquim Paraná/ Karipuna	Isolated	Porto Velho and Nova Mamoré
	Rio Novo e Cachoeira do Rio Pacaas Novas	Isolated	Guajará-Mirim
	Wajuru	Wajuru	Alta Floresta D'Oeste and Alto Alegre do Parecis
	Wayaro	Wayaro	Alto Alegre do Parecis eand Alta Floresta

RR – Roraima (4)

Situation	Land	Indigenous People	Municipality
Pending identification (1)	Waimiri-Atroari ¹	Waimiri Atroari	Rorainópolis, Novo Airão, Presidente Figueiredo
Restriction Ordinance (1)	Pirititi	Isolated	Rorainópolis
No action taken (2)	Arapuá	Makuxi and Wapixana	Alto Alegre
	Comunidade Anzol e Lago da Praia	Makuxi and Wapixana	Boa Vista

RS – Rio Grande do Sul (68)

Situation	Land	Indigenous People	Municipality
Pending identification (23)	Arroio do Conde	Guarani M'Bya	Guaíba and Eldorado do Sul
	Borboleta	Kaingang	Espumoso
	Cacique Doble II	Kaingang	Cacique Doble
	Capivari/Porã	Guarani M'Bya	Capivari do Sul
	Carazinho	Kaingang	Carazinho
	Estiva/Nhuundy	Guarani Nhandeva	Viamão
	Estrela	Kaingang	Estrela
	Itapuã/Pindó Mirim	Guarani M'Bya	Viamão
	Ka'aguy Poty (Estrela Velha)	Guarani M'Bya	Estrela Velha
	Kaingang de Iraí II	Kaingang	Iraí
	Lajeado do Bugre	Kaingang	Lajeado do Bugre
	Lami	Guarani M'Bya	Porto Alegre
	Ligeiro II	Kaingang	Charrua
	Lomba do Pinheiro	Charrua	Porto Alegre
	Lomba do Pinheiro/Anhetegua	Guarani M'Bya	Porto Alegre
	Monte Caseiros II	Kaingang	Muliterno e Ibiraiaras
	Morro do Coco	Guarani M'Bya	Viamão/Porto Alegre
	Morro do Osso	Kaingang	Porto Alegre
	Passo Grande /Nhu Poty	Guarani M'Bya	Barra do Ribeiro
	Petim/Araçaty	Guarani M'Bya	Guaíba
	Ponta da Formiga	Guarani Nhandeva	Barra do Ribeiro
	Taim/Ita'y	Guarani M'Bya	Rio Grande
	Xengu /Novo	Kaingang	Novo Xingu
Declared (5)	Águas Brancas/Arroio Velhaco	Guarani M'Bya	Arambaré Camaquã e Tapes
	Irapuá	Guarani M'Bya	Caçapava do Sul
	Mato Preto	Guarani Nhandeva	Erebango, Erechim and Getúlio Vargas
	Passo Grande da Forquilha	Kaingang	Sananduva and Cacique Doble
	Índios River	Kaingang	Vicente Dutra
Identified (2)	Mato Castelhana	Kaingang	Mato Castelhana
	Votouro/Kandoia	Kaingang	Faxinalzinho and Benjamim Constant do Sul
No action taken (37)	Três Soitas Village	Kaingang	Santa Maria
	Upper Rolante River	Guarani	São Francisco de Paula
	Arenal	Guarani M'Bya	Santa Maria
	Cachoeira/Araçaty	Guarani M'Bya	Cachoeira do Sul
	Campo do Meio (Re Kuju)	Kaingang	Gentil e Ciriaco
	Canela/Kaingang	Kaingang	Canela
	Zagaua Community	Xokleng	Riozinho and São Francisco de Paula
	Farroupilha	Kaingang	Farroupilha
	Guarani-Mariana Pimentel	Guarani M'Bya	Mariana Pimentel
	Ibicuí	Guarani M'Bya	Itaqui
	Ilha Grande	Guarani M'Bya	Palmares do Sul
	Imbaa	Guarani M'Bya	Uruguaiana
	Inhacorá II	Kaingang	São Valério do Sul
	Jaguarazinho	Guarani Nhandeva	São Francisco de Assis
	Kaaró	Guarani Nhandeva	Caibaté and São Luiz Gonzaga
	Kaingang/São Roque	Kaingang	Erechim
	Kapi i Ovy/Colônia Maciel	Guarani M'Bya	Pelotas e Canguçu
	Lajeado	Kaingang	Lajeado
	Lomba do Pinheiro	Kaingang	Porto Alegre
	Maquiné/Gruta/Espraido	Guarani	Maquiné
	Mata São Lourenço	Guarani M'Bya	São Miguel das Missões
	Morro Santana	Kaingang	Porto Alegre
	Passo da Estância	Guarani M'Bya	Barra do Ribeiro
	Pekurutu/Arroio Divisa	Guarani M'Bya	Arroio dos Ratos and Eldorado do Sul
	Pessegueiro	Guarani	Cerro Grande do Sul
	Raia Pires	Guarani Nhandeva	Sentinela do Sul
	Rio dos Sinos	Guarani	Caraá
	Ruínas de São Miguel/Esquina Ezequiel	Guarani M'Bya	São Leopoldo
	Santa Maria	Kaingang	Santa Maria
	São Leopoldo	Kaingang	São Leopoldo
	São Miguel (Faxinal)	Kaingang	Água Santa
	Tenh Mág (Butiá Village)	Kaingang	Pontão
	Torres	Guarani M'Bya	Torres
	Três Forquilhas	Guarani	Terra de Areia
	Vila São José	Charrua	Porto Alegre
	Xokleng	Xokleng	São Francisco de Paula
	Ygua Porã	Guarani	São Miguel das Missões

SC – Santa Catarina (21)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Cambirela	Guarani M'Bya	Palhoça
	Massiambu/Pira Rupa	Guarani M'Bya	Palhoça
	Tekoha Dju Mirim (Amâncio)	Guarani M'Bya	Biguaçu
Declared (5)	Ibirama – La Klãnõ	Xokleng. Kaingang e Guarani M'Bya	Doutor Pedrinho, Itainópolis, José Boiteux and Vitor Meireles
	Morro dos Cavalos/Itaty	Guarani M'Bya e Nhandeva	Palhoça
	Toldo Imbu	Kaingang	Abelardo Luz
	Toldo Pinhal	Kaingang	Seara
	Xapecó Glebas A e B	Kaingang	Entre Rios, Bom Jesus, Abelardo Lu and Ipuacu
Identified (5)	Guarani do Araça'i	Guarani Nhandeva	Cunha Porã e Saudades
	Morro Alto/Tekoha Yvaté	Guarani M'Bya	São Francisco do Sul
	Pindoty/Conquista	Guarani M'Bya	Araquari and Balneário Barra do Sul
	Pirai/Tiaraju	Guarani M'Bya	Araquari
	Tarumã/Corveta I e II	Guarani M'Bya	Araquari and Balneário Barra do Sul
No action taken(8)	Fraiburgo	Kaingang	Fraiburgo
	Kaingang/Marechal Bormann	Kaingang	Chapecó
	Linha Limeira	Kaingang	Abelardo Luz
	Peperi Guasú	Guarani Nhandeva	Itapiranga
	Praia de Fora	Sem dados	Palhoça
	Reta/Itaju/Tapera	Guarani M'Bya	São Francisco do Sul
	Serra Dona Francisca (Mountain Range)	Guarani	Joinville
	Yaká Porã/Garuva	Guarani M'Bya	Guaruva

SE – Sergipe (3)

Situation	Land	Indigenous People	Municipality
No action taken (3)	Fulkaxó	Fulkaxó	Pacatuba
	Kaxagó	Kaxagó	Pacatuba
	Xocó-Guará	Xocó-Guará	Gararu and Porto da Folha

Tiago Miotto



The demarcation of indigenous ancestral territories is the most efficient way of ensuring their environmental protection and the common goods in them, according to official data

SP – São Paulo (38)

Situation	Land	Indigenous People	Municipality
To be identified (10)	Araçá Mirim	Guarani M'Bya	N/A
	Barão de Antonina Karuwá	Guarani Nhandeva	Barão de Antonina
	Barão de Antonina Pyay	Guarani Nhandeva	Barão de Antonina
	Guarani de Itaporanga/Tekoha Porã	Guarani Nhandeva	Itaporanga
	Itaguá	Guarani M'Bya	Iguape
	Itapé	Guarani-Kaiowá e Guarani M'Bya	Iguape
	Tekoha Itapuã/Yvy um	Guarani Nhandeva	Iguape and Pariquera-Açu
	Tekoha Jeiytu (Toca Bugio)	Guarani	Iguape and Pariquera-Açu
	Tekoha Pindoty	Guarani M'Bya	Pariquera-Açu, Iguape
	Ywyty Guaçu/Renacer/Aldeia Renacer	Guarani Nhandeva	Ubatuba
Declared (3)	Itaoca	Tupi Guarani e Guarani M'Bya	Mongaguá
	Ribeirão Silveira	Guarani M'Bya	São Sebastião and Santos
	Tenondé Porã	Guarani M'Bya	São Paulo, São Bernardo do Campo, São Vicente and Mongaguá
Ratified	Piaçaguera/Nhamandu Mirim/Tanigua/Tabaçu/Rekoypy	Guarani Nhandeva	Peruíbe
Identified (9)	Boa Vista Sertão do Promirim/Jaexaa Porã	Guarani	Ubatuba
	Cardoso Island/Pacurity/Yvyty	Guarani M'Bya	Cananéia
	Ka'aguy Mirim	Guarani M'Bya	Miracatu and Pedro Toledo
	Tekoha Kaaguy Hovy Porã	Guarani M'Bya	Iguape
	Rio Branquinho de Cananéia/Tapy í	Guarani M'Bya	Cananéia
	Tekoha Guaviraty (Subauma)	Guarani Nhandeva	Iguape and Pariquera-Açu
	Tekoha Djaiko-aty	Guarani. Nhandeva. Tupi	Miracatu
	Tekoha Peguaoty	Guarani M'Bya	Sete Barras. Miracatu
	Tekoha/Amba Porã	Guarani M'Bya	Miracatu
No action taken (15)	Acaraú/Jakareí and Icapara/Tekoha Porã	Guarani	Cananéia and Iguape
	Aldeia Nova Aliança - Fazenda Noiva da Colina	Terena	Borebi
	Aldeia Tangará	Guarani M'Bya	Itanhaém
	Aldeinha	Guarani Nhandeva	Itanhaém
	Itapitanguí	Guarani	Cananéia
	Itapu Mirim/Votupoca	Guarani M'Bya and Nhandeva	Registro and Sete Barras
	Jacaré/Takuarity Acaraú	Guarani M'Bya	Cananéia
	Juréia	Guarani M'Bya	Iguape
	Kariboka	Kariboka	Ribeirão Pires
	Kariri	Kariri	Cotia and Jundiá
	Mboi Mirim	Guarani	São Paulo
	Paraíso/ Cumprido River/Yu Puku	Guarani M'Bya, Tupi Guarani	Iguape
	Paranapuã	Guarani M'Bya, Tupi Guarani	São Vicente
	Taquari	Guarani	Eldorado
	Tekoha Mirim	Guarani M'Bya	Praia Grande

TO – Tocantins (9)

Situation	Land	Indigenous People	Municipality
Pending identification (3)	Apinayé II	Apinayé	Tocantinópolis
	Canoanã	Javaé	Sandolândia
	Wahuri (Javaé/Avá-Canoeiro)	Javaé	Sandolândia
Declared	Taego Awá/Mata Azul	Avá-Canoeiro	Formoso do Araguaia
	Utaria Wyhyna/Irodu Irana	Karajá e Javaé	Pium
No action taken (4)	Pankararú Village	Pankararú	Figueirópolis e Gurupi
	Atikum/Gurupi	Atikum	Gurupi
	Kanela de Tocantins	Kanela	Araguaçu
	Mata Alagada	Krahô/Kanela	Lagoa da Confusão

1 Indigenous Land registered. However, in response to an action filed by the MPF, the Federal Justice determined the revision of boundaries with the aim of covering traditional areas excluded from the demarcated limits, including the region currently flooded by the Balbina Hydroelectric Power Plant. To learn more visit: (<http://www.mpf.mp.br/am/sala-de-imprensa/noticias-am/mpf-am-sentenca-determina-revisao-de-limites-da-terra-indigena-waimir-atroari>).

Conflicts over territorial rights

In 2016, 12 cases of conflicts over territorial rights were recorded in the states of Amazonas (1), Mato Grosso (1), Mato Grosso do Sul (7), Pernambuco (1), Santa Catarina (1), and Rio Grande do Sul (1).

In Mato Grosso do Sul, the state with the highest number of incidents, attacks were reported on the indigenous communities on the Kurusu Ambá, Dourados Amambaipaguá and Guaiviry lands of the Guarani-Kaiowá peoples. Leaders of the Kurusu Ambá people reported at least two attacks. In one of them, men in trucks drove through the area shooting and throwing gasoline and setting fire to indigenous shacks. Adults and children had to hide in the bushes. In a second attack, at night, children fled into the bushes and went missing for some time. For nearly a decade the *Tekoha Kurusu Ambá* has been in the process of identification and delimitation. With expired deadlines, the identification report on the area should have been published by FUNAI in 2010, according to the Term of Adjustment of Conduct established by the Federal

Public Prosecutor's Office in 2008. However, the report was delivered by the technical group only in December 2012, and is still pending approval by FUNAI in Brasília.

In the municipality of Caarapó, a Guarani-Kaiowá community was attacked twice in two consecutive months in the Yvu Farm camp, which overlaps the Dourados Amambaipaguá Indigenous Land, currently in the process of demarcation. In the attack, 23-year-old indigenous health worker Clodiodi Aquileu Rodrigues was shot at least twice and killed. Six indigenous people were sent to the hospital with gunshot wounds, among them a 12-year-old child, who was shot in the abdomen. The video recorded by the indigenous people themselves show one hundred armed men setting fire to the natives' motorcycles and other belongings. The attack was a response to the repossession of the Tey'i Kue land by indigenous people.

One month after the attack in which Clodiodi was killed, armed men in four trucks and a tractor violently attacked the Guarani and Kaiowá camp in the *tekoha* Guapoy, in

Cimi Team in Mato Grosso do Sul



The non-demarcation of traditional lands is still the main cause of serious territorial conflicts involving indigenous peoples in the country

the Dourados-Amambaipaguá I Indigenous Land, on the night of July 12, in the municipality of Caarapó (MS), in the same place where health agent Clodiodi de Souza had been killed a month earlier. Three people were shot: a 32-year-old man and two young men, one 15 and the other 17 years old. One of them was hospitalized in serious condition. The attack was carried out in the presence of the National Security Force.

In Santa Catarina, in the Morro dos Cavalos Indigenous Land, the community was invaded several times during 2016, and on one occasion the house of the Guarani Chief's mother was broken into and robbed, and people were threatened. There is an intense campaign against the demarcation of the land and it is believed that the invasions and threats are aimed at frightening the Guarani-M'Bya

and Guarani-Nhandeva community and disrupt the fight for the defense of the land.

In Pernambuco, the Pankará people had a sacred house destroyed by a criminal fire. The fire destroyed clothing, pipes, maracas and traditional items of the vast archaeological collection used by the people in their rituals.

In Rio Grande do Sul, a community of the Guarani-M'Bya people from Capivari land had their dwelling place destroyed, and part of the community was relocated to a remote, hard-to-reach location. Another part was relocated to the municipality of Palmares do Sul. The families had been camped on the roadside of BR-040, between km 60 and 62, for more than 40 years. The community reports that the relocation was carried out by a farmer, with the support of public agents from the state government.

CONFLICTS OVER TERRITORIAL RIGHTS

12 Cases

AMAZONAS - 1 Case

INDIGENOUS LAND: MURUTINGA

PEOPLE: MURA

TYPE OF DAMAGE/CONFLICT: Misappropriation of property

DESCRIPTION: A person known as Nazareno subdivided the land into two parcels and sold one to Manoel Chagas and the other to a person known as Pimenteiro.

Source: CIMI North Regional Office I; Chief of the Karanay Village

MATO GROSSO DO SUL - 7 Cases

INDIGENOUS LAND: KURUSU AMBÁ

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, arson, use of firearm

DESCRIPTION: According to leader Eliseu Lopes, the most serious attack ever on the three camps that make up Kurusu Ambá occurred on January 31, a tekoha located in the municipality of Coronel Sapucaia (MS), on the border with Paraguay. The attack was a retaliation to an attempt to retake Madama farm the day before. The farm is located in one of the properties included in the territory claimed as traditional land by the Kaiowá people. A group of unidentified armed men in at least three trucks fired at the new area retaken by the natives. In the second camp, according to them, all the shacks were set on fire by the attackers. According to reports of a Kaiowá leader, the perpetrators took the side road to the last camp, setting fire to the house closest to the road and shooting at the people, who fled to the pasture. CIMI reported the absence of police forces to contain the conflict.

Source: Campo Grande News. 1/29/2016

INDIGENOUS LAND: GUAYVIRI (LIMA CAMPO)

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, use of firearm

DESCRIPTION: In the same week of the violent attacks that caused the total destruction of one of the camps of tekoha Kurusu Ambá, farmers and gunmen invaded and fired at the Guayviri camp, located in the municipalities of Aral Moreira and

Ponta Porã. At least twelve 16-caliber shots were fired at the indigenous people. This tekoha was among the main victims of paramilitary attacks during the last five years. More than five attacks have occurred since 2014.

Source: CIMI Regional Office in Mato Grosso do Sul. 2/5/2016

INDIGENOUS LAND: ITA POTY CAMP

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, use of firearm

DESCRIPTION: Several armed men in three cars fired at the tekoha area occupied by indigenous families. According to one of the residents, that was the second violent act against indigenous camps following the visit to the state of UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz. According to Tajy Poty, Cristal farm is located in the occupied territory, which belonged to the same owners of a local MF radio station. An indigenous person named Isael was shot at least eight times. A faith-healer was also hit by a rubber bullet. The indigenous people reported that the threats and attacks are constant, day and night. According to one of the leaders, the farmers are alternating the use of lethal and non-lethal ammunition as a strategy to keep attacking, despite the presence of police forces. "Because the Federal Police is now going to the area, they are using rubber bullets. But that is not true; they are using both," he said.

Source: CIMI Regional Office in Mato Grosso do Sul. 3/14 and 16/2016; CIMI Press Office

INDIGENOUS LAND: DOURADOS AMAMBAIPEGUÁ

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, arson, use of firearm

DESCRIPTION: In the morning of June 14, a massacre was carried out against the Guarani-Kaiowá community at Kunumi Verá camp in the municipality of Caarap, where the Yvu Farm overlaps the Dourados-Amambaipaguá Indigenous Land, which is currently in the process of demarcation. In the attack, 23-year-old indigenous health worker Clodiodi Aquileu Rodrigues was shot at least twice and killed. Six indigenous people were sent to the hospital with gunshot wounds, among them a 12-year-old child, who was shot in the abdomen. The video recorded by the indigenous people

themselves show one hundred armed men setting fire to the natives' motorcycles and other belongings. The attack was a response to the repossession of the Tey'i Kue land by indigenous people.

Source: CIMI Regional Office in Mato Grosso do Sul. 6/14/2016

INDIGENOUS LAND: DOURADOS AMAMBAlPEGUÁ

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, use of firearm

DESCRIPTION: Indigenous families were dancing the guaxiré (a typical indigenous dance) and praying when they saw a loader-type tractor and four trucks driving around the area. They also heard gunshots. An hour later the vehicles got closer and the attackers began firing. Attacks, traps and shooting against the tehoka were common place in the region in 2016. In addition to this attack, others were carried out on June 19 and July 26, all with firearms.

Source: CIMI Regional Office in Mato Grosso do Sul. 7/12/2016

INDIGENOUS LAND: KURUSU AMBÁ

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, use of firearm

DESCRIPTION: Camped natives were attacked during the night. A group of children fled into the bushes, according to information from the leader Ava Jeguaka Rendy Ju. This was the fourth attack on this tehoka in 2016. In March, hours after the visit of the UN rapporteur to the camp, gunmen on horseback and in vans attacked the community by gunfire. And then again two days later.

Source: CIMI Regional Office in Mato Grosso do Sul, 7/13/2016

INDIGENOUS LAND: DOURADOS AMAMBAlPEGUÁ

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Attack on camp, use of firearm

DESCRIPTION: Members of the Guarani and Kaiowá peoples were violently attacked by gunmen in four trucks and a tractor in the Guapoy tekoha, in the Dourados-Amambaípeguá I Indigenous Land, on the night of July 12, in the municipality of Caarapó (MS), in the same place where health agent Clodiódio de Souza had been killed the previous month.

Source: CIMI Regional Office in Mato Grosso do Sul; CIMI Press Office 7/12/2016

MATO GROSSO - 1 Case

INDIGENOUS LAND: MARAIWATSÉDÉ

PEOPLE: XAVANTE

TYPE OF DAMAGE/CONFLICT: Land conflict, threats

DESCRIPTION: In view of the threats of squatters to invade the indigenous land, indigenous peoples set up camp in the old Posto da Mata.

Source: Father Aquilino T. Tsurua, 5/16/2016

PERNAMBUCO - 1 Case

INDIGENOUS LAND: PANKARÁ

PEOPLE: PANKARÁ

TYPE OF DAMAGE/CONFLICT: Arson, destruction of archaeological collections

DESCRIPTION: A criminal fire destroyed a sacred house of the people. According to Chief Dorinha, who for some years has received several threats, "Our rituals were already being attacked by family members of those that attacked our

people since the ancient Pankará people, and who are still in our territory." The fire destroyed clothing, pipes, maracas and traditional items of the vast archaeological collection used by the people in their rituals. As leaders have been sustaining in internal meetings of the people, only the demarcation of their land can stop the attacks and death threats against the Chief.

Source: CIMI Press Office. 5/3/2016

RIO GRANDE DO SUL –1 Case

INDIGENOUS LAND: CAPIVARI

PEOPLE: GUARANI-M'BYA

TYPE OF DAMAGE/CONFLICT: Destruction of houses, damage to the environment and possible destruction of anthropological evidence

DESCRIPTION: According to the indigenous community in reports to CIMI staff, the housing area in the camp was destroyed and part of the community was relocated to a remote and hard-to-reach area. For more than 40 years the community has been located on the banks of the RS-040, between Km 60 and 62. Another part of the community was relocated to the Granja Vargas neighborhood in Palmares do Sul. The person responsible for the relocation was a farmer who owned a property near the camp, with the support of the state government of Rio Grande do Sul, through its Department of Rural Development, Fishing and Cooperativism. The community was divided after the natives reported that the water of the stream they used was being contaminated by pesticides used in soybean plantations located near the indigenous camp. Children in the community had frequent bouts of vomiting and diarrhea. Fish in the stream were also dying at high rates. It was verified that part of the territory was excavated soon after the division of the community and that city hall machines had been used. According to FUNAI, which carried out studies in the region, there is anthropological and environmental evidence that these lands are inside an area traditionally occupied by the Guarani-M'Bya people.

Source: CIMI South Regional Office. 5/11/2016

SANTA CATARINA - 1 Case

INDIGENOUS LAND: MORRO DE CAVALOS

PEOPLE: GUARANI-M'BYA and GUARANI-NHANDEVA

TYPE OF DAMAGE/CONFLICT: Invasion and theft

DESCRIPTION: The Morro dos Cavalos Indigenous Land was invaded several times during 2016. On one occasion, the house of the Guarani Chief's mother was broken into and robbed, and people were threatened. There is an intense campaign against the demarcation of the land and it is believed that the invasions and threats are aimed at frightening the Guarani-M'Bya and Guarani-Nhandeva community and disrupt the fight for the defense of the land.

Source: CIMI South Regional Office



Forest arson has been widely practiced in retaliation against the peoples who have taken upon themselves the task of protecting their own territories

Possessory invasions, illegal exploitation of natural resources and other forms of damage

A total of 59 cases involving possessory invasions, illegal exploitation of natural resources and other forms of damage to heritage were reported in 2016 in the states of Acre (4), Alagoas (2), Amazonas (3), Bahia (1), Espírito Santo (1), Maranhão (12), Mato Grosso (9), Mato Grosso do Sul (4), Minas Gerais (1), Pará (7), Rio Grande do Sul (1), Rondônia (12), and Roraima (2).

The main forms of damage and/or conflicts included: damages to heritage, exploitation of natural resources, invasion, illegal hunting, predatory fishing, mining, and agrochemical contamination.

Maranhão (12) and Rondônia (12) were the states with the highest number of cases. The indigenous peoples of Maranhão continued to endure the consequences of illegal logging on their lands. Invasions, illegal logging and illegal hunting were reported in the Alto Turiaçu, Caru, Araribóia, Krikati, Governador, Geralda/Toco Preto, Kanela, and Gamela lands.

In Rondônia, invasions were recorded in Serra Pacaás Novos, an area located in the National Park of the same name, overlapping the Uru-Eu-Wau-Wau indigenous land. The invaded area is marked for the sale of plots, and large portions of the territory were set on fire by the invaders. According to the indigenous population, the invasions are encouraged by local farmers and politicians.

In Acre, the area surrounding the indigenous lands Arara do Igarapé Humaitá, Rio Gregório and Campinas/Katukina is being occupied by farmers who disrespect the buffer zone between the territory and their farms. A similar situation occurs around the Poyanawa Indigenous Land, which is being occupied by a settlement of the National Institute of Colonization and Agrarian Reform (INCRA) and by farmers, squatters and settlers. The plots begin on the border of the land, disrespecting the buffer area. Another disturbance experienced by the communities of the Poyanawa people is the constant invasion of their

territory, as old rubber latex roads continue to be used by the invaders.

In Bahia, leaders report that the Pataxó Indigenous Land is having its forest area devastated by invaders. When confronted, the invaders threatened the natives, saying that they “were nothing, they were animals and they owned nothing.” The Federal Police were informed.

In Mato Grosso do Sul, in the Apika’y and Ñhandeu Ru Marangatu lands, the communities complain about their water being contaminated by pesticide released by farmers. In the Kadiwéu Indigenous Land, IBAMA is investigating continued illegal logging activities. There is a suspicion

that fake documents are being used to legalize the wood extracted from the area.

In Roraima, the Yanomami people once again reported the existence of illegal mining in their lands. A survey conducted by FIOCRUZ in partnership with the Socio-Environmental Institute (ISA) identified the presence of mercury in the rivers that supply water to the communities. High levels of mercury contamination were found in children and women of reproductive age. In addition to the mines, several clandestine runways are used to supply the mines and transport production as well as for numerous other criminal activities such as drug and arms trafficking.

POSSESSORY INVASIONS, ILLEGAL EXPLOITATION OF NATURAL RESOURCES AND OTHER FORMS OF DAMAGE TO HERITAGE

59 Cases

ACRE – 4 Cases

INDIGENOUS LAND: RIO GREGÓRIO and KAXINAWÁ OF PRAIA DO CARAPANÃ

PEOPLE: KATUKINA, KAXINAWÁ

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: The indigenous leader Roque Yawānawá reported that the company Radon Administração e Participação Ltda. was granted an environmental license for logging in an area of 150,000 hectares on the border of the Indigenous Lands (TI) Rio Gregório and Kaxinawá of Praia do Carapanã. The company does not respect the buffer zone and the devastation is overwhelming.

Source: CIMI Western Regional Office; Cruzeiro do Sul Team; Roque Yawānawá

INDIGENOUS LAND: ARARA OF IGARAPÉ HUMAITÁ

PEOPLE: ARARA

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: Farmers and loggers have been occupying the area around the indigenous land, increasing deforestation of the area. One of the farmers implemented a forest management plan that reaches the limits of the indigenous land, disrespecting the buffer zone of the territory. The immense devastation that this management plan is causing has diminished the number of game animals, and the springs of important streams that run through the indigenous territory are being destroyed. Another threat to the people is the construction of a road near the border of the indigenous land.

Source: CIMI Office in the Western Amazon, Cruzeiro do Sul Team; Cruzeiro do Sul Indigenous Pastoral

INDIGENOUS LAND: POYANAWA

PEOPLE: POYANAWA

TYPE OF DAMAGE/CONFLICT: Invasion, settlement overlapping

DESCRIPTION: The surrounding indigenous land is being occupied by an INCRA settlement and by farmers, squatters and settlers, who are deforesting the area. The plots begin on the border of the land, disrespecting the buffer area. Another disturbance experienced by the communities is the constant movement

of people inside the territory. In the demarcated area there are old rubber latex roads that never stopped being used by neighbors and drug traffickers from Peru. This situation prevents the communities from fully enjoying their own territory. The occupations around the land have chased away and diminished the number of game animals, and the springs of streams that run through the territory are being destroyed.

Source: CIMI Western Regional Office, Cruzeiro do Sul Team; Cruzeiro do Sul Indigenous Pastoral

INDIGENOUS LAND: CAMPINAS/KATUKINA

PEOPLE: KATUKINA

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: The area around the land is being occupied by farmers, squatters and settlers, increasing deforestation of the area. The land is being constantly invaded by hunters. Occupations around the land are a violation of the buffer area, in addition to chasing away game animals and destroying the springs of important streams that run through the indigenous territory. The leaders have filed documents with Funai and the Public Prosecutor's Office, but no action has been taken by these agencies.

Source: CIMI Western Regional Office, Cruzeiro do Sul Team

ALAGOAS - 2 Cases

INDIGENOUS LAND: WASSU COCAL

PEOPLE: WASSU COCAL

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources, environmental damage

DESCRIPTION: Through satellite images, IBAMA and the Environmental Military Police caught environmental crimes inside the indigenous area. In addition to the devastation caused by a quarry, from which rocks are being extracted for sale, sand extraction and the destruction of the native forest are also a problem.

INDIGENOUS LAND: XUKURU-KARIRI

PEOPLE: XUKURU-KARIRI

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: A squatter, who is a neighbor of the community, cleared the small forest that separated the indigenous land from his land, violating the buffer zone. The place is close to the area where the community holds its rituals.

Source: CIMI Northeast Regional Office

AMAZONAS - 3 Cases

INDIGENOUS LAND: ANDIRÁ-MARAU

PEOPLE: SATERÊ-MAWÊ

TYPE OF DAMAGE/CONFLICT: Illegal extraction of natural resources, illegal hunting

DESCRIPTION: About 115 hectares have been deforested inside the indigenous land. 277 logs and three machines that were being transported on a boat were seized, together with three chainsaws and ten wild animals.

Source: Ecoamazonia. 3/18/2016

INDIGENOUS LAND: WAIMIRI-ATROARI

PEOPLE: WAIMIRI-ATROARI

TYPE OF DAMAGE/CONFLICT: Implementation of infrastructure projects

DESCRIPTION: The Federal Court of Amazonas granted a preliminary injunction determining the immediate suspension of the effects of the Previous License issued by IBAMA for the works of the electricity transmission line between Manaus and Boa Vista, the so-called Tucuruí line. The request was filed by the Public Prosecutor Office (MPF) in Amazonas through a public civil action. According to the preliminary ruling, the works of the line must be suspended until prior consultation of the Waimiri-Atroari indigenous people is carried out, in accordance with ILO Convention 169, since the project provides for the installation of hundreds of towers inside the indigenous land. FUNAI has already been warned by the MPF about the serious damage that is being and will be caused to the Waimiri-Atroari people, considering the situation of historical vulnerability and recent contact of the indigenous people. It also mentions the need for consensus among residents.

Source: MPF-AM, 2/22/2016

INDIGENOUS LAND: ITAPARANÁ

PEOPLE: MURA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources

DESCRIPTION: The Itaparaná Indigenous Land has not yet been identified. Because of the ease of access to their territory, the Mura face the looting of natural resources by loggers, land grabbers and chestnut pickers. As the recovery works of BR-319 - Manaus/Humaitá advance, pressures on the indigenous land will become more serious. FUNAI alleges it has no budget to protect the claimed territory. ICMBio says it cannot fight the invaders because the land has not yet been demarcated. Even though it is in the buffer zone of the Mapinguari National Park and the Abufari Biological Reserve, environmental depredation is not tackled, and roads to facilitate the looting of resources are being opened.

Source: CIMI North Regional Office I. 7/14/2016

BAHIA - 1 Case

INDIGENOUS LAND: PATAXÓ

PEOPLE: PATAXÓ HÃ-HÃ-HÃ

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources; damage to the environment

DESCRIPTION: The indigenous man Titiah reported that a forest area

inside the Indigenous Land near the source of the river that supplies the community is being invaded by loggers. The indigenous people were threatened by the invaders who, armed, stated that they "were nothing; they were animals and owned nothing." The Indigenous people left and reported the incident to the Federal Police. The area, which is home to about 4,700 indigenous people from various ethnic groups, was demarcated in 2013. When the Federal Police left the region, the loggers invaded the land again. The indigenous people point out that they depend on the forest and reserved areas for agriculture, from which they derive their subsistence.

Source: Agência Brasil. 7/11/2016

ESPÍRITO SANTO - 1 Case

INDIGENOUS LAND: COMBOIOS

PEOPLE: GUARANI, TUPINIKIM

TYPE OF DAMAGE/CONFLICT: Environmental damage

DESCRIPTION: After more than seven months of pressure, the indigenous people succeeded in signing an agreement with Samarco/Vale-BHP for the impacts on their villages caused by the burst of a dam in Mariana (MG), which is considered the worst environmental crime in the country. The company had pledged to pay, for five months, an emergency allowance to the indigenous families and conduct studies to analyze the quality of the river water. In addition to a solution to the contamination by tailing sludge, the indigenous people demanded answers to fish mortality in the Piraquê-Açu and Piraquê-Mirim rivers. The allowance, which the company insisted on paying to the Comboios village alone, is expected to be paid to families throughout the indigenous territory, totaling 915. In relation to the studies, the mining company was given a period of three months to initiate water analysis and monitoring, which should cover the Tupinikim and Guarani lands as the collection points, until then, were concentrated in restricted areas.

Source: Século Diário. 6/17/2016

MARANHÃO - 12 Cases

INDIGENOUS LAND: ALTO TURIAÇU

PEOPLE: AWÁ-GUAJÁ, KA'APOR

TYPE OF DAMAGE /CONFLICT: Illegal extraction of natural resources

DESCRIPTION: When surveilling their lands, the indigenous people came across an access inside their territory that led to a farm where many logs and stakes were found. A large area had been deforested inside the indigenous land, where only a pasture was left. They were informed that farm residents allowed loggers into their territory upon payment of a R\$ 50.00 fee per truck. There is no inspection by the indigenous agency or environmental agencies.

Source: CIMI Regional Office in Maranhão; Ka'apor Management Board

INDIGENOUS LAND: CARU

PEOPLE: AWÁ-GUAJÁ, GUAJAJARA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources; environmental damage

DESCRIPTION: The Federal Police, IBAMA and the MPF launched Operation Hymenaea to combat a criminal organization that illegally extracted timber from the Caru Indigenous Land and the Gurupi Biological Reserve. The material was "legitimized" by fraudulent documentation for transport

and removed from protected areas. The maneuvers served to divert the wood to middlemen all over Northeast Brazil. Deforestation has caused huge environmental damage. Selective logging of hardwood and endangered species was the method used by the criminal organization to conceal the crime under the crown of less valuable trees. According to official estimates, the organization's financial operations were close to R\$ 60 million.

Source: Federal Police and Public Prosecutor's Office (MPF). 7/14/2016

INDIGENOUS LAND: ALTO TURIÁÇU

PEOPLE: AWÁ-GUAJÁ, TEMBÉ, TIMBIRA, URUBU KA'APOR

TYPE OF DAMAGE/CONFLICT: Invasion, illegal exploitation of natural resources

DESCRIPTION: In view of new invasions of the Indigenous Land, the natives asked IBAMA and the Federal Police to remove and arrest invaders and loggers camped on the banks of the Hóla River, inside the indigenous area, found by the Forest Guard. They had six trucks and a tractor hidden in the woods. Faced with the lack of effective actions by the state's inspection and protection agencies, about 120 indigenous people are constantly looking for ramifications (dirt roads), loggers, fires and other types of invasion inside the ancestral territory.

Source: CIMI Press Office. 8/22/2016

INDIGENOUS LAND: ARARIBOIA

PEOPLE: GUAJAJARA

TYPE OF DAMAGE/CONFLICT: Invasion

DESCRIPTION: The indigenous people reported that non-indigenous families were building houses inside the traditional territory. Indigenous leaders had already informed the Regional Coordination Unit of FUNAI in Imperatriz, but nothing had been done to curb the action of non-indigenous people inside the territory.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: KRIKATI

PEOPLE: KRIKATI

TYPE OF DAMAGE/CONFLICT: Invasion

DESCRIPTION: The 216 non-indigenous families continue to illegally occupy the demarcated area. The invaders have prohibited them from planting crops and building villages in the invaded region.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: GOVERNADOR

PEOPLE: GAVIÃO

TYPE OF DAMAGE/CONFLICT: Illegal hunting, illegal exploitation of natural resources

DESCRIPTION: Illegal hunters invaded the indigenous land and killed animals to sell in the municipality and nearby villages. Besides these invaders, loggers are deforesting and illegally selling timber. Indigenous people have repeatedly reported these illegal activities, but nothing has been done to stop the crime.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: GERALDA/TOCO PRETO

PEOPLES: GUAJAJARA, TIMBIRA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources, illegal hunting

DESCRIPTION: Indigenous leaders report that the land was invaded by loggers who harvest wood for illegal sales and by illegal

hunters who live in the area. The indigenous people reported the illegal activities, but no action has been taken by the responsible agency so far.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: ARARIBOIA

PEOPLE: GUAJAJARA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources

DESCRIPTION: The indigenous land has been constantly invaded by loggers and hunters. In addition, non-indigenous people invade the indigenous land to take gravel. The indigenous leaders created the Forest Guardians group in order to protect the territory, in addition to having repeatedly reported the invasions. However, they persist. The indigenous people inform that they lack the support of the State to carry out more effective actions to fight logging and protect the territory.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: ARARIBOIA

PEOPLES: AWÁ-GUAJÁ, GUAJAJARA

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: Until the month of September, illegal fires caused by loggers who invade the Arariboia Indigenous Land had already destroyed more than 20% of the ancestral territory. The place is home to the Awá indigenous people, who live in total isolation and depend on the preserved forest for their survival. According to CIMI, in the second half of August three members of the Awá group, a woman, a young man and a child, were seen during a firefight. They fled when they noticed eye contact. According to the fire brigade, the isolated people were also trying to put out the fire. In 2015, more than half of the 413,000 hectares of the territory was destroyed by fires.

Source: CIMI Regional Office in Maranhão. Imperatriz Team; Survival, 8/18/16

INDIGENOUS LAND: KRIKATI

PEOPLE: KRIKATI

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources

DESCRIPTION: Indigenous Krikati leaders report that hunters have constantly invaded the indigenous land. Despite the surveillance carried out by the indigenous people themselves, the situation persists.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: KANELA

PEOPLE: KANELA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources

DESCRIPTION: Indigenous leader have constantly reported invasions by hunters inside the indigenous land, but the situation persists.

Source: CIMI Regional Office in Maranhão. Imperatriz Team

INDIGENOUS LAND: GAMELA

PEOPLE: GAMELA

TYPE OF DAMAGE/CONFLICT: Property damage, environmental damage

DESCRIPTION: Indigenous people report the environmental destruction of areas that are important to their physical and cultural survival by persons hired by the Electricity Company of Maranhão (CEMAR), which plans to establish a line inside the indigenous territory.

Source: Gamela Indigenous People; CIMI Regional Office in Maranhão

MATO GROSSO - 9 Cases

INDIGENOUS LAND: MANOKI (IRANTXE I)

PEOPLE: MANOKI

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources; environmental damage

DESCRIPTION: Invaders illegally exploited 5,535 hectares and were fined by IBAMA. Cases of illegal deforestation, non-compliance with previous embargoes, and selective logging have been reported.

Source: G1/MT, 3/24/2016

INDIGENOUS LAND: TAPIRAPÉ/KARAJÁ

PEOPLE: TAPIRAPÉ

TYPE OF DAMAGE/CONFLICT: Predatory fishing

DESCRIPTION: Predatory fishing by fishermen on Tapirapé River, which supplies the community. The indigenous people try to remove the nets placed in the river and seek support to release the fish.

Source: 24 Horas News, 6/6/2016

INDIGENOUS LAND: SARARÉ

POV: NAMBIKWARA

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: Miners settled in the indigenous reservation were notified by the Federal Police for mining without authorization from the National Department of Mineral Production (DNPM) and had their equipment destroyed.

Source: G1 / MT, 6/16/2016

INDIGENOUS LAND: PEQUIZAL

PEOPLE: KALAPALO

TYPE OF DAMAGE/CONFLICT: Predatory fishing and hunting and illegal tourism

DESCRIPTION: A shipment of 170 kilos of irregular fish and 10 kilos of game was seized in an area that covers the indigenous lands. Illegal hunting, fishing and tourism have been reported. According to IBAMA, the region is known for the wealth of fish and attracts groups of fishermen from all over the country, many of whom yield to the illegal offer of local businessmen to fish in prohibited areas.

Source: 24 Horas News, 08/12/2016

INDIGENOUS LAND: TADARIMANA

PEOPLE: BORORO

TYPE OF DAMAGE/CONFLICT: Illegal extraction of natural resources

DESCRIPTION: According to the Federal Police, the suspects were apprehended with illegally extracted timber as they were leaving the indigenous land. They had two loaded trucks and did not provide the necessary documentation to transport the cargo and therefore were fined.

Source: G1/MT, 8/29/2016

INDIGENOUS LAND: MARAIWATSÉDÉ

PEOPLE: XAVANTE

TYPE OF DAMAGE/CONFLICT: Deforestation for pasture

DESCRIPTION: The indigenous people denounced a rancher in the region who let 16 head of cattle loose in the indigenous land after having cleared the area.

Source: G1, 11/3/2016

INDIGENOUS LAND: VARIOUS

PEOPLE: VARIOUS ETHNICITIES

TYPE OF DAMAGE/CONFLICT: Construction of hydroelectric plant

DESCRIPTION: A large oil spill polluted the waters of the Teles Pires River. The oil spill increased, compromising water supply to several indigenous villages located on the banks of the river. There was also considerable environmental damage. About 320 indigenous people live in villages near the São Manoel dam structure. There were suspicions that the leak could have been caused by problems in this structure or could be related to another factor, such as the sinking of illegal mining rafts.

Source: Istoé, 11/17/2016; O Estado de São Paulo newspaper

INDIGENOUS LAND: SETE DE SETEMBRO and ARIPUANÃ

PEOPLE: SURUÍ

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources

DESCRIPTION: Illegal mining and logging activities inside two indigenous reservations northwest of Mato Grosso were caught by IBAMA inspectors, including 30 hectares of mining in the Aripuanã Indigenous Land and another 10 hectares in the Sete de Setembro Indigenous Land. Inside the forest, the inspectors also found that wood was being stolen. There is indication that the owner of the management plan was given permission to explore specific types of wood inside his property, but used these credits to exploit wood inside indigenous lands as well.

Source: O Norte, 12/23/2016

PEOPLE: KAGELA OF ARAGUAIA

TYPE OF DAMAGE/CONFLICT: Illegal logging

DESCRIPTION: The Indigenous Land has not been demarcated yet. This situation is conducive to invasion by illegal loggers. Deforestation for grazing has also been reported, besides the incidence of arson in the territory occupied by the indigenous people.

Source: CIMI regional Office in Mato Grosso

MATO GROSSO DO SUL - 4 Cases

INDIGENOUS LAND: APIKA'Y

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Contamination by pesticide

DESCRIPTION: The community of the small area of Apika'y is forced to use contaminated water from its claimed ancestral territory leased by the owner of the São Fernando Sugar and Alcohol mill to power the cauldrons. Currently, all that is found in the land behind the shacks where indigenous families live are sugarcane monocultures. The camp shows the scenario of abandonment and degradation imposed on the Guarani-Kaiowá people who were expelled from their land.

Source: O Estado de São Paulo newspaper, 7/17/2016

INDIGENOUS LAND: LARANJEIRA NHÑDERU

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Contamination by pesticide

DESCRIPTION: Indigenous people reported contamination by pesticide in a river in the region. The leader of the Laranjeira Nhanderu camp says that fish died after an aircraft flew over the land spraying the poison. According to her, the pesticide was sprayed on the soybean plantation on the farm located next to Santo Antônio Farm, where the indigenous people remain camped to claim their traditional land. According to the leader, the stream is a source of water for the community. "We had no water to drink and we dug a well, but that was a source for our chicken and duck farming and for the dogs, which get sick from drinking the water."

Source: *Campo Grande News*, 1/29/2016

INDIGENOUS LAND: KADIWÉU

PEOPLE: KADIWÉU

TYPE OF DAMAGE/CONFLICT: Illegal logging

DESCRIPTION: IBAMA is investigating illegal logging inside the indigenous land. They suspect that fake documents are being used to legalize the wood. In their visit to the address listed in the Forest Origin Document (DOF), the inspectors confirmed the existence of ghost companies to cover illegal logging in the region. They also suspect the participation of indigenous people as facilitators of the operation.

Source: *G1/ MS*, 12/6/2016

INDIGENOUS LAND: LARANJEIRA NHÑDERU

PEOPLE: GUARANI-KAIOWÁ

TYPE OF DAMAGE/CONFLICT: Spraying of pesticides

DESCRIPTION: Farmers in the municipality have sprayed pesticides from an airplane over more than 30 families living in the camp. The traditional presence of indigenous people in the region is unquestionable, and they have settled in their territory again since 2011. The spraying of large quantities of poison was so harmful that many fish died from the contamination of the streams, which is also where the indigenous people get the water they drink.

Source: *Campo Grande News*

MINAS GERAIS - 1 Case

INDIGENOUS LAND: KRENAK

PEOPLE: KRENAK

TYPE OF DAMAGE/CONFLICT: Environmental damage

DESCRIPTION: The mud filled with mining tailings that contaminated the Doce River due to the bursting of the Fundão Dam belonging to the mining company Samarco forces the indigenous people to depend on bottled water for their own consumption and on water trucks for livestock consumption. They criticize Samarco's delay in presenting a cleaning plan and the absence of representatives to talk with the community, among other complaints.

Source: *R7*, with information from *O Estado de São Paulo* newspaper, 11/4/2016

PARÁ - 7 Cases

INDIGENOUS LAND: CACHOEIRA SECA

PEOPLE: ARARA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources; environmental damage

DESCRIPTION: Indigenous leaders reported timber theft and predatory fishing. A survey by the Socioenvironmental Institute (ISA) showed a 41% increase in the so-called "shallow cut" in Terra do Meio, as well as the expansion of illegal roads used by logging companies. Deforestation has been estimated at 18,500 hectares, with each hectare the size of a soccer field. The site destroyed is home to one of the richest biodiversity in the Amazon region, with an invaluable list of endangered species. It also represents a retaining wall against the main deforestation expansion zone in the north of Mato Grosso that is moving toward the center of the Amazon forest.

Source: *Amazônia.org*, 3/16/2016

INDIGENOUS LAND: KAYAPÓ

PEOPLE: KAYAPÓ

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: FUNAI estimates that 20 kg of gold are extracted from the site each week. The environmental damage caused by clandestine activities include, among others, the diversion of river courses, hydraulic dismantling, silting of rivers, and soil, air and water contamination with heavy metals, particularly mercury. Vegetation is being wiped out and animals flee or die because of the contamination. The Federal Police started Operation Muiraquitã by executing arrest and search and seizure warrants.

Source: *Federal Police Press Office in Pará*, 7/7/2016

INDIGENOUS LAND: MUNDURUKU

PEOPLE: MUNDURUKU

TYPE OF DAMAGE/CONFLICT: Construction of tourist complex

DESCRIPTION: According to some leaders, there is a floating inn called Ecolodge that serves as a hostel and a visitor's center for tourists who practice recreational fishing at the confluence of the Juruena, Teles Pires and Tapajós rivers. Although the floating inn is located outside the indigenous land, tourists and employees of the inn are constantly entering the ancestral territory without authorization. For the MPF, the invasions violate the law and endanger the integrity of the indigenous people.

Source: *MPF-PA* 7/22/2016

INDIGENOUS LAND: URUCURIAN CUMINAPANEMA

PEOPLE: ZO'É

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: The illegal exploitation of gold near the indigenous land continues to cause not only environmental impacts, but also damage to the indigenous culture, pollution of rivers and transmission of disease. The Zo'é are known as one of the most isolated and preserved peoples of the Amazon. The indigenous land has been classified by the Pará Ecological Zoning as a state forest area and included in several environmental protection categories. The Intangible Zone was created in 2008 and cannot be subject to any kind of economic exploitation, with the aim of avoiding the transmission of malaria to the Zo'é people. Two years before, in 2006, the presence of loggers in the vicinity of the indigenous land caused the contamination of 80% of the indigenous population, which currently totals almost 300 people.

Source: *O Impacto*, 4/1/2016

INDIGENOUS LAND: ZO'É

PEOPLE: ZO'É

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: As a result of an operation carried out by eight state agencies, eight people were arrested, and a mine located in the vicinity of the Zo'é Indigenous Land in western Pará was closed. The measure is a response to a recommendation of the Federal Public Prosecutor's Office (MPF), since the mining activity was being carried out inside an area that cannot be occupied in order to guarantee the safety of indigenous people, mainly against contamination by diseases, known as Intangible Zone. Armed miners moved around the region threatening the natives and FUNAI. They used boats to get to the mine.

Source: *G1/PA*, 8/17/2016

INDIGENOUS LAND: XIKRIN OF CATETÉ RIVER

PEOPLE: XIKRIM

TYPE OF DAMAGE/CONFLICT: Mining, environmental damage

DESCRIPTION: About 500 indigenous people closed the main access to the Onça Puma Mining Project, which belongs to the mining company Vale. Demonstrators report heavy metal contamination in the Cateté River, which supplies three villages in the region. According to the indigenous people, one of the main consequences of the exploitation of ores such as copper and nickel would be the disappearance of fish. They seek compensation for environmental damage.

Source: G1/PA, 11/23/2016

INDIGENOUS LAND: CACHOEIRA SECA

PEOPLE: ARARA

TYPE OF DAMAGE/CONFLICT: Illegal extraction of natural resources

DESCRIPTION: A businessman hid 200 logs and falsified documents of the Forest Management Plan. Two of the three sawmills closed by IBAMA received wood directly from indigenous lands.

Source: G1/PA, 11/16/2016

RIO GRANDE DO SUL - 1 Case

INDIGENOUS LAND: CAMPING

PEOPLE: GUARANI M'BYA

TYPE OF DAMAGE/CONFLICT: Water contamination, deforestation

DESCRIPTION: The community reported that large amounts of pesticides have been sprayed on soybean crops located less than five meters from the camp. The farmer would also have used water from the stream that crosses the camp to power machinery and wash the spraying equipment. The community also uses the stream for its basic needs like washing clothes, bathing as well as for children to play and fish. Fish from the streams running through the camp are dying. The children have had frequent bouts of vomiting and diarrhea. The community is trapped between the soybean crops and the road, unable to grow their crops due to lack of space. In addition to water contamination and appropriation of indigenous lands, the rural producers did not respect the environmental laws regarding the legal reserve and permanent preservation areas.

Source: CIMI South Regional Office, 2/15/2016

RONDÔNIA - 12 Cases

INDIGENOUS LAND: URU-EU-WAU-WAU

PEOPLE: URU-EU-WAU-WAU

TYPE OF DAMAGE/CONFLICT: Invasion

DESCRIPTION: Invaders are demarcating land plots at the foot of the Pacaás Novos Mountain Range. The mountains are inside the Pacaás Novos National Park, overlapping the Uru-Eu-Wau-Wau indigenous land, which covers nine municipalities in the state. According to reports collected on the spot, at least 47 plots are being sold in that region known as "purple earth," and those responsible for bringing the invaders in are important businessmen and farmers from the region. According to Ivaneide Bandeira, one of the founders of the Kanindé Ethno-Environmental Defense Association, "The indigenous land is completely surrounded by farms."

Source: Ariquemes online, 2/18/2016

INDIGENOUS LAND: KARIPUNA

PEOPLE: KARIPUNA, WARI

TYPE OF DAMAGE/CONFLICT: Illegal extraction of natural resources, invasion

DESCRIPTION: Loggers and land-grabbers invaded the indigenous land in November 2015, when the nut harvesting season

begins, and the indigenous people move from their villages to the nut plantations. When they came back, they found the trails that separate large number of lots filled with tracks for transporting wood. The invaders are armed and move around in groups of five to fifteen men. An indigenous family living on the land border was pressured to leave. One witness reports that he saw busloads of peons entering the Lage indigenous land, and a tractor and trunk truck were riding through the newly opened tracks, despite the presence of indigenous people.

Source: Mamoré Portal, 2/24/2016

INDIGENOUS LAND: PACAÁS NOVAS

PEOPLE: URU-EU-WAU-WAU

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources, environmental damage

DESCRIPTION: A group of invaders promoted deforestation in the Pacaás Novas National Park, which overlaps the Uru Eu Wau Wau indigenous land. According to Park rangers, the environmental damages were significant as doubly protected areas, a conservation unit and indigenous lands were affected.

Source: Mamoré Portal, 5/16/2016

INDIGENOUS LAND: ROOSEVELT

PEOPLE: CINTA LARGA

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources, environmental damage

DESCRIPTION: Two suspects were arrested for environmental crimes and extraction and sale of illegally logged timber from indigenous lands. The Federal Police seized about R\$ 200,000, as well as jewel, checks and luxury cars in the logger's house. The activities of two lumber companies and a forest management plan were also interrupted. According to information, the scheme worked as follows: the wood was extracted from the indigenous area and taken to one of the four lumber companies participating in the scheme, located in the town of Pimenta Bueno. Then, an environmental consulting firm headed by a former employee of the State Secretary for Environmental Development legalized the wood as if it had been removed from an area under the Sustainable Forest Management Plan of Pimenta Bueno. All sawmills controlled by the logger are in the name of straw men who are used to remove wood from the indigenous area with the chief's permission.

Source: O Observador, 7/15/2016

INDIGENOUS LAND: SETE DE SETEMBRO

PEOPLE: SURUÍ

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources, environmental damage, illegal mining

DESCRIPTION: The natives are exposed to numerous invasions and have been affected by the interests of loggers and miners, which has been causing internal conflicts. The loggers extract hardwood species from the land. In an internal decision, the people opted for the suspension of the contract for the Reduction of Emissions from Deforestation and Forest Degradation (REDD) with the cosmetics company Natura, since the community is not benefiting as a whole. The miners are degrading the environment and removing precious material from the indigenous area.

Source: CIMI Regional Office in Rondônia

INDIGENOUS LAND: URU-EU-WAU-WAU

PEOPLE: URU-EU-WAU-WAU

TYPE OF DAMAGE/CONFLICT: Invasion, fires, forest destruction

DESCRIPTION: According to reports from indigenous people, tenant farmers are invading the territory near the villages, of which a part is located inside the Picaás Novas National Park, overlapping the traditional land where isolated indigenous groups live. Aerial images show large portions of the territory being burned by tenant farmers to “open” the land. According to reports, farmers and politicians encourage the wave of invasions. The indigenous people are worried because, according to them, invasions so close to the villages are a danger to the population. They are asking for an urgent solution, before indigenous people or invaders end up dying in a confrontation inside the indigenous land.

Source: CIMI Regional Office in Rondônia; leaders of the Uru Eu Wau Wau people; Survival; 10/30/16

INDIGENOUS LAND: ARIPUANĂ INDIGENOUS PARK

PEOPLE: CINTA LARGA

TYPE OF DAMAGE/CONFLICT: Illegal mining, illegal exploitation of natural resources

DESCRIPTION: An inspection by IBAMA detected illegal diamond mining and timber theft inside the indigenous reservation. In the operation, two wood transportation trucks, a log-pulling tractor, a Mitsubishi L200 pickup truck and a wheel loader were set on fire. In the glove compartment of a truck the inspectors found forest directories in the name of the farmer who lived next to the indigenous land. He should be accused of illegal logging. According to the National Institute of Space Research (INPE), deforestation grew 29% in the Amazon between August 2015 and July 2016. The Federal Police were investigating those responsible for illegal diamond mining.

Source: Rondônia Dinâmica; 12/22/2016

INDIGENOUS LAND: GUAPORÉ VALLEY

POVO: NAMBIKWARA MAMAINDÊ

TYPE OF DAMAGE/CONFLICT: Property damage

DESCRIPTION: A resident of the area located on the border of the traditional territory is threatening the indigenous people, accusing them of stealing small animals and forbidding them from passing through the farm. However, as reported by the natives, this resident has killed five bulls belonging to the community.

Source: CIMI Regional Office in Rondônia. 2016; Timóteo e Elizabete Mamaindê, 2016

INDIGENOUS LAND: IGARAPÉ LURDES

PEOPLE: ARARA, GAVIÃO

TYPE OF DAMAGE/CONFLICT: Illegal exploitation of natural resources; environmental damage

DESCRIPTION: The indigenous land has been invaded by loggers, who carry out illegal trade in timber. The daily traffic of trucks creates internal conflicts, since the community is against these activities, although some leaders have been co-opted.

Source: CIMI Regional Office in Rondônia; indigenous leaders

PEOPLE: KARIPUNA

TYPE OF DAMAGE/CONFLICT: Invasion, illegal exploitation of natural resources

DESCRIPTION: The territory is the stage of numerous invasions that have already been reported. In addition to illegal logging and the presence of fishermen and miners and land subdivision, the people also endure the invasion by tourists looking for beaches and entertainment inside the indigenous land.

Source: CIMI Regional Office in Rondônia; indigenous leaders, 12/20/2016

INDIGENOUS LAND: CASSUPÁ SALAMI

PEOPLE: CASSUPÁ

TYPE OF DAMAGE/CONFLICT: Road construction and paving, invasion

DESCRIPTION: Due to the pressure and trepidation of the machines to build Beira Road, the front side of the wall that separated the indigenous land from BR 364 has collapsed, exposing the community to numerous threats. The invasion reached about one meter of the community's five-hectare territory.

Source: Indigenous community

INDIGENOUS LAND: SETE DE SETEMBRO

PEOPLE: SURUÍ

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: About 100 miners were expelled from the indigenous land, where illegal gold and diamond mining is a constant activity. In a joint operation conducted by the Federal Police and IBAMA, a bulldozer was burned. Leaders were warned by the Federal Police and FUNAI not to collude with the miners.

Source: Folha de S. Paulo newspaper

RORAIMA - 2 Cases

INDIGENOUS LAND: YANOMAMI

PEOPLE: YANOMAMI

TYPE OF DAMAGE/CONFLICT: Illegal mining

DESCRIPTION: Illegal ore mining in the indigenous land has been resumed. According to a FIOCRUZ research conducted in partnership with the Socioenvironmental Institute (ISA), the presence of mercury has been detected in the rivers that supply the communities, causing health problems due to contamination of the water and fish consumed by the villages. High levels of mercury contamination have been found in children and women of reproductive age. Besides the mines, a large number of clandestine airstrips were used to supply the mines and transport the production. These airstrips are also used for many other criminal activities such as drug and arms trafficking. In May, IBAMA and FUNAI carried out an operation to combat illegal gold mining, which resulted in the destruction of twenty rafts, eleven camps and six pumping motors. The inspectors seized a 38-caliber gun with the serial number scratched out, a hunting rifle, ammunition and two vials of mercury.

Source: O Globo newspaper, 3/15/2016; General Territorial Management Coordination Unit, 4/27/2016; Expr.Cid. 6/24/2016

INDIGENOUS LAND: YANOMAMI

PEOPLE: YANOMAMI

TYPE OF DAMAGE/CONFLICT: Illegal mining, damage to the environment

DESCRIPTION: The owner of a farm inside the Paredão Settlement Project built a road to facilitate the access of miners to the banks of the Uraricoera River, a river route for mining inside the indigenous land. Still according to the Federal Police, a toll was charged for using the road, which varied from R\$ 100 to R\$ 500. A blockade with a gate was built on side road 6 of the settlement for the purpose of forcing people to pay the illegal toll. The farm was used as lodge, cafeteria and warehouse for illegal materials belonging to miners and others involved in the activity.

Source: Chico Terra. 6/15/2016

CHAPTER II

Violence against the Person



77	Murder
85	Attempted murder
89	Involuntary manslaughter
91	Death threat
94	Various threats
96	Aggravated battery
98	Abuse of power
100	Racism and ethnic-cultural discrimination
103	Sexual violence

Ana Mendes



“As in previous years, Mato Grosso do Sul continues to show a high number of deaths by assault. A total of 18 deaths were reported in the state by SESAI,”

Murder

Official data

Based on the Law on Access to Information (12,527/2011), the Indigenist Missionary Council (CIMI) requested data from the Special Indigenous Health Secretariat (SESAI) on the murders of indigenous people throughout the country in 2016. In response, on an official letter SESAI provided CIMI with preliminary data, on the grounds that further information was still being collected. In response to a second request from CIMI, SESAI sent another official letter containing the same information provided in the previous document. CIMI insisted and requested a new survey in the database.

SESAI answered this third request through Memorandum 461/2017, reinforcing “that the data provided are preliminary, as we are still at different stages in the Districts as regards gathering, inputting, qualifying or processing data.” The agency also claimed that “in terms of coverage of the requested data, in 2016 deaths were estimated at approximately 64% of the expected number, with a low coverage in relation to children under 1 year of age, while live births were estimated at 61% of the expected number.” “We have chosen to use absolute numbers and not apply rate calculations, considering the low coverage of events and the population size per district and also to allow a better comparison with previously provided data.”

As for the number of indigenous people killed in 2016, SESAI supplied information on assaults, negligence and maltreatment, “totaling 118 deaths in 19 Special Indigenous Health Districts (DSEIs). According to SESAI, “the data are still being provided by the Districts.” The data do not allow a more in-depth analysis, since detailed information on the events, including age group of the victims, location, people, etc. have not been provided. Given the specificities of indigenous peoples, the Brazilian State would need to better qualify the data collected on events involving these communities.

Special mention should be made of the number of deaths recorded among the Yanomami. SESAI reports 44 deaths by assault in the area covered by the Yanomami DSEI. A total of 59 deaths by assault were reported in 2015. If the data provided by SESAI are confirmed, the situation of violence among the Yanomami is extremely serious, with a total of 103 deaths by assault in only two years. No further analysis is possible as the official agency does not provide details on the events, especially

on who the aggressors are – if indigenous or non-indigenous people. In any case, it is a fact that the Yanomami Indigenous Land has been under attack in recent years, especially by miners and due to the presence of weapons. Therefore, it is clear that the reality of deaths among the Yanomami must be urgently addressed by public authorities.

As in previous years, the number of deaths by assault in Mato Grosso do Sul is still high, with 18 casualties recorded by SESAI. Also noteworthy is the number of deaths in the coverage area of the DSEI in Ceará (11) and Maranhão (7).

The data provided by SESAI are shown on the table below.

Number of deaths by assault recorded by the Special Indigenous Health District (DSEI) in Brazil - 2016

Name of DSEI	Deaths by assault
Alagoas and Sergipe	5
Altamira	1
Bahia	2
Ceará	11
Guamá Tocantins	1
Interior South	8
Kaiapó of Pará	1
East of Roraima	6
Manaus	3
Maranhão	7
Mato Grosso do Sul	18
Middle Purus River	1
Middle Solimões River and Tributaries	1
Minas Gerais and Espírito Santo	1
Pernambuco	3
Porto Velho	1
Potiguara	3
Tocantins	1
Yanomami	44
Total	118

Source: SIASI-CGASII/DGESI/SESAI/MS. Database accessed on 6/21/2017. Data subject to change from the inputting and qualifying process.

Data collected by CIMI

The data collected by CIMI from our missionary teams and the media indicate the occurrence of 56 murders. Cases were recorded in the states of Acre (1), Alagoas (1), Amazonas (6), Bahia (3), Maranhão (11), Mato Grosso do Sul (15), Minas Gerais (1), Pará (1), Paraná (3), Rio Grande do Sul (1), Rondônia (1), Roraima (6) and Santa Catarina (6).

Of the 56 victims, 12 were women between 3 and 56 years old. The other 44 people were men between 2 and 58 years old. Of the total number of victims, including men and women, 8 were children and adolescents between 2 and 17 years old.

At least 18 deaths resulted from fights and/or alcohol consumption. In 5 cases the deaths were due to land conflicts in the states of Bahia, Maranhão and Mato Grosso do Sul.

In Mato Grosso do Sul, CIMI reported the death of the health agent Clodiodi Aquileu, from the Guarani-Kaiowá people, during an attack on the Kunumi Verá camp in the municipality of Caarapó. Videos made by the indigenous people themselves show that several trucks, motorcycles, horses and tractors were used by gunmen and henchmen who invaded the camp firing, setting fire to motorcycles and other belongings of the natives and then separated and fled the territory. In the attack, six other indigenous were wounded, including one child.

In the state of Maranhão, ten indigenous people from the Guajajara people and one from the Gamela people were murdered. For the communities, some of the killings are retaliations against the leaders who fight against the invasion and deforestation of their territories. In the Arariboia Indigenous Land, a land protection group was created in 2008, called Forest Guardians. Since then, the indigenous people have been facing increasing retaliation and violence from loggers. The victim from the Gamela people was killed by three gunshots on his return from an action to retake his people's land.

Also noteworthy was the increase in the number of murders in Santa Catarina, with 6 victims, all from the Kaingang people.

Six people were also killed in Roraima. This same number was recorded in Amazonas. In São Gabriel da Cachoeira, the body of 18-year-old student Cleide Lima Barbosa, from the Piratapúya people, was found on a vacant lot with signs of sexual violence and strangulation.

In Alagoas, João Natalício, from the Xukuru-Kariri people, was stabbed and shot to death. The native was a historical leader of his people. In the state of Bahia, Luiz Viana Lima, from the Tupinambá people, was killed on a highway connecting the municipalities of Buerarema and Una. He was ambushed and shot by three individuals.

In Belo Horizonte, Minas Gerais, security cameras recorded the brutal murder of a homeless indigenous man about 55 years old. The victim was described as a quiet, peaceful person, with no criminal record. He was sleeping on the sidewalk when a young man approached and cowardly and cruelly started kicking him and stepping on his head more than 20 times. The man agonized on the sidewalk for five hours. He was taken to the hospital but could not resist the wounds and died.

Murders in 2016 - CIMI Data

UF	Indigenous People	No. of Victims
MS	Guarani-Kaiowá	15
MA	Guajajara and Gamela	11
SC	Kaingang	6
AM	Baré, Kokama, Mura and Piratapúya	6
RR	Makuxi	6
BA	Pataxó, Pataxó Hã-Hã-Hãe and Tupinambá	3
PR	Kaingang	3
RO	Makurap	1
RS	Kaingang	1
PA	Munduruku	1
MG	–	1
AL	Xuruku-Kariri	1
AC	Kulina	1
Total		56

Murders in Brazil and Mato Grosso do Sul - 2016

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total	Average
Total Brazil	42	37	43	58	92	60	60	60	51	60	53	138*	137*	118*	1.009	72
Absolute number MS	13	16	28	28	53	42	33	34	32	37	33	41*	36*	18*	444	31
Absolute number others	29	21	15	30	39	18	27	26	19	23	20	97	101	100	565	41
MS (%)	31%	43%	65%	48%	58%	70%	55%	57%	63%	62%	62%	29%	26%	15%	44%	43%

* Official data provided by Sesai

Murders

56 Cases - 56 Victims

ACRE - 1 Case - 1 Victim

5/29/2016

VICTIM: Francisco Pape Moreno Kulina

PEOPLE: KULINA

MUNICIPALITY: MANOEL URBANO

DESCRIPTION: There is no information on the circumstances of the homicide. Of the three suspects, two are fugitives and the third has been released.

CAUSE: wood bat

Source: CIMI Regional Office in Western Amazon

ALAGOAS - 1 Case - 1 Victim

10/11/2016

VICTIM: João Natalício Xukuru-Kariri

PEOPLE: XUKURU-KARIRI

INDIGENOUS LAND: XUKURU-KARIRI

MUNICIPALITY: PALMEIRA DOS ÍNDIOS

PLACE OF INCIDENT: Fazenda Canto Village

DESCRIPTION: The native, who was a historical leader of the Xukuru-Kariri people, was killed as he was getting ready to go to his small plantation. Two unidentified individuals called the leader by name. When he stepped out to see who it was, he was stabbed and shot to death. The previous day he had participated in the II Pedagogical Seminar of his people, which brought back the memory of the leader Maninha Xukuru, killed 10 years before.

CAUSE: Firearm and Cold Weapon

Source: UOL, 10/11/2016

AMAZONAS - 6 Cases - 6 Victims

10/2016

VICTIM: Pauderney Peixoto

PEOPLE: BARÉ

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

PLACE OF INCIDENT: São Gabriel da Cachoeira

DESCRIPTION: The indigenous man, an Air Force soldier, was found with visible signs of beating.

CAUSE: Beatings

Source: Amazônia Real, 11/28/2016

4/10/2016

VICTIM: Andréia Tavares dos Santos

PEOPLE: MURA

INDIGENOUS LAND: SAMPAIO/FERRO QUENTE

MUNICIPALITY: AUTAZES

PLACE OF INCIDENT: surroundings of Pantaleão Village

DESCRIPTION: The victim, a resident of Ferro Quente Village, was found dead on Jorginho Road with signs of strangulation and beating. The suspect is known, but the reason for the crime is unknown.

CAUSE: Strangulation, wood bat

Source: Community Chief; CIMI Regional North Office I

10/5/2016

VICTIM: Diego Franco Castrilho

PEOPLE: KOKAMA

MUNICIPALITY: MANAUS

PLACE OF INCIDENT: União dos Povos Street, Paraíso Tropical camp

DESCRIPTION: After an altercation in a bar, there was a fight and the victim was hit. He received medical assistance but could not resist the wounds.

CAUSE: Cold weapon

Source: D24AM, 10/6/2016

10/29/2016

VICTIM: João Baltazar Soares

PEOPLE: BARÉ

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

PLACE OF INCIDENT: São Gabriel da Cachoeira

DESCRIPTION: The indigenous man, a Spanish teacher, was attacked by a group of young men. According to the necropsy report, he died from asphyxia and drowning. According to the Federation of Indigenous Organizations of Rio Negro (FOIRN), there is delay and negligence by authorities in investigating crimes. Without a permanent judge in São Gabriel da Cachoeira for more than a year, the population lives in a climate of insecurity, because those who commit the crimes are certain of impunity.

CAUSE: Asphyxiation

Source: Amazônia Real, 11/28/2016

11/2016

VICTIM: A female teacher

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

PLACE OF INCIDENT: São Gabriel da Cachoeira

DESCRIPTION: The indigenous teacher was murdered, and the main suspect of the crime was in prison for three months. Subsequently, he was released and his whereabouts are unknown. Indigenous leaders report the increase in murders in the municipality and many of these cases are not investigated.

Source: Amazônia Real, 11/28/2016

11/15/2016

VICTIM: Cleide Lima Barbosa

PEOPLE: PIRATAPÚYA

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

DESCRIPTION: According to the Civil Police report, on November 15 the body of student Cleide Lima Barbosa, 18, was found in a vacant lot, with signs of sexual violence and strangulation.

CAUSE: Strangulation

Source: Amazônia Real, 11/28/2016

BAHIA - 3 Cases - 3 Victims

2/2016

VICTIM: Leandro Vieira dos Santos

PEOPLE: PATAXÓ HÃ-HÃ-HÃE

INDIGENOUS LAND: PAU BRASIL

MUNICIPALITY: PAU BRASIL

PLACE OF INCIDENT: Surroundings of a village in the municipality

DESCRIPTION: Two men had an altercation and exchanged gunshots. One of the bullets hit the indigenous man, who was not involved in the brawl. One of the accused is known to have committed several murders in the region.

CAUSE: Firearm

Source: R7, 2/22/2016

7/10/2016

VICTIM: A man

PEOPLE: PATAXÓ

MUNICIPALITY: PORTO SEGURO

PLACE OF INCIDENT: 3 km from the district of Arraial D'Ajuda

DESCRIPTION: According to witnesses, the indigenous man was stabbed to death. The victim and the suspect were brothers-in-law and had an altercation before the crime.

CAUSE: Cold weapon

Source: G1/BA, 7/11/2016

11/26/2016

VICTIM: Luiz Viana Lima

PEOPLE: TUPINAMBÁ

INDIGENOUS LAND: TUPINAMBÁ

MUNICIPALITY: BUERAREMA

PLACE OF INCIDENT: Highway connecting the municipalities of Buerarema and Una

DESCRIPTION: The crime was committed on the highway connecting the municipalities of Buerarema and Una, and the shots were fired by three individuals in an ambush. The murder occurred one day after the release of CIMI's 2015 Report on Violence against Indigenous People. The same report had been released two days earlier at the State University of Santa Cruz, together with the handbook on Conflicts in Rural Areas, issued by the Pastoral Land Commission (CPT) and the book *Antes a carga fosse mais leve* (I wish the load was lighter), from the Movement of People Affected by Mining. The murder of Luizão reinforces the reports of violence and impunity disseminated in the mentioned publications.

CAUSE: Firearm

Source: CIMI East Regional Office, Itabuna Team, 11/28/2016

MARANHÃO - 11 Cases - 11 Victims

2016

VICTIM: José Dias de Oliveira Lopes

PEOPLE: GUAJAJARA

INDIGENOUS LAND: BACURIZINHO

MUNICIPALITY: GRAJAÚ

PLACE OF INCIDENT: Dias Village

DESCRIPTION: The body was found on the Mearim River, with signs of strangulation. The daughter stated that her father had been threatened due to disputes over land. The case was reported to the Civil Police, but did not get proper attention.

CAUSE: Strangulation

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

2016

VICTIM: Hugo Pompeu Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: CANA BRAVA/GUAJAJARA

MUNICIPALITY: BARRA DO CORDA

DESCRIPTION: The body of the indigenous man was severely mutilated.

CAUSE: Cold weapon

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

3/2016

VICTIM: Aponuyre Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE

DESCRIPTION: The indigenous man was shot to death on suspicion that he had participated in the death of a non-indigenous man in the town of Amarante. Considering other cases that

took place in the Arariboia Indigenous Land, leaders report that the murders of indigenous people are occurring very often and remaining unpunished, as if killing indigenous people were not a crime.

CAUSE: Firearm

Source: CIMI Regional Office in Maranhão, Imperatriz Team

4/2016

VICTIM: Fernando Gamela

PEOPLE: GAMELA

INDIGENOUS LAND: GAMELA

MUNICIPALITY: VIANA

PLACE OF INCIDENT: Taquaritia Village

DESCRIPTION: The indigenous man was killed on the roadside of BR-040, on his way back from a land repossession action known as Cajueiro. The victim was shot three times. An incident report was filed, but without information on the circumstances, organizers and executors of the crime.

CAUSE: Firearm

Source: Indigenous leaders; CIMI Regional Office in Maranhão

4/11/2016

VICTIM: Genésio Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE DO MARANHÃO

DESCRIPTION: The indigenous man, a resident of Formosa Village, was in town to collect the food staples distributed by FUNAI when he was shot and beaten to death. A report was filed with the Police Station in Amarante do Maranhão.

CAUSE: Gun, wood stick

Source: CIMI Regional Office in Maranhão, Imperatriz Team

4/19/2016

VICTIM: Isaías Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE

PLACE OF INCIDENT: Amarante

DESCRIPTION: The victim was stabbed to death. For years, the approximately 10,000 Guajajara and Awá who live in the Arariboia Indigenous Land have endured illegal logging as well as threats and acts of violence from the region's loggers. In view of the State's inability to guarantee the safety of indigenous people and the preservation of boundaries along the 413,000 hectares of their territory, the Guajajara have decided to ensure surveillance of the area and restrain invasions and illegal logging. In 2008, they created a territorial protection group, which in 2013 was named Forest Guardians. In retaliation, since then loggers have intensified violence against indigenous peoples. At least 21 murders of Guajajara indigenous people in Maranhão were reported from 2008 to 2016.

CAUSE: Cold weapon

Source: CIMI Press Office, 4/27/2016

4/22/2016

VICTIM: Assis Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE

PLACE OF INCIDENT: Inside the indigenous land

DESCRIPTION: The native was beaten to death inside the indigenous area. For the leaders, this is another case of the attack by loggers on indigenous people in retaliation for the surveillance

that the peoples are carrying out to prevent loggers from invading their traditional territory.

CAUSE: Beatings

Source: CIMI Press Office, 4/27/2016

9/23/2016

VICTIM: José Queirós Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: BACURIZINHO

MUNICIPALITY: GRAJAÚ

PLACE OF INCIDENT: Inside a dam

DESCRIPTION: The victim was found with multiple burns typical of an electrocution. According to community reports, he was electrocuted on the dam's electricity grids installed by an invading farmer, who would have committed the crime.

CAUSE: Electrocution

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

10/29/2016

VICTIM: Divino Carvalho Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: BACURIZINHO

MUNICIPALITY: GRAJAÚ

PLACE OF INCIDENT: Taboca Village

DESCRIPTION: The victim was stabbed to death by a non-indigenous man married to an indigenous woman. According to witnesses, the crime occurred while drinking alcohol.

CAUSE: Cold weapon

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

11/5/2016

VICTIM: Lopes de Sousa Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: MORRO BRANCO

MUNICIPALITY: GRAJAÚ

DESCRIPTION: The victim's body was found floating on the Grajaú River; his penis and ears had been cut off.

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

11/26/2016

VICTIM: José Colírio Oliveira Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: CANA BRAVA / GUAJAJARA

MUNICIPALITY: BARRA DO CORDA

PLACE OF INCIDENT: Novo Brejo Village

DESCRIPTION: The victim was shot and killed point blank in front of his family. There is no information on motives.

CAUSE: Firearm

Source: Indigenous Pastoral of Grajaú; CIMI Regional Office in Maranhão

MATO GROSSO DO SUL - 15 Cases - 15 Victims

1/10/2016

VICTIM: Geraldo Ribeiro

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: GUAIMBÉ

MUNICIPALITY: LAGUNA CARAPA

PLACE OF INCIDENT: Guaimbé Village

DESCRIPTION: Beaten with a hoe and a bat, the victim was taken to the hospital but could not resist. The perpetrator was arrested on the spot, but the motives for the crime remain unknown.

CAUSE: Beatings

Source: Capital News, 1/11/16

1/20/2016

VICTIM: Rosiel Rodrigues Amarila

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Bororó Village

DESCRIPTION: The teenager was stabbed to death by his cousin, also a teenager, for having used provocative words against him.

CAUSE: Cold weapon

Source: Campo Grande News, 1/21/2016

1/30/2016

VICTIM: Siléia Martins

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF INCIDENT: Amambai Village

DESCRIPTION: According to witnesses, the victim was having alcoholic drinks with friends until morning, when she would have left the house where they were, accompanied by a girlfriend and two men. Later she was found dead with stab wounds. The girlfriend was found visibly drunk and the two men have not been found.

CAUSE: Cold weapon

Source: Gazeta News, 2/1/2016

3/18/2016

VICTIM: A teenager

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TE'Y KUE

MUNICIPALITY: CAARAPÓ

DESCRIPTION: For futile reasons, two sisters, one of them under age, threatened the victim and killed him the next day.

CAUSE: Asphyxiation

Source: Aquidauana News, 20/3/2016

4/5/2016

VICTIM: A woman

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: LIMÃO VERDE

MUNICIPALITY: AMAMBÁI

PLACE OF INCIDENT: Limão Verde Village

DESCRIPTION: The victim was beaten to death by her husband.

CAUSE: Beatings

Source: Correio do Estado newspaper, 4/7/2016

4/20/2016

VICTIM: A woman

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: SASSORÓ

MUNICIPALITY: TACURU

PLACE OF INCIDENT: Sassoró Reserve

DESCRIPTION: The killer, who was the victim's husband, confessed to the crime. The case was filed with the police station as femicide and domestic and family violence.

CAUSE: Beatings

Source: Capital News, 4/21/2016

4/22/2016

VICTIM: Rosalino Ricarte

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: LIMÃO VERDE

MUNICIPALITY: AMAMBÁI

DESCRIPTION: The victim was stabbed to death because the defen-

dant refused to accept his mother's relationship with the 53-year-old victim.

CAUSE: Cold weapon

Source: *Aquidauana News*, 4/23/2016

5/1/2016

VICTIM: A man

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TAQUAPERÍ

MUNICIPALITY: CORONEL SAPUCAIA

DESCRIPTION: The body of the indigenous man was found by his brother inside the dam, with mouth wounds. The victim's son said that his father left home and never came back. The case was filed as cause of death to be clarified.

Source: *G1*, 5/2/2016

6/14/2016

VICTIM: Clodiodi Aquileu Rodrigues de Souza

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS AMAMBAIPEGUÁ

MUNICIPALITY: CAARAPÓ

PLACE OF INCIDENT: Kunumi Verá Camp/Yvu Farm

DESCRIPTION: The community was the victim of a serious attack in the camp on Yvu Farm, which overlaps the Dourados Amambaipegua I Indigenous Land, currently in the process of demarcation. The attack resulted in the death of health agent Clodiodi Aquileu Rodrigues de Souza. Six other indigenous people were injured, including a 12-year-old child. Videos made by the natives themselves show more than one hundred armed men setting fire to motorcycles and the few belongings of the natives. These attacks occurred after a group of local farmers and politicians had threatened to cancel the newly published recognition of the Dourados Amambaipegua I territory. Afraid of losing their rights to the ancestral land, indigenous families retook possession of a small area in the perimeter identified as traditional land, eliciting a disproportionate reaction by the armed groups.

CAUSE: Firearm

Source: *CIMI Press Office*, 6/14/2016

7/28/2016

VICTIM: A child

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Bororó Village

DESCRIPTION: According to police reports, the child died after being beaten and raped by her uncles, who were also her guardians. Suspicion of sexual violence was raised while the girl was being treated at the hospital. According to the uncles, she had been in a bicycle accident. Doctors found that she had a fractured jaw and a leg, bruises on her face and traces of sexual violence.

CAUSE: Sexual abuse, beatings

Source: *Diário Digital*, 7/29/2016

10/9/2016

VICTIM: Valdecir Franco

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TE'Y KUE

MUNICIPALITY: CAARAPÓ

DESCRIPTION: When leaving a party, the victim was beaten to death. As reported by indigenous people to the police, the crime would have been motivated by a debt regarding the purchase of a bicycle.

CAUSE: Beatings

Source: *Correio do Estado newspaper*, 10/10/2016

12/2/2016

VICTIM: Oscar Garcia Machado

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Jaguapirú Village

DESCRIPTION: The indigenous man was found stabbed to death by passers-by at km 1 of highway MS-156. A group of people who had been drinking with him was unable to say what had happened.

CAUSE: Cold weapon

Source: *G1/MS*, 12/2/2016; *Correio do Estado newspaper*, 12/2/2016

12/4/2016

VICTIM: Aleixo Rosa

PEOPLE: GUARANI

INDIGENOUS LAND: TE'Y KUE

MUNICIPALITY: CAARAPÓ

PLACE OF INCIDENT: Nhãdeva Camp/Novilho Farm

DESCRIPTION: A fight involving indigenous people participating in the action to retake Novilho Farm, which overlaps the land claimed as traditional, caused the death of one indigenous man. Two of the men accused were arrested and the third fled.

CAUSE: Sickle

Source: *Correio do Estado newspaper*, 12/5/2016

12/23/2016

VICTIM: A man

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBAI

MUNICIPALITY: AMAMBAI

PLACE OF INCIDENT: Amambai Village

DESCRIPTION: The victim was found in a creek in the back of the village. He had a rope around his neck and his hands were tied with a nylon rope which, according to the civil police, is an indication of execution.

CAUSE: Rope

Source: *Campo Grande News*, 12/25/2016

12/24/2016

VICTIM: Ilson Turíbio

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: SUCURIY

MUNICIPALITY: MARACAJU

PLACE OF INCIDENT: Sucury'l Village

DESCRIPTION: The indigenous man was barbarously murdered on his way back from the town, where he had gone to buy alcoholic beverages. The assailants, who were drinking with the victim, noticed that he was carrying a lot of money and tried to rob him on the side road. As the victim refused to give away the money and the bicycle, the assailants stabbed him. He was rescued and sent to Santa Casa de Campo Grande hospital, but died two days after being hospitalized in a serious condition. Two of the assailants are teenagers, aged 13 and 15.

CAUSE: Cold weapon

Source: *O Progresso newspaper*, 12/29/2016

MINAS GERAIS - 1 Case - 1 Victim

1/15/2016

VICTIM: A man

MUNICIPALITY: BELO HORIZONTE

PLACE OF INCIDENT: Downtown Belo Horizonte

DESCRIPTION: The homeless indigenous man was violently attacked while lying down, most probably because of racial discrim-

ination. Belo Horizonte has been the frequent stage of violence against indigenous people who go to the city to sell handicrafts or to escape conflicts and threats arising from the struggle for their traditional territories, seeking better living conditions in the Southeast region.

CAUSE: Beatings

Source: CIMI East Regional Office, 1/18/2016; O Tempo newspaper, 1/15/2016

PARÁ - 1 Case - 1 Victim

1/18/2016

VICTIM: Geiziane Kaba Munduruku

PEOPLE: MUNDURUKU

INDIGENOUS LAND: MUNDURUKU

MUNICIPALITY: JACAREACANGA

PLACE OF INCIDENT: Public square

DESCRIPTION: The accused confessed to the crime alleging self-defense, since, according to her, she had been threatened by the victim.

CAUSE: Firearm

Source: O Impacto newspaper, 1/20/2016

PARANÁ - 3 Cases - 3 Victims

6/13/2016

VICTIM: Sebastiana Nivagsanh Mendes

PEOPLE: KAINGANG

MUNICIPALITY: CASCAVEL

PLACE OF INCIDENT: Alto Alegre Neighborhood

DESCRIPTION: People linked to a social entity found the indigenous woman's body half-naked and wrapped in a blanket on a vacant lot. According to preliminary information, she would have been beaten to death. Sebastiana was camping in an area next to the bus station, which is occupied by several indigenous people coming from the region to the town.

CAUSE: Physical assault

Source: O Paraná newspaper, 6/14/2016

7/7/2016

VICTIM: Juca Karai Pires de Lima

MUNICIPALITY: QUEDAS DO IGUAÇU

PLACE OF INCIDENT: Linha Bom Princípio, rural area

DESCRIPTION: According to information, the victim was killed during a fight. The accused was hospitalized in the municipality of Quedas do Iguaçu.

CAUSE: Cold weapon

Source: Correio do Lago newspaper, 7/8/2016

12/2/2016

VICTIM: João Nelson Nensanh

PEOPLE: KAINGANG

INDIGENOUS LAND: RIO DAS COBRAS

MUNICIPALITY: NOVA LARANJEIRAS

PLACE OF INCIDENT: km 480 of highway BR 277

DESCRIPTION: The indigenous man was found dead close to km 480 of the highway. According to the CSI team, he was stabbed in the chest. The indigenous people reported that the victim would have left with another person, and that they had already come to blows after drinking alcohol. A team of police officers went to the village, but no one was arrested.

CAUSE: Cold weapon

Source: www.jcorreiodopovo.com.br, 12/2/2016

RIO GRANDE DO SUL - 1 Case - 1 Victim

5/16/2016

VICTIM: Giovana Deodoro

PEOPLE: KAINGANG

INDIGENOUS LAND: MATO CASTELHANO

MUNICIPALITY: MATO CASTELHANO

PLACE OF INCIDENT: Inside the indigenous land

DESCRIPTION: The case would have been motivated by a fight between two indigenous groups who claim an area of 3,567 hectares that had the anthropological study recognized by FUNAI. According to the Military Brigade, the indigenous people were camped in the same place along the highway, but broke up and one of the groups tried to settle in a new camp in the back of the previous one. There was a confrontation and the indigenous woman was hit and ended up dying.

CAUSE: Firearm

Source: www.jcorreiodopovo.com.br, 5/17/2016

RONDÔNIA - 1 Case - 1 Victim

7/15/2016

VICTIM: A teenager

PEOPLE: MAKURAP

INDIGENOUS LAND: GUAPORÉ RIVER

MUNICIPALITY: GUAJARA-MIRIM

PLACE OF INCIDENT: Ricardo Franco Village

DESCRIPTION: The teenager was killed and had his body hidden in the shrubs. The offender, also a teenager, confessed to the crime. He and the victim were drunk and went together to the district of Surpresa, where they bought alcohol beverages. On their way back to the village they had an argument. The argument turned into a fight and mutual assaults. The offender took a piece of wood and beat the victim repeatedly on the face and head. The victim died on the spot.

CAUSE: Physical assault

Source: Espigão Portal, 7/18/2016

RORAIMA - 6 Cases - 6 Victims

1/22/2016

VICTIM: Henrique Miguel da Silva

PEOPLE: MAKUXI

MUNICIPALITY: NORMANDIA

PLACE OF INCIDENT: Serra Grande

DESCRIPTION: The two brothers had old sores. When the accused returned to the village, they drank and after a fight the victim was hit and died.

CAUSE: Cold weapon

Source: Roraima em Tempo newspaper, 1/25/2016

3/29/2016

VICTIM: A man

MUNICIPALITY: BOA VISTA

PLACE OF INCIDENT: Intersection of Guyana and Uiramutã avenues

DESCRIPTION: The unidentified indigenous man was riding his motorcycle to Malacacheta. He reacted to a robbery and could not resist the wounds. The criminals took the bike.

CAUSE: Firearm

Source: Folha de Boa Vista newspaper, 3/29/2016

5/14/2016

VICTIM: Cecília da Silva
PEOPLE: MAKUXI
INDIGENOUS LAND: RAPOSA SERRA DO SOL
MUNICIPALITY: NORMANDIA
DESCRIPTION: The victim was found dead in her house. The husband is suspected of having killed her.
CAUSE: Cold weapon
Source: Folha de Boa Vista newspaper, 5/16/2016

6/30/2016

VICTIM: Gilson James da Silva
MUNICIPALITY: IRACEMA
DESCRIPTION: Three brothers fought and two of them hit the youngest brother, who died from the wounds.
CAUSE: Cold weapon
Source: Folha de Boa Vista newspaper, 7/12/2016

12/18/2016

VICTIM: Valmir dos Santos
PEOPLE: MAKUXI
MUNICIPALITY: NORMANDIA
PLACE OF INCIDENT: Banco Indigenous Community
DESCRIPTION: Witnesses claimed that the killer was running after a man with a knife when he was reprimanded by the victim, who was his brother-in-law. Displeased for having been reprimanded, he hit the victim on the face and chest. The victim could not resist the wounds.
CAUSE: White weapon
Source: Folha de Boa Vista newspaper, 12/18/2016

12/31/2016

VICTIM: A child
PEOPLE: MAKUXI
INDIGENOUS LAND: OURO
MUNICIPALITY: AMAJARI
PLACE OF INCIDENT: Ouro Indigenous Community
DESCRIPTION: A 14-year-old teenager, the victim's cousin, confessed to the crime, saying he was intoxicated. The child had also been sexually abused.
CAUSE: Beatings
Source: G1/RR, 1/3/2017

SANTA CATARINA - 6 Cases - 6 Victims

4/2016

VICTIM: Alessandro Norberto
PEOPLE: KAINGANG
INDIGENOUS LAND: XAPECÓ
MUNICIPALITY: IPUAÇU
DESCRIPTION: The victim was found with stab wounds. The homicide occurred in the indigenous reservation. A community leader reported that local residents caught the perpetrators, who were referred to the Regional Prison in Xanxerê.
CAUSE: Cold weapon
Source: CIMI South Regional Office, Florianópolis Team; RBJ, 43/3/2016

4/11/2016

VICTIM: A man
PEOPLE: KAINGANG
MUNICIPALITY: IPUAÇU
PLACE OF INCIDENT: Local road near the Kaingang reservation

DESCRIPTION: According to the Military Police, the victim would have attended a dance party the night before. On his way home with his wife and son, because he was too drunk to walk, she left him in the street and took a ride home with the child. The victim was found the next day in a ditch, with signs of rock blows to the head.

CAUSE: Rocks
Source: G1/SC, 4/12/2016

4/28/2016

VICTIM: Bruno Mateus Belino
PEOPLE: KAINGANG
INDIGENOUS LAND: XAPECÓ
MUNICIPALITY: IPUAÇU
PLACE OF INCIDENT: Roadside of SC-480 highway
DESCRIPTION: A fight at a concert hall on the roadside of SC-480 led the indigenous man to be shot to death. He was assisted and sent to the Hospital of Xanxerê, but could not resist the wounds and died.

CAUSE: Firearm
Source: CIMI South Regional Office, Florianópolis Team; RBJ, 5/30/2016

6/11/2016

VICTIM: Argeu de Oliveira
PEOPLE: KAINGANG
INDIGENOUS LAND: XAPECÓ
MUNICIPALITY: IPUAÇU
PLACE OF INCIDENT: Near the Catholic Church in the community
DESCRIPTION: After a party, the victim, in defense of his brother, got involved in a fight in which he was wounded by two young men who were identified. These, for revenge, set up an ambush for the alleged victim. After a bodily fight, the armed twosome struck the victim on the chest, who died on the spot. The intended target was the victim's brother.

CAUSE: Cold weapon
Source: Ronda, 6/11/2016

7/2/2016

VICTIM: A man
PEOPLE: KAINGANG
INDIGENOUS LAND: XAPECÓ
MUNICIPALITY: IPUAÇU
PLACE OF INCIDENT: Pinhalzinho Village
DESCRIPTION: The indigenous man was killed in Pinhalzinho Village. According to the Military Police, the residents did not give details of the incident, but suspect that the victim was killed by a rock blow to the head, due to the type of wound.

CAUSE: Rock
Source: G1/SC, 7/3/16

7/3/2016

VICTIM: João Belino
PEOPLE: KAINGANG
INDIGENOUS LAND: XAPECÓ
MUNICIPALITY: IPUAÇU
PLACE OF INCIDENT: Border of the indigenous reservation with Pinhalzinho Village
DESCRIPTION: According to the Military Police, the victim was in a bar and had an altercation with other patrons. He was stabbed to death.
CAUSE: Cold weapon
Source: CIMI South Regional Office; Guiatemabelardoluz.com.br, 7/3/2016



Mato Grosso do Sul was once again the state with the highest number of attempted murder cases, as a result of direct attacks on the communities

Attempted murder

In 2016, CIMI recorded 23 cases of attempted murder. The incidents took place in the states of Amazonas (1), Bahia (1), Maranhão (1), Mato Grosso do Sul (16), Pernambuco (1), Roraima (1) and Santa Catarina (2).

In the state of Mato Grosso do Sul, the Council recorded 16 attempted murders, of which eight were carried out during attacks on indigenous communities, such as that in the Guarani-Kaiowá tekoha de Ita Poty in the municipality of Dourados, when an indigenous man was injured during an attack by farmers. The victim was taken to the hospital with at least eight gunshot wounds. Two days later a prayer man from the same camp was hit by rubber bullets during a new attack by farmers. According to one of the leaders, in the attacks the farmers alternated between lethal and non-lethal ammunition.

A similar attack on indigenous people camped in Tekoha Guapoy was reported. Gunmen in four trucks

and a tractor attacked the camp. In the attack, three people were shot – one adult and two teenagers. One of them was in serious condition. The attack occurred despite the presence of the National Security Force in the region.

In the state of Bahia, a community of the Pataxó people from Cahy Village was attacked. Men set fire to a bridge over the Peixe Grande River, which is the only access to the village. During the action, several gunshots were fired. In Maranhão, a Guajajara man was attacked with a machete when apprehending hunters who had invaded the Arariboia Indigenous Land.

In Pernambuco, Issô Truká, the people's leader, was the victim of an attempted murder as he prepared to go back to the village with his son. The attack occurred in front of a house maintained by indigenous students of the Federal University of Pernambuco.

ATTEMPTED MURDER

23 Cases

AMAZONAS - 1 Case

9/13/2016

VICTIMS: Arão de Souza Martins, Raimundo Tucano Figueiredo, Raimundo Cardoso and Raimundo Cardoso Filho

PEOPLE: MURA

INDIGENOUS LAND: LAGO JAUARI

MUNICIPALITY: AUTAZES

INDIGENOUS LAND: Jauari Village

DESCRIPTION: The victims were fishing in a lake inside the indigenous land when four armed non-indigenous men who lived near the lake approached them. One of the men fired at the indigenous group. The shot hit the engine of the natives' boat.

CAUSE: Firearm

Source: Community Chief; CIMI North Regional Office I

BAHIA - 1 Case

8/22/2016

VICTIM: A community

PEOPLE: PATAXÓ

INDIGENOUS LAND: COMEXATIBA (CAHY VILLAGE)

MUNICIPALITY: PRADO

INDIGENOUS LAND: Bridge over the Peixe Grande River

DESCRIPTION: Non-indigenous men set fire to a bridge over the Peixe Grande River. During the action, the criminals fired several gunshots. The threats and attacks on the indigenous community have been intermittent for some time. The bridge is 300 meters from Cahy Village and is the only access way to Cumuruxatiba, the nearby town. According to some indigenous people, they would be receiving several threats from a group that does not want the Pataxó people in the region. A man had been in Cahy Village two days before the criminal fire on the bridge, claiming that he was the owner of those lands and that the community would have to leave them "for better or for worse."

CAUSE: Firearms

Source: CIMI Press Office, 8/25/2016

MARANHÃO - 1 Case

2016

VICTIM: Francinak Lima Guajajara

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE

DESCRIPTION: The victim was attacked with a machete when apprehending hunters inside the indigenous land.

CAUSE: Physical assault

Source: CIMI Regional Office in Maranhão, Imperatriz Team

MATO GROSSO DO SUL - 16 Cases

1/24/2016

VICTIM: Two teenagers

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Bororó Village

DESCRIPTION: Two teenage brothers were attacked in an ambush on a road alongside the indigenous area. One of them was out of danger, but the other was in critical condition. The motive and the perpetrator are unknown.

CAUSE: Firearm

Source: Itaporã News, 1/25/2016

2/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TAQUARA

MUNICIPALITY: JUTI

INDIGENOUS LAND: Indigenous Area

DESCRIPTION: After a period of more than ten years in which more than 600 people lived on only 300 hectares and without any hope of progress in the demarcation process (an area already declared, but never expropriated), the Guarani-Kaiowá decided to retake about 9,700 hectares of their declared territory. After the land was retaken, armed attacks were carried out against the indigenous community every night, without any security measures being taken. The community was under attack for more than six nights in a row and subject to constant siege by gunmen.

CAUSE: Death threat

Source: CIMI Press Office; Outrasspalavras.net, 2/26/2016

2/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: GUAYVIRY

MUNICIPALITY: AMAMBAI

DESCRIPTION: The community was attacked and shot at by farmers and gunmen. The assailants fired at least twelve 16-caliber shots at the indigenous people.

CAUSE: Firearm

Source: CIMI Press Office

3/10/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: KURUSU AMBÁ

MUNICIPALITY: CORONEL SAPUCAIA

DESCRIPTION: Moments after the departure of UN rapporteur Victoria Tauli-Corpuz, gunmen from farms overlapping the traditional land attacked the Kurusu Ambá tekoha.

CAUSE: Firearm

Source: CIMI Regional Office in Mato Grosso do Sul, Press Office, 3/14/2016

3/12/2016

VICTIM: The Community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: ACAMPAMENTO ITA POTY

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Ita Poty Camp

DESCRIPTION: An attack by gunmen on the Ita Poty community left two indigenous men wounded. One of them, Israel Reginaldo, was shot at least eight times. Given the impossibility for the 17,000 natives to live on 3,000 hectares, the families occupied their traditional land, which borders the reservation and

today is overlapped, among other properties, by Crystal Farm, which would belong to the owners of a local MF radio station. Farmers reacted by attacking and sieging the community.

CAUSE: Firearms

Source: CIMI Press Office, 3/13/2016

3/14/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: ITA POTY

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Ita Poty Camp

DESCRIPTION: A prayer man was hit in an attack by farmers in the Guarani-Kaiowá and Terena camp between the municipalities of Dourados and Itaporã. According to one of the leaders, the farmers are alternating the use of lethal and non-lethal ammunition as a strategy to maintain the attacks, even in the presence of the police. When the Federal Police are in the area they use rubber bullets, which also cause injuries.

CAUSE: Rubber bullets

Source: CIMI Regional Office in Mato Grosso do Sul, Press Office, 3/16/2016

3/17/2016

VICTIM: Jonemar de Ramos Machado

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: ITA POTY

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Ita Poty Camp

DESCRIPTION: The indigenous man was shot in the back while talking to another person, who was unable to identify the shooter. This was the second case in the same location in a week. The situation is tense between the indigenous people and the farmers who occupy the community's traditional land.

CAUSE: Firearm

Source: Campo Grande News, 3/18/2016

4/29/2016

VICTIM: Marcio Barbosa Samaniego

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Jaguapiru

DESCRIPTION: According to information from the Civil Police, an unidentified man on a motorcycle drove by the victim's house shooting and hit him. The victim was attended to but was already in critical condition.

CAUSE: Firearm

Source: Dourados News, 4/30/2016

7/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS AMAMBAlPEGUÁ I

MUNICIPALITY: CAARAPÓ

INDIGENOUS LAND: Guapoy Camp

DESCRIPTION: Gunmen in four trucks and a tractor attacked the Guarani and Kaiowá peoples camped in the Guapoy tekoha, in Dourados-Amambaiguá I Indigenous Land, on the night of July 11, in the municipality of Caarapó (MS), in the same location where the health agent Clodiodi de Souza had been murdered a month earlier. Three people were shot: a 32-year-old adult and two young men, one 15 and one 17 years old.

CAUSE: Firearm

Source: CIMI Press office, 7/12/2016

7/9/2016

VICTIM: Janiel Aquino Lopes

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Nhupurá Village

DESCRIPTION: The suspect of the assault is the victim's father, but the motives are unknown.

CAUSE: Cold weapon

Source: Campo Grande News

7/10/2016

VICTIM: Abílio Vera

PEOPLE: GUARANI

INDIGENOUS LAND: CERRITO

MUNICIPALITY: ELDORADO

INDIGENOUS LAND: Village of the municipality of Eldorado

DESCRIPTION: A couple was having alcoholic drinks at their daughter's house when an argument broke out. The suspect of the assault is the victim's wife.

CAUSE: Cold weapon

Source: Midiamax, 7/10/2016

7/12/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: KURUSU AMBÁ

MUNICIPALITY: CORONEL SAPUCAIA

INDIGENOUS LAND: Camp

DESCRIPTION: The natives were at the camp when they were attacked by gunfire shots. A group of children fled into the bushes and two children went missing for days. This was at least the fourth attack on that tekoha between the months of January and July. The indigenous people tried, unsuccessfully, to inform the National Security Force and the Federal Police. According to the leaders' report, the attack began at night, when gunmen scattered around the area approached the camp shooting upwards and at the shacks. All residents left the houses and gathered in a shack, trying to dodge the innumerable shots.

CAUSE: Firearm

Source: CIMI Press Office, 7/15/2016

9/17/2016

VICTIM: An elderly man

PEOPLE: GUARANI-NHÑDEVA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Bororó Village

DESCRIPTION: After an altercation over a dog, the victim was attacked by the animal's owner. He was taken to the hospital, treated and discharged. The indigenous people held the assailant as they waited for the arrival of the Military Police, who arrested him.

CAUSE: Physical assault

Source: G1/MS, 9/17/2016

12/18/2016

VICTIMS: Anísia Roberto Rosa and Edinaldo Roberto Rosa

PEOPLE: KADIWÉU

MUNICIPALITY: PORTO MURTINHO

INDIGENOUS LAND: São João Village

DESCRIPTION: The natives, mother and son, were in a school during the graduation of students in the 3rd and 9th grades, when five men began throwing rocks at them. At the end of the graduation, on their way back home they were surprised again by the group that attacked them with a knife. Mother and son were attended to by villagers and taken to the health unit.

CAUSE: Cold weapon

Source: *Campo Grande News*, 12/18/2016

12/22/2016

VICTIM: A man

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Jaguapiru Village

DESCRIPTION: The couple was drinking when an argument broke out. Neighbors heard cries for help from the woman, who was being beaten by her husband. She stabbed him and fled. The police found her at her relatives' house and arrested her. As the victim was hospitalized and received emergency treatment, the police were unable to get his testimony.

CAUSE: Cold weapon

Source: *Midiamax*, 12/22/2016

12/24/2016

VICTIM: Anívia Barros

PEOPLE: GUARANI-KAIOWÁ

MUNICIPALITY: PARANHOS

INDIGENOUS LAND: Village in Paranhos

DESCRIPTION: The natives were drinking when an argument broke out. The offender, who was pushed into a bonfire by the victim, reacted by stabbing her in the chest with a knife. She was taken to the municipal hospital, but had to be transferred to another hospital due to her seriousness condition.

CAUSE: Cold weapon

Source: *Campo Grande News*, 12/25/2016

PERNAMBUCO - 1 Case

4/16/2016

VICTIM: Issô Truká

PEOPLE: TRUKÁ

INDIGENOUS LAND: TRUKÁ

MUNICIPALITY: CARUARU

INDIGENOUS LAND: In front of the house maintained by indigenous students at the Federal University of Pernambuco (UFPE)

DESCRIPTION: The indigenous man was getting ready to leave for the village with his son when gunmen fired at him. Yssô is an important leader of his people and has been fighting for

decades for the demarcation of traditional indigenous lands scattered on the islands of the São Francisco River. In 2005, Dena and Jorge Truká, Yssô's brother and nephew, were murdered as a result of their fight for the land. Chief Neguinho Truká, also Yssô's brother, received numerous death threats, attempted murders and spent months out of Pernambuco, away from his family, as a protective measure.

CAUSE: Firearm

Source: *CIMI Northeast Regional Office, Press Communication Office*, 4/16/2016

RORAIMA - 1 Case

6/30/2016

VICTIM: Mariane Albert

INDIGENOUS LAND: CITADINO

MUNICIPALITY: BOA VISTA

INDIGENOUS LAND: Silvio Leite District, Boa Vista

DESCRIPTION: According to witnesses, two men on a motorcycle approached Mariane, 22, on a public road and announced the robbery. The young woman resisted handing over her cell phone, which would have motivated one of the assailants to shoot, hitting her in the neck. She was taken to the hospital in critical condition.

CAUSE: Firearm

Source: *G1*, 6/30/2016

SANTA CATARINA - 2 Cases

5/16/2016

VICTIM: Geraldo Ignacio, Aldair Deodoro and two other men

INDIGENOUS LAND: MATO CASTELHANO

MUNICIPALITY: MATO CASTELHANO

DESCRIPTION: As a result of a confrontation between indigenous people motivated by dispute over land, an indigenous woman was killed and four men were wounded.

CAUSE: Firearm

Source: *CIMI South Regional Office; robertolorenzon.com.br*, 5/16/2016

6/26/2016

VICTIM: A man

PEOPLE: XOKLENG

INDIGENOUS LAND: RIO DOS PARDOS

MUNICIPALITY: PORTO UNIÃO

INDIGENOUS LAND: Santa Cruz

DESCRIPTION: According to reports, a man would have entered the community without the leaders' permission and started an argument with one of the residents due to a land dispute. At one point, the assailant attacked the victim, severely wounding him.

CAUSE: Cold weapon

Source: *CIMI Regional Sul; Portal of Canoinhas*, 6/26/2016

Involuntary manslaughter

In 2016, CIMI recorded 11 cases of involuntary manslaughter. In 9 cases the victims were run over by a vehicle. In at least 3 cases the drivers fled the scene without helping the victims. In another case, the driver showed signs of intoxication. Cases were recorded in Maranhão (1), Mato Grosso (3), Mato Grosso do Sul (4), Paraná (2), and Rio Grande do Sul (1).

In Mato Grosso, an indigenous man was riding a motorcycle on BR-070 highway when he was hit by a pickup truck and ended up dying. The next day, a group of indigenous people went to the scene to protest, and during the demonstration a truck hit one of the demonstrators, who died on the spot.

In Andradina in Mato Grosso do Sul, the body of Windsor Mariano was found next to his bicycle, on a side road. There

is indication that he was hit by a vehicle whose driver fled the scene without helping the victim.

In Nova Laranjeiras, Paraná, two Guarani natives were killed in a hit-and-run accident on BR-277.

In Rio Grande do Sul, 36-year-old Lucas Fernandes was struggling, along with his community, for the possibility of a life away from the asphalt and premature death. In the afternoon of July 30, when Lucas was crossing the highway to catch a bus to visit his relatives in another camp of the Guarani people, 30 kilometers away, he was hit by a truck that was traveling at high speed. The accident occurred at kilometer 299 of BR-290 highway, in the municipality of Caçapava do Sul, at the camp named after the Irapuá Indigenous Land, which is the stage of countless cases of injustice, threats, expulsions, abandonment, and exclusion.

Cimi Team in Mato Grosso do Sul



Forced to live on the roadside and deprived of the minimum conditions for a decent life, indigenous people are run over and killed

INVOLUNTARY MANSLAUGHTER

11 Cases

MARANHÃO - 1 Case

2016

VICTIM: Cantide Zaraky

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE DO MARANHÃO

DESCRIPTION: The indigenous man went to the city to visit his mother

who was undergoing health treatment. He was on the bike at a stop sign when he was hit by a logging truck driven by a non-indigenous man, who, according to witnesses, was drunk. The victim died on the spot. Neither the driver nor the truck owner was found.

CAUSE: Hit by a truck

Source: CIMI Regional Office in Maranhão, Imperatriz Team

MATO GROSSO - 3 Cases

6/1/2016

VICTIM: Gilmar Panakire

PEOPLE: BORORO

INDIGENOUS LAND: TEREZA CRISTINA

MUNICIPALITY: SANTO ANTÔNIO DO LEVERGER

DESCRIPTION: Upon leaving a supermarket in the city of Rondonópolis, after cashing his paycheck and shopping, the indigenous man sat on a concrete base where a light pole was installed. There was no protection or any sign of risk and/or danger of death or injury from high voltage electric discharge at the site. The man leaned against the pole and was electrocuted, having died instantly.

CAUSE: Electrocution

Source: CIMI Regional Office in Mato Grosso

11/23/2016

VICTIM: An indigenous man

PEOPLE: XAVANTE

INDIGENOUS LAND: SANGRADOURO/VOLTA GRANDE

MUNICIPALITY: PRIMAVERA DO LESTE

INDIGENOUS LAND: Highway BR-070

DESCRIPTION: The indigenous man was riding his motorcycle on highway BR-070 when he was hit by a pickup truck. He did not resist the wounds and died.

CAUSE: Hit by a pickup truck

Source: G1/MT, 11/25/2016

11/29/2016

VICTIM: An indigenous man

PEOPLE: XAVANTE

INDIGENOUS LAND: SANGRADOURO/ VOLTA GRANDE

MUNICIPALITY: PRIMAVERA DO LESTE

INDIGENOUS LAND: Highway BR-070

DESCRIPTION: The indigenous man was hit by a van while participating in a demonstration for greater safety on highway BR-070. The protest was motivated by the death, the previous day, of another indigenous man hit by a pickup truck on the same highway.

CAUSE: Hit by a van

Source: G1/MT, 11/25/2016

MATO GROSSO DO SUL - 4 Cases

3/19/2016

VICTIM: Valdecir Fernandes

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBAL

MUNICIPALITY: AMAMBAL

INDIGENOUS LAND: Highway MS-156, km 240

DESCRIPTION: The indigenous man was run over by an elderly man and died on the spot.

CAUSE: Hit by a car

Source: Correio do Estado newspaper, 03/21/2016

5/8/2016

VICTIM: Marques

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

INDIGENOUS LAND: Highway GMS-156, between Dourados and Itaporã

DESCRIPTION: The young man was killed in a hit-and-run accident while asking for help on the roadside.

CAUSE: Hit-and-run accident

Source: Midiamax, 4/9/2016

5/21/2016

VICTIM: Nilo Freitas

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBAL

MUNICIPALITY: AMAMBAL

INDIGENOUS LAND: Highway MS-386, km 18

DESCRIPTION: The indigenous man was found seriously injured on the road and taken to hospital, but ended up dying.

CAUSE: Hit-and-run accident

Source: Dourados News, 5/22/2016

11/19/2016

VICTIM: Windsor Mariano Vieira

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: PANAMBIZINHO

MUNICIPALITY: PANAMBI

INDIGENOUS LAND: Panambizinho Village

DESCRIPTION: The victim's body was found next to his bicycle on a side road. He apparently was the victim of a hit-and-run accident. The body was taken to the morgue for a necropsy.

CAUSE: Hit-and-run accident

Source: Campo Grande News, 11/19/2016

PARANÁ - 2 Cases

7/7/2016

VICTIM: A man

PEOPLE: GUARANI

MUNICIPALITY: NOVA LARANJEIRAS

INDIGENOUS LAND: Highway BR-277, km 478

DESCRIPTION: The indigenous man was killed in a hit-and-run accident.

CAUSE: Hit-and-run accident

Source: Massa News, 7/7/2016

10/5/2016

VICTIM: Robertinho Renh Anibal

PEOPLE: GUARANI

MUNICIPALITY: NOVA LARANJEIRAS

INDIGENOUS LAND: Highway BR-277

DESCRIPTION: The victim was hit on the road by a truck, was attended to, but could not resist and died. The driver fled the scene without helping the victim.

CAUSE: Hit-and-run accident

Source: Massa News, 10/6/2016

RIO GRANDE DO SUL - 1 Case

7/30/2016

VICTIM: Lucas Fernandes

PEOPLE: GUARANI-MBY'A

INDIGENOUS LAND: IRAPUÁ

MUNICIPALITY: CAÇAPAVA DO SUL

INDIGENOUS LAND: Highway BR-290, Km 299

DESCRIPTION: Lucas Fernandes, 36, was killed by a truck that was traveling at high speed. He was crossing the highway to take a bus and visit his relatives who live in a camp 30 km away.

CAUSE: Hit-and-run accident

Source: CIMI South Regional Office, Porto Alegre Team



Death threats against indigenous peoples are often motivated by dispute over traditional lands; the leaders are the main targets of the assailants

Death threat

In 2016, 10 indigenous death threats were recorded in the states of Acre (2), Amazonas (2), Maranhão (4), and Mato Grosso (2).

As in 2015, most of the cases were recorded in Maranhão, with threats from loggers upset by the indigenous peoples' reports of invasions and deforestation in their territories. In the Alto Turiaçu Indigenous Land, leaders were forced to hide after receiving death threats from loggers who exploit the region. Representatives of the people released a letter denouncing that more than eight people among natives and their supporters would be marked for death.

In August 2016, members of the Gamela people denounced death threats against leaders of their people. A recorded audio confirms that the strategy against

actions to retake traditional areas currently overlapped by farms would be to eliminate what they called the "heads of the movement." The natives reported that a village was invaded by gunmen led by a farmer, who fired gunshots and promised a "bloodbath." During the attack, names of some indigenous people were mentioned several times.

An unidentified woman called up a Ka'apor village, looking for three men. She warned that the loggers were angry and would kill one of the three. She also said that the previous shooting had been meant to kill Euzébio's son, Samuel. Finally, she added that there were several men following the Ka'apor's car looking for these three people, and that the police would not stop them from killing the natives, since they were stronger.

Also in Maranhão, a native of the Kanela people was threatened by a man who had retirement and *Bolsa Família* (Family Grant) cards.

In the state of Acre, members of the Apolima Arara group have been receiving death threats for denouncing the actions of drug traffickers and loggers. The indigenous land borders Peru, and the territory is widely used as a route for drug trafficking and timber theft. Leaders of the people have already reported the situation several times and requested the Army, FUNAI, ICMBio and the Federal Police to increase surveillance in the region.

In Rondônia, Karitiana natives were threatened for defending a territory under study for demarcation. They were sought by invaders from the territory and warned: "If you denounce, let us know that it was you, from the indigenous community, and we will kill all the people in the village."

In the state of Amazonas, a leader of the Murutinga Village has been receiving threats over the phone since he joined the fight to retake his land. The situation has gotten to the point of a corporal of the Military Police invading his house and threatening him with death. Also

in Amazonas, in the municipality of Manicoré, a Tenharim leader received threats along with his wife and son. An unknown individual approached the family in the middle of the street, showed a photo of the leader on his cell phone and threatened them, saying that he was marked to die and that he would be quartered together with his wife and son.

In Santa Catarina, since 2012 the threats have been targeted at one of the main leaders of the struggle for the demarcation of the Morro dos Cavalos Indigenous Land, Kerexu Yxapyry. According to her, unidentified individuals invaded the indigenous land to monitor what went on in her house. They came in at dawn on motorcycles and made rounds. Her uncle was approached by young men bringing threat messages to the leader. In October, a person fired ten times at a school and a few houses around it. The accused shouted profanity against the Guarani and promised to kill the leader. Not satisfied, he pointed his gun at the indigenous people who had stepped out to see what was happening, and fired. The natives reported these attacks to the authorities, but protective measures have not been taken, either for the community or for its leaders.

DEATH THREATS

10 Cases

ACRE - 2 Cases

2016

VICTIMS: Francisco Siqueira, José Davi Macedo Avelino, José da Silva Chama and Flávia Nascimento Oliveira

PEOPLE: APOLIMA ARARA

INDIGENOUS LAND: APOLIMA ARARA

MUNICIPALITY: MARECHAL THAUMATURGO

INDIGENOUS LAND: Indigenous land

DESCRIPTION: The Apolima Arara Indigenous Land is bordered by Peru. Its territory has been used as a route for drug trafficking and timber theft. The leaders of the people are constantly reporting the situation, requesting greater surveillance by the federal government through the Army, FUNAI, the Federal Police and ICMBio. Because of these reports, leaders receive death threats from drug traffickers and loggers who cross their territory, usually at night. They have repeatedly pointed firearms at the communities.

CAUSE: Firearm

Source: CIMI West Regional Office, Cruzeiro do Sul Team

4/21/2016

VICTIM: Mapu Huni Kui

PEOPLE: HUNI KUI

MUNICIPALITY: PLÁCIDO DE CASTRO

INDIGENOUS LAND: Main public road in the municipality

DESCRIPTION: The chief was threatened on his way back home from Franklin Roosevelt School. Two young men in a car pointed at him and shouted, "Hey, you're going to die!" This happened shortly after the "Plácido de Castro" event in the 2016 Indigenous April, when the chief was invited to present the draft

development project for the Huni Kui Huwã Karu Yuxibu Indigenous Reservation in the City Council. The project is the result of a collaboration for the occupation of Plácido de Castro Municipal Ecological Park.

CAUSE: Death threat

Source: A Tribuna newspaper, 4/27/2016

AMAZONAS- 2 Cases

5/2016 and 6/2016

VICTIM: Luciclaudio Santos Duarte

PEOPLE: MURA

INDIGENOUS LAND: MURUTINGA

MUNICIPALITY: AUTAZES

INDIGENOUS LAND: Terra Preta Village

DESCRIPTION: The victim was threatened and harassed by various farmers and municipal guards after the declaration of the indigenous land. Both the farmers and the municipal guards were identified.

CAUSE: Threat

Source: Community Chief; CIMI North Regional Office I

5/23/2016

VICTIM: Misael Seixas dos Reis and Jordel da Silva Reis

INDIGENOUS LAND: MARAGUÁ

MUNICIPALITY: NOVA OLINDA DO NORTE

INDIGENOUS LAND: Terra Preta Village

DESCRIPTION: The two indigenous men were working in their crop field when they were approached by the accused, who threatened them with death, urging them to leave the area. The assailants are drug growers. One ended up in jail. His wife

asked the indigenous men if they had reported them because if they had, the defendant would kill them.

CAUSE: Verbal assault

Source: CIMI North Regional Office I

MARANHÃO - 4 Cases

6/2016

VICTIM: The community

PEOPLE: KA'APOR

INDIGENOUS LAND: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: Leaders of the people were forced to hide because of death threats made by loggers who exploit the indigenous land, which was ratified in 1982. For years the region has been under pressure from organized crime that illegally exploits wood. The presence of land-grabbers in search of land for cattle and soy farms is also strong.

CAUSE: Death threat

Source: *Estadão newspaper*, 6/27/2016

7/2016

VICTIM: Leaders

PEOPLE: KA'APOR

INDIGENOUS LAND: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

DESCRIPTION: Leaders of the people published a letter reporting violent attacks by loggers on villages in the Alto Turiaçu region. In recent years, five indigenous people were killed, forest rangers were attacked, and raids were recorded, in addition to kidnapping cases. Currently, the threats are targeted at eight leaders and supporters of the indigenous cause. According to the natives, the loggers manage to enter the region in tractors, mules, chainsaws, trucks and armament. They also try to divide the leaders to prevent the indigenous people from protecting the territory.

CAUSE: Death threat

Source: *O Estado do Maranhão newspaper*, July 26, 2016; letter from the leaders, July 17 and 18, 2016

08/21/2016

VICTIM: Antônio de Marcírio, Jaleco, Inaldo, Jaldo Kaw, Cassava, Foboca, Zé Oscar, Seu Duca, Carrinho

PEOPLE: GAMELA

INDIGENOUS LAND: GAMELA

MUNICIPALITY: VIANA

INDIGENOUS LAND: Cajueiro Village (repossessed area)

DESCRIPTION: Since the end of January 2016, military police officers have been seen on a farm located in the municipalities of Viana and Matinha, along MA 014 highway, with an intimidating attitude, as they were protecting the farmers. The presence of the police coincided with the arrival of men who stayed in the farm's main house, from which shots were heard. There was permanent information that any natives who entered the farm would be hit, and that leaders were being sought by gunslingers. A recorded audio confirms that the strategy to

prevent the indigenous people from retaking the traditional territories currently overlapped by the farms would be to eliminate what they call the "heads of the movement." In August, gunmen led by a farmer invaded the village, fired shots and promised "a bloodbath," repeatedly shouting the leaders' names.

CAUSE: Firearms

Source: *Gamela Indigenous People*; CIMI Regional Office in Maranhão

12/26/2016

VICTIM: The community

PEOPLE: KANELA

INDIGENOUS LAND: KANELA

MUNICIPALITY: FERNANDO FALCÃO

INDIGENOUS LAND: Escalvado Village

DESCRIPTION: An armed non-indigenous man invaded the village. The natives surrounded him, removed the bullets from the weapon, returned it to the invader, and drove him out of the village.

CAUSE: Firearm

Source: CIMI Regional Office in Maranhão, Imperatriz Team

MATO GROSSO - 2 Cases

2016

VICTIM: The community

PEOPLE: KANELA

MUNICIPALITY: LUCIARA

INDIGENOUS LAND: Nova Pukanú Village

DESCRIPTION: Indigenous people are constantly offended by threats and insulting words by some residents of the area, who would have stated that they would be taken out of there by force, no matter what. They show up suddenly in the village carrying weapons, asking to meet the leaders and often prevent the natives from extracting materials such as wood and straw to build the shacks, setting fire around the village.

MEDIA EMPLOYMENT: Threats and curses

Source: CIMI Regional Mato Grosso

2016

VICTIM: Mario Parikoreu, Rosa Karieda and the accused's wife

INDIGENOUS LAND: TEREZA CRISTINA

MUNICIPALITY: RONDONÓPOLIS

INDIGENOUS LAND: Arareião and Piebaga

DESCRIPTION: According to the community, a non-indigenous man married to an indigenous woman is always armed inside the village, shooting randomly and threatening the natives with death. It seems he is involved with mining and logging. He says that the natives are fools, that he will log as he pleases and that he is in command at the village. He has already brought three strange men into the village, one of whom is living with a 12-year-old indigenous girl. The community is afraid to speak out because of the threats.

CAUSE: Death threat

Source: *Indigenous leaders*

Various threats

In 2016, CIMI recorded 7 cases of the most diverse threats. Three cases were reported in Acre involving indigenous people of the Marubo and Ashaninka groups; in Alagoas, 1 case; in Maranhão, 2 cases; and in Mato Grosso do Sul, 1 case.

The cases recorded in Acre involve reports of exploitation of adolescent labor, misappropriation of retiree and *Bolsa Família* cards, and harassment against a community of the Ashaninka people. In Alagoas, chief Xukuru-Kariri was harassed after the community retook a claimed area.

In Maranhão, indigenous people of the Guajajara and Gamela peoples were threatened for fighting for and defending their territories.

In Mato Grosso do Sul, the Federal Public Prosecutor's Office (MPF) denounced the owner of a commercial establishment that participated in a criminal organization involved in passive corruption, document forgery and social security fraud. The merchant kept the social benefit cards belonging to indigenous people and withdrew the money which, according to the MPF estimates, totaled R\$ 1 million.

Tiago Miotto



The absence of effective public policies exposes indigenous people to labor exploitation and harassment, including financial harassment, as well as violence and other forms of violation

VARIOUS THREATS

7 Cases

ACRE - 3 Cases

2016

VICTIM: Alem (teenager)

PEOPLE: MARUBO

INDIGENOUS LAND: VALE DO GUAPORÉ

MUNICIPALITY: ATALAIA DO NORTE

DESCRIPTION: Young people, adolescents and children of the Marubo people migrate to the municipality of Cruzeiro do Sul to

study. There, young people and adolescents seek non-indigenous families to give them room and board in exchange for housework. In June 2016, a teenager moved to Cruzeiro do Sul and was received by a family that invited him to live in Rio Branco, with the proposal that he would work for the family and attend school. However, he was taken to a farm in the rural area of Rio Branco, where he worked caring for animals, did not go to school and received no pay for the work he did. The adolescent's aunt, after two months without hearing from her nephew, sought CIMI's support, searched

the farm and rescued the adolescent, who was in a situation analogous to slavery on the farm. The adolescent was rescued “by force,” with the rescue team jumping fences, because the family did not want to receive the boy’s aunt and much less let her take him.

CAUSE: Labor analogous to slavery

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

2016

VICTIM: Retirees, beneficiaries of the Bolsa Família program, teachers and indigenous health agents

PEOPLE: MARUBO

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CRUZEIRO DO SUL

DESCRIPTION: Due to the long distances between the indigenous lands and the urban centers, commuting to the cities requires spending a lot of money on fuel and lodging. Therefore, indigenous families go to the cities only every two or three months to cash their paychecks and benefits and shop. Most families have acquired the habit of buying on credit and the shop owners, in turn, keep their bank cards, including passwords, in order to guarantee payment of the debt. This has led to abuse by shop owners, who use the cards to make loans and increase the amount of the debt. When the indigenous person asks the shop owners for their card or the money back, they refuse it, claiming lack of balance.

CAUSE: Misappropriation of bank cards

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

2016

VICTIM: The community

POV: ASHANINKA

INDIGENOUS LAND: KAXINAWÁ ASHANINKA DO RIO BREU

MUNICIPALITY: MARECHAL CÂNDIDO RONDON

PLACE OF INCIDENT: Upper Juruá Extractive Reserve

DESCRIPTION: A farmer living in the Upper Juruá Extractive Reserve has repeatedly threatened the indigenous people who asked him not to hunt with a dog, which he habitually does. According to the natives, the farmer was aggressive when asked about permission to enter the area, took the cell phone of a young man who was recording the conversation, and pointed the shotgun at the indigenous people. He also repeatedly harassed the communities.

CAUSE: Threat

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

ALAGOAS - 1 Case

6/20/2016

VICTIM: Helena Mario

PEOPLE: XUKURU-KARIRI

INDIGENOUS LAND: XUKURU-KARIRI

MUNICIPALITY: PALMEIRA DOS ÍNDIOS

PLACE OF INCIDENT: Jarro Farm

DESCRIPTION: A group of indigenous people led by Helena Mario retook Jarro Farm, which overlaps the territory already declared as traditional land. The farmer went to the repossessed area and threatened the leader in order to force the natives to leave the ancestral area.

CAUSE: Threats

Source: CIMI Northeast Regional Office, Alagoas Team

MARANHÃO - 2 Cases

2016

VICTIM: The community

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: AMARANTE DO MARANHÃO

PLACE OF INCIDENT: Zutiwa Village

DESCRIPTION: During the surveillance of the indigenous land, the Forest Guardians found hunters from the municipality of Arame and seized their weapons and motorcycles. Because of the seizure, the hunters threatened to attack the Zutiwa Village. Fearing the attack, several natives, including women and children, slept in the bushes for a few days.

CAUSE: Threat

Source: CIMI Regional Office in Maranhão, Imperatriz Team

08/21/2016

VICTIM: A community

PEOPLE: GAMELA

INDIGENOUS LAND: GAMELA

MUNICIPALITY: VIANA

DESCRIPTION: After retaking part of their territory, the natives were threatened and cursed at, and shots were fired at the community. Men invaded the land disguised as policemen asking to speak to the leaders. The Public Security Secretariat found that the car driven by the assailants belonged to a security company called Ostensiva Private Security.

CAUSE: Firearm

Source: CIMI Regional Office in Maranhão; Gamela people; CPT lawyer

MATO GROSSO DO SUL - 1 Case

9/6/2016

VICTIM: Communities

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF INCIDENT: Commercial establishment

DESCRIPTION: According to the MPF, the owner of the commercial establishment participated in a criminal organization involved in passive corruption, document forgery and social security fraud. He kept the social benefit cards belonging to indigenous people and withdrew their money which, according to MPF estimates, totaled R\$ 1 million. The criminal organization, among other crimes, falsely registered the birth of children as sons and daughters of deceased indigenous people in order to receive death pension benefits. Since there is no statute of limitation for benefits paid to underage children, the group was able to take large amounts, dating back to the time of the indigenous person's death.

CAUSE: Misappropriation of bank card

Source: MPF-MS, 9/8/2016

Aggravated battery

CIMI recorded 11 cases of aggravated battery in 2016. The incidents were recorded in the states of Acre (1), Mato Grosso do Sul (4), Minas Gerais (1), Paraná (3), Rio Grande do Sul (1), and Roraima (1). The injuries resulted from physical assaults and beatings.

In the state of Acre, members of the Jaminawa and Apolima Arara peoples reported that two Jaminawa women were physically assaulted by military police officers for reacting to racist offenses addressed to them by a non-indigenous woman. An indigenous woman of the Apolima Arara people, who recorded the assaults by the police, had the chip of her cell phone destroyed. The natives were arrested and taken to the police station. The non-indigenous girl testified at the police station and was released. The two indigenous girls were detained for two days and were not submitted to forensic medical examination.

In Minas in the municipality of Itacarambi, indigenous people, SESAI officials and a CIMI missionary were beaten by farmers, squatters and hired thugs. The target of the action was a health unit in the indigenous village. As they were leaving the health unit, the group was surprised by the gang armed with sticks and rocks.



Roberto Liebgott

Physical and verbal assault against a public university student in Rio Grande do Sul exposed, viscerally, the high level of prejudice against indigenous people

In Rio Grande do Sul, security cameras recorded the attack on a student from the Veterinary School. The indigenous student was assaulted, with punches and kicks, by a group of engineering students in front of the students' dorm. The indigenous youth was insulted by the students, who would have asked what the indigenous people were doing in that dorm. An investigation and an administrative inquiry were initiated by the Federal Police and the school, respectively, but no progress has been made in terms of investigating and punishing the perpetrators.

AGGRAVATED BATTERY

11 Cases

ACRE - 1 Case

2/13/2016

VICTIMS: Claudete Pinheiro, Larissa Pinheiro Batista and Fabrício Santos Siqueira

PEOPLE: JAMINAWÁ and APOLIMA ARARA

MUNICIPALITY: MARECHAL THAUMATURGO

PLACE OF INCIDENT: In front of a nightclub and at the police station

DESCRIPTION: As they were leaving a nightclub, two indigenous women were verbally attacked with racist expressions by a non-indigenous woman, and reacted. A Military Police vehicle was on the scene and two policemen beat the young indigenous women with their batons. One of them bit the police officer in the arm, which in turn tried to asphyxiate her with his hands. He then threw her violently inside the police car. An indigenous

Apolima Arara man was on the scene and began recording the assaults with his cell phone. After throwing the girls into the car, the cops went to him, took his cell phone and pulled out and broke the chip. They then handcuffed the young man and took him to the police station along with the young women. The police officers continued the physical and verbal assaults at the station. The non-indigenous girl was released after giving testimony. The indigenous girls, however, were detained for two days. Although one of them had bruises on the neck, eyes, arms, abdomen and legs, they were not submitted to forensic medical examination. The indigenous man spent the night at the police station, standing up, handcuffed to the bars of a cell outside the building.

CAUSE: Beatings, verbal assaults, abuse of power

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

MATO GROSSO DO SUL - 4 Cases**1/2/2016****VICTIM:** A woman and Junior de Oliveira Vilhalva**PEOPLE:** GUARANI-KAIOWÁ**INDIGENOUS LAND:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF INCIDENT:** Bororó Village**DESCRIPTION:** The husband assaulted the wife, who was pregnant. When he saw his mother being beaten by his stepfather, the stepson stabbed the assailant in the head with a knife.**CAUSE:** Physical assault*Source: Dourados News, 1/3/2016***1/28/2016****VICTIM:** A newborn child**PEOPLE:** GUARANI-KAIOWÁ**INDIGENOUS LAND:** DOURADOS**MUNICIPALITY:** DOURADOS**PLACE OF INCIDENT:** Bororó Village**DESCRIPTION:** The 15-day-old child was found abandoned on the road and the suspect, the father, was spotted drunk on the scene. In addition to abandoning the child, he is accused of beating the child's mother, who was attended to and taken to the same hospital as the newborn.**CAUSE:** Life threat to*Source: Dourados News, 1/29/2016***3/6/2016****VICTIM:** A woman**PEOPLE:** GUARANI-KAIOWÁ**INDIGENOUS LAND:** AMAMBAL**MUNICIPALITY:** AMAMBAL**DESCRIPTION:** After having alcoholic drinks, the couple got into an argument that ended up in the victim being assaulted.**CAUSE:** Cold weapon*Source: Campo Grande News, 3/9/2016***MINAS GERAIS - 1 Case****9/23/2016****VICTIM:** A man**PEOPLE:** XAKRIABÁ**INDIGENOUS LAND:** XAKRIABÁ**MUNICIPALITY:** ITACARAMBI**PLACE OF EVENT:** Health Clinic in Várzea Grande Village**DESCRIPTION:** Farmers, squatters and hired thugs armed with sticks, rocks and clubs attacked indigenous people, SESAI officials and a CIMI missionary as they were leaving the village health unit. An indigenous man had his arm broken while trying to protect his head from the attacks. This assault was a retaliation against the natives, who used the structure of an abandoned basic health unit in the village to set up a health clinic. Mayor Ramon Campos Cardoso (PDT) sees the clinic as a symbol of the establishment of the Xakriabá in the repossession of the former São Judas Farm, which overlaps the indigenous land, and publicly expressed his displeasure. With the elections coming up, he began to use the re-election campaign to attack the indigenous people and incite squatters to expel them from the traditional land.**CAUSE:** Beatings*Source: CIMI Press Office, 9/26/2016***PARANÁ – 3 Cases****3/20/2016****VICTIM:** A man**PEOPLE:** GUARANI**MUNICIPALITY:** IVAIPORÃ**PLACE OF INCIDENT:** Ivaiporã**DESCRIPTION:** The indigenous man was hit in the head, attended to and referred to the Civil Police station. There is no further information on this case.**CAUSE:** Physical assault*Source: O Diário newspaper***4/20/2016****VICTIM:** Antônio Zacarias**PEOPLE:** KAINGANG**MUNICIPALITY:** LONDRINA**PLACE OF INCIDENT:** Apucarantina reservation, rural area of Londrina**DESCRIPTION:** The victim was assaulted during the night in the reservation, where he lives with his family. Both the motive and the perpetrator are unknown.**CAUSE:** Beatings*Source: Bonde Portal/PR, 4/21/2016***11/7/2016****VICTIM:** A teenager**PEOPLE:** GUARANI**MUNICIPALITY:** GUAÍRA**PLACE OF OCCURRENCE:** Floresta Street, Vila Alta**DESCRIPTION:** For reasons unbeknownst to him, the indigenous teen was attacked by strangers.**CAUSE:** Cold weapon*Source: Diário dos Campos newspaper, 11/8/2016***RIO GRANDE DO SUL - 1 Case****FEBRUARY****VICTIM:** Nerlei Fidélis**PEOPLE:** KAINGANG**MUNICIPALITY:** PORTO ALEGRE**PLACE OF INCIDENT:** Students dorm at the Federal University of Rio Grande do Sul (UFRGS)**DESCRIPTION:** The indigenous Veterinary student was punched and kicked by a group of engineering students, having sustained serious injuries. He was insulted by the boys, who would have asked what indigenous people were doing in the dorm. The student still tried to argue, but was assaulted. The case was characterized as racism and investigations were initiated by the Federal Police and the university administrative board, which did not proceed towards the investigation and punishment of the assailants.**CAUSE:** Physical assault; verbal discrimination*Source: O Globo newspaper, 2/23/2016***RORAIMA - 1 Case****4/6/2016****VICTIM:** A man**MUNICIPALITY:** BOA VISTA**PLACE OF INCIDENT:** Rural area**DESCRIPTION:** A fight between two brothers, whose identities were not disclosed, resulted in injuries to one of them.**CAUSE:** Firearm*Source: G1/RR, 4/6/2016*

Abuse of power

In 2016, CIMI recorded 8 cases of abuse of power. The incidents occurred in the states of Amazonas (2), Maranhão (1), Mato Grosso (1), Pará (2), Rio Grande do Sul (1), and Rondônia (1).

In Rio Grande do Sul, a Kaingang community, whose area has already been declared a traditional territory by the Ministry of Justice, was violently attacked in a Federal Police (PF) operation in coordination with the Military Police (PM). In order to serve arrest warrants against some of the people in the community, police officers invaded the homes of the families at dawn and violently removed all residents, including elderly people, children and women, taking them to a sports court. The arrest warrants were ordered by the state court of Sananduva, clearly indicating that the arrests were irregular, to say the least, given that it is the Federal Court's responsibility to try cases involving indigenous communities, especially in the case of land conflicts between indigenous peoples and farmers.

In the state of Pará, representatives of 13 indigenous peoples from the Lower Tapajós Movement occupied the base of DSEI Guamá Tocantins to claim health care for the indigenous population in the region. During the occupation, there was neither violation of the rights of government officials nor damage to public property. However, upon arriving at the site, the Federal Police approached an indigenous teacher who was participating in the demon-



Image released by the Federal Police

Work tools such as machetes, knives and chainsaws, and cultural artifacts such as bow and arrow were seized by the Federal Police in Rio Grande do Sul in an abusive action

stration, accusing him of forced confinement, although the gates were open and there was no obstruction to the exit of the employees that were working at the time, and several other indigenous people participated in the act. The sheriff set the bail at 20 minimum wages, an amount that the indigenous man could not afford, since he works as a coordinator of modular indigenous education, for which he is paid two minimum wages per month. In addition, he has two small children to support. Poró Borari spent a night in jail and was released after the custody hearing. The judge ruled the arrest illegal.

ABUSE OF POWER

8 Cases

AMAZONAS - 2 Cases

2/25/2016

VICTIM: Women and children

PEOPLE: MURA

INDIGENOUS LAND: ITAPARANI

MUNICIPALITY: CANUTAMA

PLACE OF INCIDENT: Itaparanã Indigenous Land

DESCRIPTION: The Civil Police of Humaitá, with the participation of sheriffs, a clerk and three police officers, all of them armed, invaded the village without a judicial order. Three women and eight children were taken to the police station. The alleged motive was that they would have received several complaints and pressure from Humaitá's religious sectors and politicians about child maltreatment and forced confinement of people in the village. The next day, the policemen returned to the village and, without the presence of the community, dug around the house, turned everything over and took documents, five cell phones and a chainsaw; these items had not been returned to the community.

CAUSE: Abuse of power

Source: CIMI North Regional Office I, 7/1/2016

7/6/2016

VICTIM: Irlam Pereira dos Santos and A.A.S. (a teenager)

MUNICIPALITY: AUTAZES

PLACE OF INCIDENT: Autazes Police Station

DESCRIPTION: The teenager, known as A.A.S., and his father were summoned to the police station to testify on the slaughter of an ox inside the village. Upon arriving at the police station, the youth was accused of being the head of a gang that was killing oxen and buffaloes in the indigenous land. Although they were not informed of the whistleblower's name, the young man's father believes that he is a farmer lawyer who would have acted in retaliation against the natives, who do not like to see oxen and buffaloes being raised within the limits of the indigenous land.

CAUSE: Abuse of power

Source: CIMI North Regional Office I, 10/19/2016

MARANHÃO - 1 Case

2016

VICTIM: The community

PEOPLE: GUAJAJARA

INDIGENOUS LAND: ARARIBOIA

MUNICIPALITY: GRAJAÚ

PLACE OF INCIDENT: Zutiwa Village

DESCRIPTION: Civil policemen entered Zutiwa Village in the municipality of Amarante do Maranhão and arrested six indigenous people. According to the police, they were accused of theft on state highway 006, which interconnects the municipalities of Arame and Grajaú. Indigenous leaders, however, report that the police officers did not talk to the leaders before entering the village, were not accompanied by any FUNAI official and, upon arriving in the community, invaded the indigenous' houses.

CAUSE: Abuse of power

Source: CIMI Regional Office in Maranhão, Imperatriz Team

MATO GROSSO - 1 Case

21/2/2016

VICTIM: Men

PEOPLE: XAVANTE

MUNICIPALITY: ÁGUA BOA

PLACE OF INCIDENT: Farm

DESCRIPTION: The indigenous men went hunting by car inside the indigenous land, near a farm area, and entered the forest. The farmer called the police; but when he realized that they were indigenous people, he told them they could hunt without problem. The police, however, stated that the situation was irregular since the indigenous men were armed on a private property. Seven indigenous men were taken by the police to the PM headquarters, and three of them were charged with illegal hunting and carrying a weapon and taken to Água Boa prison, 736 km from Cuiabá.

CAUSE: Abuse of power

Source: G1/MT, 2/22/2016

PARÁ - 2 Cases

2016

VICTIM: The community

PEOPLE: MUNDURUKU

INDIGENOUS LAND: MUNDURUKU

MUNICIPALITY: JACAREACANGA

DESCRIPTION: The Federal Public Prosecutor's Office received a document with allegations of police violence against indigenous people and a reduction in the number of public security forces after the state government had pledged to increase it. Federal attorneys received numerous complaints about inappropriate police treatment, both in cases where indigenous people are the suspects and in cases where they are the victims. There are reports of unlawful arrest of indigenous people.

CAUSE: Abuse of power

Source: MPF-PA Pres Office, 3/15/2016

8/9/2016

VICTIM: Poró Borari

PEOPLE: BORARI

INDIGENOUS LAND: BAIXO TAPAJÓS I

MUNICIPALITY: SANTARÉM

PLACE OF INCIDENT: Main office of the Guamá Tocantins DSEI

DESCRIPTION: Representatives of 13 indigenous peoples from the Lower Tapajós Movement occupied the main office of the Guamá Tocantins DSEI to demand health care for the indigenous population in the region. During the occupation, there

was neither violation of the rights of government officials nor damage to public property. However, the Federal Police, upon arriving at the site, approached an indigenous teacher who was participating in the demonstration and accused him of forced confinement, although the gates were open and there was no obstruction to the exit of the employees that were working at the time. The sheriff set the bail at 20 minimum wages, an amount that the indigenous man could not afford, since he works as a coordinator of modular indigenous education, for which he is paid two minimum wages per month. In addition, he has two small children to support. Poró Borari spent a night in jail and was released after the custody hearing. The judge ruled the arrest was illegal on the grounds of lack of evidence.

CAUSE: Illegal arrest

Source: Cássio Freire Bed, 8/12/2016

RIO GRANDE DO SUL - 1 Case

11/23/2016

VICTIM: The community

PEOPLE: KAINGANG

INDIGENOUS LAND: PASSO GRANDE DA FORQUILHA

MUNICIPALITY: SANANDUVA

DESCRIPTION: On November 23, the Kaingang community, whose area has already been declared a traditional territory by the Ministry of Justice, was violently attacked in a Federal Police (PF) operation in coordination with the Military Police (PM). In order to serve arrest warrants to some of the people in the community, the police officers invaded the homes of the families at dawn and violently removed all residents, including elderly people, children and women, taking them to a sports court. There the people were forced to lie down facing the ground for four hours. Nine people were arrested in the operation – five indigenous men, one woman and three farmers. They were taken to the Federal Police station in Passo Fundo, and later to the prison of Lagoa Vermelha. According to the indigenous report, people were beaten, and for several days the community was subjected to harassment and embarrassment. The arrest warrants against the indigenous people were issued by the state court of Sananduva, which shows that the prisons were irregular, to say the least, given that it is the Federal Court's responsibility to try cases involving indigenous communities, especially since these are cases of land conflicts between indigenous people and farmers.

CAUSE: Abuse of power

Source: CIMI South Regional Office, Porto Alegre Team

RONDÔNIA - 1 Case

FEBRUARY

VICTIM: José Cassupá

PEOPLE: CASSUPÁ

MUNICIPALITY: COSTA MARQUES

DESCRIPTION: The indigenous man received a Tax Collection Document from Federal Revenue Service in his name and showing his Individual Taxpayer Number (CPF), charging him for a debt of over R\$ 30,000. As he couldn't read and trusting the good faith of a namesake, Cassupá had signed, years ago, a document related to a trade firm managed by the said person. The establishment was closed down due to the debt for which the indigenous man is being charged.

MEDIUM EMPLOYMENT: Extortion

Source: CIMI Regional Office in Rondônia

Ethnic and cultural racism and discrimination

In 2016, CIMI recorded 17 cases of ethnic and cultural racism and discrimination in the states of Amazonas (1), Bahia (1), Distrito Federal (1), Maranhão (2), Mato Grosso (5), Mato Grosso do Sul (1), Minas Gerais (1), Paraíba (1), Rio Grande do Sul (3) and Santa Catarina (1).

In Mato Grosso, the state with the largest number of cases, a sheriff told a journalist that he envied his colleagues from the south of the country: "There, they have no indigenous people to worry about." In Primavera do Leste, Xavante men and women who were protesting a traffic accident in which a member of their community had been hit were targeted by racist comments by Internet users: "These scoundrels love to block the road; they more than deserve to be run over!" And "I'm with you, run over these useless animals." In a hospital line in the municipality of Brasnorte, a Myky indigenous woman was also discriminated against: "She is an Indian, she has to wait; the right is ours."

In Juína, the Enawenê-Nawê people were also targeted by discrimination and racism in Internet postings: "I don't know which race is worse... Indians or Gypsies... All they

do is disturb, besides being trash people. The right thing to do is exterminate everything."

In Rio Grande do Sul, after the repercussion of the beating of a Kaingang indigenous student by other students of the Federal University of Rio Grande do Sul, other indigenous students of the institution were attacked on Facebook with offensive posts like "bone lazy Indians" and "Indigenous people belong in the woods."

Another attack by Internet users happened in Santa Catarina. Commenting on the murder of an indigenous man, the person said: "Would he be invading properties or charging toll on some highway?"

In the Federal District, in a speech at the National Congress, when greeting the Association of Small Farmers of Ilhéus, Una and Buerarema (ASPAIUB) from Bahia, Congressman Luis Carlos Heinze made discriminatory statements that violated constitutional provisions, as is the case of demarcation of indigenous lands. Among other things, he said in his speech that he works to "bring down the farce of the indigenous issue," and was emphatic in saying that the indigenous issue "is disrupting the country."

ETHNIC AND CULTURAL RACISM AND DISCRIMINATION

17 Cases

AMAZONAS - 1 Case

JUNE

VICTIM: Gilmara Martins

PEOPLE: MURA

MUNICIPALITY: AUTAZES

PLACE OF INCIDENT: Sampaio Village

DESCRIPTION: The indigenous woman denounced municipal guards responsible for the surveillance of the village because, when reporting a theft, she was mistreated by two of them, who humiliated and disrespected her. The guards live in the village, but according to the tuxaua they repudiate the natives.

CAUSE: Verbal assault

Source: CIMI North regional Office I, 11/18/2016

BAHIA - 1 Case

MAY

VICTIM: Communities

PEOPLE: TUPINAMBÁ

MUNICIPALITY: ILHÉUS

PLACE OF INCIDENT: National Congress

DESCRIPTION: In a speech delivered at the National Congress, when greeting the Association of Small Farmers of Ilhéus, Una and Buerarema (ASPAIUB) from Bahia, Congressman Luis Carlos Heinze made discriminatory statements that violated constitutional provisions, as is the case of demarcation of indigenous lands. He said in his speech, among other things, that he works

to "bring down the farce of the indigenous issue," and was emphatic in saying that the indigenous issue "is disrupting the country." The Congressman also made it clear that his legislative work is not focused on protecting indigenous rights, as provided for in the Constitution and international treaties and agreements to which the country is a party. Indigenous organizations in the Northeast, Espírito Santo and Minas Gerais state that the Congressman's speech crosses the line of parliamentary decency and further aggravates the situation in a region where conflict over land causes permanent tension, as is the case of the Tupinambá de Olivença and Pataxó indigenous land, which are still awaiting completion of the demarcation processes by the federal government. The failure to complete these processes is pointed out by the natives as the main cause of violence in the region.

CAUSE: Speech at the Chamber of Deputies

Source: CIMI Press Office, 7/19/2016

FEDERAL DISTRICT - 1 Case

SEPTEMBER

VICTIM: Communities

MUNICIPALITY: BRASÍLIA

PLACE OF INCIDENT: Official Website of the Rio 2016 Paralympic Games

DESCRIPTION: In an official press release, the organizing committee of the Rio 2016 Paralympic Games posted on the event's website offensive and disrespectful news against the indigenous peoples of Brazil, referring to "infanticide or homicide, sexual abuse, individual or collective rape, slavery, torture, abandonment

of a vulnerable person, and domestic violence” as “traditional practices” of indigenous peoples. According to FUNAI, this position reveals a total misunderstanding of the indigenous reality in the country, reflecting a prejudiced and discriminatory view about these peoples, their cultures and their ways of life.

CAUSE: Ethnic and cultural discrimination

Source: FUNAI, 9/16/2016

MARANHÃO - 2 Cases

2016

VICTIM: The community

PEOPLE: GAMELA

INDIGENOUS LAND: GAMELA

MUNICIPALITY: MATINHA

PLACE OF INCIDENT: Indigenous land

DESCRIPTION: The state judge in the municipality questioned the ethnic identity of the Gamela people, claiming that they are no longer “natives,” but people integrated into national society. The preliminary decision set a 30-day period for the indigenous families to be evicted from the area known as Chulanga Farm. CPT lawyer Rafael Silva said that the State Court is incompetent to rule on this issue, which is up to the Federal Court. He said the ruling showed that the judge had acted in a biased and misguided manner regarding the identity of the indigenous people, and did not request information from FUNAI.

CAUSE: Ethnic and cultural discrimination

Source: CIMI Regional Office in Maranhão

2016

VICTIM: The community

PEOPLE: GAMELA

INDIGENOUS LAND: GAMELA

MUNICIPALITY: VIANA

DESCRIPTION: A group of indigenous people went to the Secretariat of the Environment to report the construction of a house at the headwater of the lower Juçaral River. They then went to the health unit and later to a food store. On the same day, photos of the indigenous people in the places where they had been were posted on social media, with the caption: “Gamela indigenous people are arrested by the police for stealing a motorcycle.” On their way back to the community, a blitz by the Military Police in the opposite lane stopped the natives’ car only and searched them.

CAUSE: Biased posts on the Internet

Source: Gamela People

MATO GROSSO – 5 cases

FEBRUARY

VICTIM: Rondon Xavante, Enézio Xavante and Busé Xavante

PEOPLE: XAVANTE

INDIGENOUS LAND: PIMENTEL BARBOSA

MUNICIPALITY: RIBEIRÃO CASCALHEIRA

PLACE OF INCIDENT: Several villages

DESCRIPTION: Sheriff Paixão Santana, who is responsible for security in the region, told a journalist that he envies his colleagues who work in the south of the country: “There, they have no indigenous people to worry about.” Under this title, the text was sent by indigenous leaders reporting how civilian and military police officers had treated three Xavante men. They were hunting a peccary inside the legal reservation of a farm located inside the Xavante territory, when they were booked and arrested, on the pretext that they were carrying three rifles donated by the SPI. The pig would belong to the farmer’s herd. The species is a fundamental religious symbol

of the Way’á ritual, which happens every 15 years. According to the natives, the farm manager in conversation with them had authorized the hunt. The Xavante men were taken to the maximum-security prison in Água Boa. In addition to several irregularities, such as the absence of the sheriff to conduct the interrogation, the police did not inform FUNAI of the situation. The three indigenous prisoners are barely able to communicate in Portuguese and, as denounced by the leaders, have been subjected to maltreatment and verbal assault. There was no light in the cells, where they lay on mattresses on the floor. Besides all that, they were still told that “if they complained, Xavante heads would be cut-off.”

CAUSE: Biased statements in the press

Source: O Jornalismo Connection, 3/2/2016

11/23/2016

VICTIM: Two men

PEOPLE: XAVANTE

INDIGENOUS LAND: SANGRADOURO/VOLTA GRANDE

MUNICIPALITY: PRIMAVERA DO LESTE

PLACE OF INCIDENT: Highway BR-070

DESCRIPTION: After an indigenous man was run over on BR-070, the community staged a protest. During the act, which called for greater safety and investigation, a truck hit one of the demonstrators, who died on the spot. The indigenous people closed the lane, causing traffic congestion. Internet users commenting on the situation used racist expressions such as: “These scoundrels love to block the road; they more than deserve to be run over!” And “I’m with you, run over these useless animals” and “Indigenous people belong in the woods, not on the roadside”, among others.

CAUSE: Biased posts on the Internet

Source: G1/MT, 11/25/2016

2016

VICTIM: A woman and a child

PEOPLE: MYKY

INDIGENOUS LAND: MENKU

MUNICIPALITY: BRASNORTE

PLACE OF INCIDENT: Júlio Muller Hospital

DESCRIPTION: An indigenous woman carrying her infant daughter was waiting to be seen at the hospital. However, she was removed from the waiting line by people saying, “she is an Indian, she has to wait; the right is ours.”

CAUSE: Racism

Source: CIMI Regional Office in Mato Grosso

2016

VICTIM: The community

PEOPLE: KANELA

INDIGENOUS LAND: KANELA

MUNICIPALITY: LUCIARA

PLACE OF INCIDENT: Indigenous land

DESCRIPTION: The community endures discrimination of a large part of society, which does not recognize them as indigenous people.

CAUSE: Cultural discrimination

Source: CIMI Regional Office in Mato Grosso

2016

VICTIM: The community

PEOPLE: ENAWENÊ-NAWÊ

INDIGENOUS LAND: ENAWENÊ-NAWÊ

MUNICIPALITY: JUINA

PLACE OF INCIDENT: Halata

DESCRIPTION: Internet posts show the degree of racism and discrimination shown by the population. Some examples include:

"I'm so worried about what I kill that I can't sleep anymore;" "All of them need to be killed;" "I don't know which race is the worst... Indians or Gypsies... All they do is disturb, besides being trash people; the right thing to do is exterminate everything." In addition to verbal threats, the indigenous people are not being assisted by official entities in Juína.

CAUSE: Biased statements on the Internet

Source: CIMI Regional Office in Mato Grosso

MATO GROSSO DO SUL - 1 Case

4/18/2016

VICTIM: A young woman

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: State University of Mato Grosso do Sul

DESCRIPTION: A nursing student from the State University of Mato Grosso do Sul accused one of her teachers of racism. She said she was in a practice class when the teacher asked her to put the report sheet in the patient's record. She then asked how she should perforate the sheet. The teacher replied, "Like that, you don't even know how to perforate a sheet of paper. That's how you do it, 'paleface.'" The young woman says she felt humiliated in front of her colleagues and that the teacher still laughed at the situation, embarrassing her even more.

CAUSE: Biased statement and attitude

Source: Midiamax, 4/18/2016

MINAS GERAIS - 1 Case

9/9/2016

VICTIM: The community

PEOPLE: XAKRIABÁ

INDIGENOUS LAND: XAKRIABÁ

MUNICIPALITY: ITACARAMBI

DESCRIPTION: Calling on the population to join a "cause" he had taken on himself, the mayor of Itacarambi, Ramon Campos Cardoso (PDT), made a series of biased statements during an event commemorating the Independence of Brazil, such as: "They are trying to transform Itacarambi into a great indigenous village" and "Várzea Grande is not – and never will be – an indigenous village." He said that FUNAI produced "a forged anthropological report to hurt the people of Itacarambi to death" and said to be against those who want to call themselves indigenous people, exploiting and threatening good people. The speech came three days after a Public Hearing in the village. The politician also stated that the Legislative Assembly of Minas Gerais, unaware of the facts, is ignoring the right of the people and citizens of Itacarambi and the rights of the rural producers of Itacarambi, whether small or large.

CAUSE: Biased statements

Source: CIMI Press Office, 9/26/2016

PARAÍBA - 1 Case

4/19/2016

VICTIM: The communities

PEOPLE: VARIOUS

MUNICIPALITY: SANTA RITA

PLACE OF INCIDENT: MF Radio Station of Santa Rita

DESCRIPTION: On the National Indigenous Peoples Day, the MF/PB radio station broadcast offensive messages against indigenous peoples during the Tony Show.

CAUSE: Racist statements

Source: Press Office of the Federal Attorney's Office-PB

RIO GRANDE DO SUL - 3 Cases

FEBRUARY

VICTIM: Nerlei Fiéelis

PEOPLE: KAINGANG

MUNICIPALITY: PORTO ALEGRE

PLACE OF INCIDENT: Students' dorm at UFRGS

DESCRIPTION: The indigenous veterinary student was punched and kicked by a group of engineering students in front of the students' dorm, sustaining serious injuries to his body. The indigenous student was insulted by the other students, who would have asked what indigenous people were doing in that dorm. The indigenous student tried to argue, but was attacked. The incident was characterized as racism.

CAUSE: Physical assault; racist verbal offenses

Source: O Globo newspaper, 2/23/2016

MARCH

VICTIM: A woman

PEOPLE: KAINGANG

MUNICIPALITY: LAJEADO

PLACE OF INCIDENT: Downtown

DESCRIPTION: The indigenous woman, who sells handicrafts to support herself and her three children, said that she was sitting on a bench talking to her sister on her cell phone, when an old man passed by and began to insult her. "He called me a rude Indian, told me to get my paws out of there and leave, because I was blocking the way, and that our place is in the woods. When I asked him to repeat what he had said, he called me a cow," she said.

CAUSE: Racist verbal offenses

Source: CIMI South Regional Office; Porto Alegre Team; Informativo.com.br

2016

VICTIM: Indigenous students

PEOPLE: KAINGANG

MUNICIPALITY: PORTO ALEGRE

PLACE OF INCIDENT: Social media

DESCRIPTION: After the repercussion of a case where a Kaingang student was beaten by other students at the Federal University of Rio Grande do Sul, indigenous people were the target of offensive posts on Facebook. Some of these posts read "scoundrel Indians" and "indigenous people belong in the woods," among others.

CAUSE: Racist offenses on the Internet

Source: CIMI South Regional Office; Porto Alegre Team

SANTA CATARINA - 1 Case

7/2/2016

VICTIM: A man

PEOPLE: KAINGANG

INDIGENOUS LAND: XAPECÓ

MUNICIPALITY: IPAUÇU

PLACE OF INCIDENT: Pinhalzinho Village

DESCRIPTION: An Internet user posted the following comment about the news of an indigenous man who was killed by a rock in the indigenous reservation in Xapecó: "Would he be invading properties or charging tolls on some highway?"

CAUSE: Biased Statement on the Internet

Source: G1 / SC, 3/7/2016

Sexual Violence

In 2016, CIMI recorded 13 cases of sexual violence against indigenous peoples. The incidents were reported in the states of Acre (1), Mato Grosso do Sul (4), Paraná (2), Rio Grande do Sul (1), Roraima (4), and São Paulo (1).

In Paraná, a teenage girl was kidnapped on her way home with a cousin. The man forced her into a car. The victim was physically and sexually assaulted. She passed out and only woke up the next day, when she went back home.

In Roraima, the state with the largest number of cases, an indigenous woman took a ride on a motorcycle. On the way, the girl showed where she would get off, but the suspect refused to stop. They then were involved in an accident, fell off the bike and he raped her.

In São Paulo, the Federal Public Prosecutor's Office investigates cases of rape and sexual exploitation of indigenous children, adolescents and women. Sexual violence may be linked to the excessive use of alcohol and narcotics.

SEXUAL VIOLENCE AGAINST INDIGENOUS PEOPLE IN BRAZIL

13 Cases

ACRE - 1 Case

7/31/2016

VICTIM: A teenager

PEOPLE: JAMINAWÁ

INDIGENOUS LAND: JAMINAWA / ENVIRA

MUNICIPALITY: TARAUCÁ

PLACE OF INCIDENT: Gregorio Community, São Vicente Village, along highway BR-364

DESCRIPTION: The assailant was denounced by community residents and arrested.

CAUSE: Rape

Source: Contilnet Noticias, 8/1/2016

MATO GROSSO DO SUL - 4 Cases

1/24/2016

VICTIM: A child

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Jaguapiru Village

DESCRIPTION: The victim's aunt reported that the child was being severely beaten by the mother, who was arrested and then released. The child was also being sexually abused by the stepfather.

CAUSE: Beatings; sexual violence

Source: Dourados News, 1/25/2016

SEPTEMBER

VICTIM: A child

PEOPLE: TERENA

INDIGENOUS LAND: BURITIZINHO

MUNICIPALITY: SIDROLÂNDIA

DESCRIPTION: The child was the victim of a collective rape committed by adolescents. The case was initially recorded as missing child, and during the investigations began to be treated as sexual violence. According to information, the girl was held captive in the house of one of the assailants, which she left only to have lunch with her family.

CAUSE: Rape

Source: O Progresso newspaper, 9/29/2016

2016

VICTIM: Children and adolescents

PEOPLE: GUARANI

INDIGENOUS LAND: CAMP

MUNICIPALITY: PARANHOS

DESCRIPTION: After an anonymous call to the city's Guardianship Council, an indigenous man was arrested by the Military Police and charged with sexually assaulting his three daughters.

CAUSE: Rape

Source: Campo Grande News, 7/4/2017

11/6/2016

VICTIM: A teenager

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TAQUARA

MUNICIPALITY: TAQUARA

PLACE OF INCIDENT: Nova Laranjeiras Village

DESCRIPTION: The young woman was approached by the assailants and one of them took her by the arm, threw her over his shoulders and raped her in a nearby scrub.

CAUSE: Rape

Source: Correio do Povo Newspaper, 11/6/2016

PARANÁ - 2 Cases

8/11/2016

VICTIM: A child

PEOPLE: KAINGANG

INDIGENOUS LAND: IVAÍ

MUNICIPALITY: MANOEL RIBAS

PLACE OF INCIDENT: Souza Naves Avenue, Ivaiporã

DESCRIPTION: The Military Police were contacted following the report that a child was crying under a blanket. When checking out what was happening, the police officer found the boy being sexually abused, and submitted the case to the Guardianship Council. The assailant fled.

CAUSE: Rape

Source: Maringá O Diário newspaper

10/12/2016

VICTIM: A teenager

PEOPLE: KAINGANG

INDIGENOUS LAND: APUCARANA

MUNICIPALITY: TAMARANA

PLACE OF INCIDENT: Apucarantina indigenous reservation

DESCRIPTION: According to the police, the victim would have been approached by the assailant on her way home with a cousin. A man forced the girl into the car and did not let the boy accompany her. He then assaulted her physically and sexually. The girl passed out and only woke up the next day. The cousin confirmed the incident at the Center for the Protection of Children and Adolescents.

CAUSE: Rape

Source: Bonde Portal, 1/24/2017

RIO GRANDE DO SUL - 1 Case

6/22/2016

VICTIM: A child

MUNICIPALITY: GARIBALDI

PLACE OF OCCURRENCE: A downtown square

DESCRIPTION: The child was with the family in a downtown square. A man approached her as she went to buy food with her brother. He came to the square and told the family that the girl was missing. However, she managed to escape the assailant and find the family.

MEDIA EMPLOYEE: Sexual abuse

Source: Diário Gaúcho newspaper, 6/23/2016

RORAIMA - 4 Cases

1/11/2016

VICTIM: A child

PEOPLE: YANOMAMI

INDIGENOUS LAND: YANOMAMI

MUNICIPALITY: PACARAIMA

PLACE OF INCIDENT: Indigenous Health Clinic in the region of Monte Cristo, on the left side of highway BR-174.

DESCRIPTION: The accused, who was drunk, tried to rape the child. She called for help and was saved by her mother. He claimed not to remember what had happened.

MEDIA EMPLOYEE: Sexual abuse

Source: Roraima em Tempo, 1/12/2016

MAY

VICTIM: A woman

PEOPLE: MAKUXI

INDIGENOUS LAND: RAPOSA SERRA DO SOL

MUNICIPALITY: NORMANDIA

PLACE OF INCIDENT: Prainha Community

DESCRIPTION: The victim was with her husband at a party. When she got a bit further away, she was attacked by the assailant.

CAUSE: Rape

Source: G1/RR, 05/15/2016

7/14/2016

VICTIM: A child

MUNICIPALITY: MARECHAL CÂNDIDO RONDON

PLACE OF INCIDENT: Municipal road

DESCRIPTION: The indigenous girl was camped on the roadside with her relatives, who sell handicrafts. She reported that she took her shirt off to wash up under the tap, with her sister by her side. That was when the man approached her. Scared, the girl put her shirt back on quickly, ran off and went into the bus station bathroom to hide. The boy ran after her as far as the bathroom door, but did not go in because there were several people walking around.

MEDIA EMPLOYEE: Sexual abuse

Source: Diário dos Campos newspaper, 7/18/2016

11/9/2016

VICTIM: An indigenous girl

MUNICIPALITY: AMAJARI

PLACE OF INCIDENT: On a farm

DESCRIPTION: The victim and the suspect were on a farm and he gave her a ride on his motorcycle. On the way, the girl showed where she would get off, but the suspect refused to stop. They then were involved in an accident and fell off the bike. The suspect raped the victim and threatened to kill her if she told anyone about it. Although scared, the young woman went to the police and the accused was arrested.

CAUSE: Rape

Source: G1/RR, 11/11/2016

SÃO PAULO - 1 Case

2016

VICTIM: Children and adolescents

PEOPLE: GUARANI

INDIGENOUS LAND: JARAGUÁ

MUNICIPALITY: SÃO PAULO

DESCRIPTION: Due to the challenging living conditions of the Guarani families in the Jaraguá Peak, the Federal Public Prosecutor's Office (MPF) has filed a public civil action asking FUNAI, the Union, the state of São Paulo and the city government to implement public policies, especially in the areas of education and health, fight against alcoholism and the use of illicit drugs. An investigation initiated by the MPF to investigate cases of rape and sexual exploitation of indigenous children, adolescents and women showed that alcoholism and drug addiction are not only strong in the villages but also a source of sexual violence.

MEDIA EMPLOYEE: Sexual abuse

Source: MPF-SP, 3/9/2016

CHAPTER III

Violence Due to Government Omission



- 106 Suicide
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school education
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Suicide

Data obtained from the Special Indigenous Health Secretariat (SESAI), from the Information System on Mortality (SIM) of the General Coordination of Epidemiological Information and Analysis (CGIAE), linked to the Health Surveillance Secretariat of Mato Grosso do Sul, and from the Upper Solimões River Indigenous Sanitation District (DSEI) show that 106 suicides were reported among indigenous peoples in 2016. The data supplied by SESAI are distributed by DSEIs, which are the entities responsible for providing health care in indigenous communities. The limited nature of the information precludes a more appropriate analysis of suicide cases throughout the country.

The data show a very worrying situation in the state of Amazonas, where 50 suicides were reported in the areas covered by the Upper Negro River (6), Upper Solimões River (30), Middle Purus River (6), Middle Solimões River and Tributaries (6), and Vale do Javari (2) DSEIs. According to the coordinator of the Upper Solimões River DSEI, Weydson Gossel Pereira, the 30 suicide cases among the Tikuna people are related to alcohol and drug use in the indigenous communities: "According to the cause of death, all suicide cases also have a history of alcohol and drug use. For example, of the 32 suicide attempts reported in 2016, 22 involved alcohol consumption and these 22 people tried to kill themselves again later. We had 30 suicides in the Upper Solimões River, and the main cause is always the same. Suicide is not common among indigenous peoples. It is not part of their culture. Alcohol is present today and has a great influence on this enormous loss of life."¹

The number of suicide cases reported in Mato Grosso do Sul also remains high. According to information

obtained in the Mortality Information System (SIM), 30 cases were recorded in 2016. The system recorded deaths from self-inflicted injuries in 6 victims aged 5 to 14 years, 23 victims aged between 15 and 49 years and 1 victim 50 years or older.

Total deaths from self-inflicted wound in 2016

DSEI	Deaths from self-inflicted wound
Mato Grosso do Sul ²	30
Upper Solimões River ³	30
East Roraima	10
Yanomami	8
Upper Negro River	6
Middle Purus River	6
Middle Solimões River and Tributaries	6
Pernambuco	2
Vale do Javari	2
Ceará	2
Cuiabá	1
Maranhão	1
Tapajós River	1
Xavante	1
Total	106

Suicides in Mato Grosso do Sul by age group⁴

5-14 years	15-49 years	50 years of older
20%	76.67%	3.33%

Suicides in Mato Grosso do Sul, 2000-2016⁵

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
No. of Cases	44	40	38	53	42	50	40	40	59	42	40	45	53	73	48	45	30	782

1 Published in Radioagência Nacional on July 5, 2017: <http://radioagencianacional.ebc.com.br/direitos-humanos/audio/2017-07/trinta-ticunas-se-suicidaram-em-2016-influenciados-por-alcool-e>

2 Source: Mortality Information System (SIM), General Coordination of Epidemiological Information and Analysis (CGIAE) linked to the Health Surveillance Secretariat (SVS)/Mato Grosso do Sul

3 Source: Upper Solimões River DSEI

4 Source: Mortality Information System (SIM), General Coordination of Epidemiological Information and Analysis (CGIAE) linked to the Health Surveillance Secretariat (SVS)/Mato Grosso do Sul

5 Source: CIMI, SESAI and DSEI in Mato Grosso do Sul



The lack of basic sanitation and access to drinking water, among several other precarious conditions, causes serious damage to the health of indigenous people

Lack of health care

In 2016, CIMI recorded 42 cases of lack of health care in the states of Acre (5), Amapá (2), Amazonas (4), Maranhão (6), Mato Grosso (4), Mato Grosso do Sul (7), Minas Gerais (2), Pará (4), Paraná (1), Piauí (1), Rondônia (2), Santa Catarina (2), and Tocantins (2).

In Mato Grosso do Sul, where the largest number of cases was recorded, the non-demarcation of the traditional lands of the Guarani-Kaiowá communities is clearly reflected in the precarious state of their health. As these indigenous peoples live in camps and are often threatened by farmers, health care is interrupted by SESAI teams and therefore does not reach all communities. In Dourados, the health units in the indigenous reservation provide very poor services. Patients are examined and medicated in moldy rooms and damp walls. Also in Dourados, the nurses who care for indigenous people complain about the lack of vaccines.

In Maranhão, the poor health care provided by the

Indigenous Base Center in the municipality of Amarante was verified by the National Audit Department of SUS (DENASUS). Problems were found in the building structure; teams were incomplete and lacked the minimum staff; failures were observed in the transport of urgent cases; lack of furniture, equipment and instruments essential for providing services; water supply hampered by inadequate facilities in the building; and lack of and/or poor sanitation in the villages. In the Caru Indigenous Land, people complain about the lack of antivenom serum to treat snake bites in health units. When an incident like this happens, the natives need to be treated outside their villages.

In Amazonas, the Federation of Indigenous Organizations of the Negro River (FOIRN) reports the lack of medicines and care and the extremely poor conditions of the health units, which are falling apart. In addition, boat engines are scrapped and abandoned. Moreover, clinical

cases and death reporting are compromised by the lack of health professionals.

This situation of abandonment and lack of preventive actions has led to a drastic increase in the number of indigenous people affected by malaria in the Upper Negro River. According to a technician from the Socio-Environmental Institute (ISA), these communities are experiencing a malaria epidemic, with so many cases that vaccine stocks are used up as soon as they come in.

In Santarém in the state of Pará, health care for the Arapium, Cara Preta, Maytapu, Munduruku and Tupinambá peoples was being denied on the grounds that their lands had not been definitively demarcated or because there are indigenous people who do not live in the villages. In response, the Federal Public Prosecutor's Office filed a public civil action and the court upheld the understanding that these criteria are unconstitutional and violate Convention 169 of the International Labor Organization (ILO).

LACK OF HEALTH CARE

42 Cases

ACRE - 5 Cases

2016

VICTIM: Maria Perpétuo Socorro Siqueira de Lima

PEOPLE: APOLIMA ARARA

INDIGENOUS LAND: ARARA DO RIO AMÔNIA

MUNICIPALITY: MARECHAL THAUMATURGO

DESCRIPTION: The victim has visceral cancer and for three years has undergone clinical control every six months, which includes doctor's appointments and a battery of tests in Rio Branco. In 2016, Maria Socorro missed the follow-up appointment because on two occasions she was unable to get the plane ticket, which depends on the state government authorizing the Out-of-Town Treatment (PDT).

CAUSE: Lack of care, omission, negligence

Source: CIMI Regional Office in Western Amazon

2016

VICTIM: Antônia Alcelina Mourão dos Santos

PEOPLE: APOLIMA ARARA

INDIGENOUS LAND: APOLIMA ARARA

MUNICIPALITY: MARECHAL THAUMATURGO

DESCRIPTION: For more than two years the victim endured severe kidney pain and sought SESAI for treatment. With no result and due to the delay in scheduling medical appointments and undergoing the tests, the victim resorted to private care. She was diagnosed with multiple kidney stones and referred for surgery. Again, the patient sought SESAI in order to solve her problem, but to no avail. On her own, she traveled in search of treatment and spent six months undergoing tests and trying to schedule the surgery.

CAUSE: Lack of assistance, omission, negligence

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

2016

VICTIM: Davi Junior Freitas Moreira

PEOPLE: APOLIMA ARARA

INDIGENOUS LAND: APOLIMA ARARA

MUNICIPALITY: MARECHAL THAUMATURGO

PLACE OF INCIDENT: Hilda Siqueira Village

DESCRIPTION: At four months, the child presented hives throughout the body. After being hospitalized and submitted to tests, he was diagnosed with generalized allergy, but the cause was not determined. Since then, the child has been taking three types of medication. Specific tests to determine the cause of the allergy were requested in 2015. The tests were paid for by the parents in a private laboratory. With the tests completed, an appointment was scheduled for October 5, 2016, in Rio

Branco. Close to the scheduled date, the parents sought out the base center to get the tickets, when the nurse informed them no appointment had been scheduled.

CAUSE: Lack of care, omission, negligence

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

2016

VICTIM: Sebastiana de Lima Batista

PEOPLE: JAMINAWÁ

INDIGENOUS LAND: JAMINAWA/ARARA DO RIO BAGÉ

MUNICIPALITY: MARECHAL THAUMATURGO

DESCRIPTION: The victim was in deep depression, eating very little and oversleeping. Her husband asked the Base Center in Marechal Thaumaturgo to arrange for her to be taken to the city. As he got no answer, the family paid for the transportation. In the hospital in Marechal Thaumaturgo, the doctor referred her to Cruzeiro do Sul; and again, SESAI did not provide transportation, forcing the family to bear the expenses. In Cruzeiro do Sul, the family still had to pay for tests in private institutions.

CAUSE: Lack of health care in the villages

Source: CIMI Regional Office in Western Amazon, Cruzeiro do Sul Team

5/28/2016

VICTIM: Women

PEOPLE: KAXINAWÁ

INDIGENOUS LAND: KAXINAWÁ DO RIO JORDÃO

MUNICIPALITY: JORDÃO

DESCRIPTION: In May, three indigenous women arrived in the maternity hospital with dead babies in their bellies. To avoid the death of one of the women, health professionals in Jordão referred her to Rio Branco. According to an activist, the Rio Branco Maternity Hospital has a frightening record of infant deaths for negligence. The doctors stated, in their defense, that "these women do not receive prenatal care." SESAI and its service providers are responsible for monitoring pregnant women. After the deaths of these babies, a protest was organized in front of the maternity hospital.

CAUSE: Lack of care; negligence

Source: Contilnet Notícias, 5/29/2016

AMAZONAS - 4 Cases

2016

VICTIM: Communities

PEOPLE: KANAMARI, KULINA, MATIS, MAYORUNA and ISOLATED PEOPLES

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: BENJAMIN CONSTANT

PLACE OF INCIDENT: Kamanari of Juruá River, Mawetek and Javari Valley

DESCRIPTION: Chiefs, leaders and representatives of the indigenous peoples reaffirm the situation of general violation of basic rights by the Brazilian State in the region, as they received no health care at all and are exposed to invasions and various forms of discrimination and violence. They point out that they have already submitted various demands and proposals in documents sent to SESAI, FUNAI, the Special Secretariat for Human Rights of the Presidency of the Republic and the MPF. However, they have not received any, which increases the feeling of being completely helpless.

CAUSE: Lack of general care

Source: *Leaders of the Association of Vale do Javari Kanavari*

2/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: ALTO RIO NEGRO

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

DESCRIPTION: According to FOIRN, there is a lack of medicines in the villages, the communities have no health care and the health units are in shambles. Patients are transported in poor conditions for hours along the rivers. Boat engines would be scrapped and abandoned; medicines would have expired; and fuel barrels would be stored inside a health unit. The reports are supported by photos that prove the state of abandonment to which the indigenous people are subject. Still according to indigenous leaders, the lack of health professionals in the field would also be causing problems in the reporting of deaths and in clinical cases.

CAUSE: General lack of care

Source: FOIRN; ISA, 2/15/2016

3/7/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: ALTO RIO NEGRO

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

DESCRIPTION: Indigenous peoples living in the region report a crisis in the health area. According to FOIRN, even with a budget of more than R\$ 7 million earmarked for the region's DSEI, there is a shortage of medicines, doctors and care infrastructure. This information on the situation of abandonment of health care and the spread of malaria among indigenous peoples has been confirmed by the FUNAI coordinator.

CAUSE: Lack of health care and medication

Source: *Agência Nacional Radio Station, 3/7/2016*

10/21/2016

VICTIM: The community

PEOPLE: VARIOUS

INDIGENOUS LAND: ALTO RIO NEGRO

MUNICIPALITY: SÃO GABRIEL DA CACHOEIRA

DESCRIPTION: The lack of actions and planning and poor management by the Upper Negro River DSEI are the factors pointed out to explain the drastic 60% increase in the number of indigenous people with malaria in the Upper Negro River in the north-west of Amazonas between 2015 and 2016. A survey by the Amazonas Health Surveillance Foundation (FVS-AM) shows that 17,765 cases of the disease were reported in 2016 in the region. According to ISA technician Pieter-Jan van der Veld, there is a real malaria epidemic in that region, aggravated by the lack of drugs and rapid diagnostic tests. He said the cases are so many, that when the medicines come in the stock runs

out quickly. The indigenous leader André Fernando Baniwa, who works at FUNAI in São Gabriel da Cachoeira, says that originally there was no malaria in the indigenous lands of the Negro River. Today, because the indigenous people live in very poor conditions when they go to the city, they end up being contaminated by mosquito bites and carry the disease back to their communities.

CAUSE: Lack of health care, omission, negligence

Source: FVS, ISA, D24AM, 10/21/2106

AMAPÁ - 2 Cases

2016

VICTIM: Communities

PEOPLE: GALIBI, KARIPUNA OF AMAPÁ and PALIKUR

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: OIAPOQUE

DESCRIPTION: As a result of the lack of preventive health care, the number of malaria cases has increased drastically. A 65% increase in malaria cases was recorded in the first quarter of 2016 in various indigenous areas as compared to the same period the year before.

CAUSE: Lack of health care

Source: *Agência Nacional Radio Station, 3/21/2016*

2016

VICTIM: Communities

PEOPLE: APALAÍ, KAXUYANA, TIRIYO, WAIAMPI and WANANO

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: MACAPÁ

DESCRIPTION: A report by DENASUS indicates that the same problems identified in 2013 regarding the operation of the Indigenous Hospital (CASAI) are found today. Among them is the absence of a health license to operate and of basic elements to accommodate and treat patients and family members. During the inspection, problems were found in the physical structure, maintenance and operating conditions of CASAI. In addition to these problems, the indigenous population in the state is at risk of being left without health care starting in 2017. The warning is in one of the five recommendations issued by the MPF-AP to SESAI, DSEI Amapá and northern Pará.

CAUSE: Lack of structure in CASAI

Source: *Diário do Amapá newspaper, 5/7/2016*

MARANHÃO – 6 Cases

2016

VICTIM: Communities

PEOPLE: VARIOUS

MUNICIPALITY: SÃO LUIS

DESCRIPTION: According to an inspection carried out by the Health Surveillance Secretariat and the Audit Department of SUS, the main problem in the Indigenous Hospital (CASAI) was the lack of health conditions to receive patients. Although the hospital was moved to a new facility, the situation persists. There is a constant lack of water, hygiene conditions are poor, and the service, food and structure of the location are precarious. This is an old situation. Back in 2008 the MPF-MA recommended, as a matter of urgency, that FUNASA (then responsible for CASAI) should rehabilitate the structure of the building and purchase the necessary equipment.

CAUSE: Lack of structure in CASAI

Source: *O Estado do Maranhão newspaper, 4/19/2016*

2016**VICTIM:** Communities**PEOPLE:** GAVIÃO, GUAJAJARA and KRIKATI**INDIGENOUS LAND:** VARIOUS**MUNICIPALITY:** AMARANTE**PLACE OF INCIDENT:** 76 villages

DESCRIPTION: The poor health care provided by the base center in the municipality was verified by the National Audit Department of SUS (DENASUS), which found problems in the building structure; teams incomplete and lacking the minimum staff; failures in the transport of urgent cases; lack of furniture, equipment and instruments essential for providing the services; water supply hampered by inadequate facilities in the building; and lack of and/or poor sanitation in the villages.

CAUSE: Lack of health care in the villages*Source: Neto Ferreira Blog, 9/2/2016***2016****VICTIM:** Young women**PEOPLE:** AWÁ-GUAJÁ**INDIGENOUS LAND:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF INCIDENT:** Awá Village

DESCRIPTION: Three indigenous women suffered a miscarriage and the explanation for it was inadequate prenatal care. But according to the natives, the change of the head nurse also had a great weight in this situation, and the whole community felt disrespected in its autonomy with the change in the health staff. There are complaints of poor care by the new nurse and reports bruising in women and children resulting from injections, vaccines and serum.

CAUSE: Lack of health care, negligence*Source: Awá indigenous leaders, CIMI Regional Office in Maranhão***2016****VICTIMS:** Kamajua, Irarimia, Kypymytyra, Iwyrakya, Awyrya, Takwariroa and Manimya**PEOPLE:** AWÁ-GUAJÁ**INDIGENOUS LAND:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF INCIDENT:** Awá and Tiracambu Villages

DESCRIPTION: Since 2010, CIMI has monitored cases of children and adults with some type of disability (some can't speak, others can't walk, and others yet can neither speak nor walk). The father of one of the children reported that he took his daughter to the University Hospital of São Luiz in 2011, but was sent back to the base center because they did not have any documents. Since then he has not returned for any appointments and is unaware of any kind of treatment. Local technicians reported vaguely that some of these children were seen by a neurologist, but they were unable to provide information on the frequency and treatment regimen. They also reported that they gave the children Gardenal, but are unaware of the conduct adopted by SESAI. One of the women responsible for a disabled child suffers from lung diseases and is at retirement age. Another woman has epilepsy, takes controlled medication and has a child who can't walk. They live in an unhealthy place and do not receive the social benefits to which they are legally entitled.

CAUSE: Lack of health care; negligence*Source: Reports from indigenous people, CIMI Regional Office in Maranhão***2016****VICTIM:** The community**PEOPLE:** AWÁ-GUAJÁ**INDIGENOUS LAND:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF INCIDENT:** Awá and Tiracambu Villages

DESCRIPTION: The health units in the village still have no antivenom serum to treat snake bites. When a case occurs, the natives need to be transported urgently to be treated in the towns of Alto Alegre or Santa Ines.

CAUSE: Lack of antivenom serum*Source: CIMI Regional Office in Maranhão, indigenous people from affected villages***OCTOBER****VICTIM:** Aracy Awá**PEOPLE:** AWÁ-GUAJÁ**INDIGENOUS LAND:** ALTO TURIAÇU**MUNICIPALITY:** ZÉ DOCA**PLACE OF INCIDENT:** Cocal Village

DESCRIPTION: The indigenous woman was the victim of medical malpractice during a surgical procedure, because a piece of gauze was left inside her. Her health became unstable and a new surgery was necessary.

CAUSE: Malpractice in health care*Source: Indigenous people*

MINAS GERAIS – 2 Cases

1/28/2016**VICTIM:** The community**PEOPLE:** XAKRIABÁ**INDIGENOUS LAND:** XAKRIABÁ**MUNICIPALITY:** ITACAMBIRA**PLACE OF INCIDENT:** Caraíbas and Vargem Grande Villages

DESCRIPTION: The problems faced by the people have been aggravated by the precarious conditions for the provision of health care, as well as by discrimination and prejudice in the municipality. The indigenous people have requested, to no avail, that a SESAI team – which are unable to work due to lack of physical space and minimal health conditions – provide care at the municipal Basic Health Care Unit in the villages. They report that they have been the victims of political persecution in the municipality, whose managers have been working to isolate the community and hamper access to differentiated public policies. The land retaken by indigenous people was identified and demarcated as traditional territory in October 2015, and conflicts have worsened since then.

CAUSE: General lack of health care and prejudice*Source: CIMI East Regional Office, Xariabá Team, CIMI Press Office, 1/28/2016***5/12/2016****VICTIM:** The community**PEOPLE:** MAXAKALI**INDIGENOUS LAND:** MAXAKALI**MUNICIPALITY:** JEQUITINHONHA

DESCRIPTION: The Federal Public Prosecutor's Office of Minas Gerais filed a Public Civil Action and the Federal Justice in Belo Horizonte determined that the state and the DSEI in Espírito Santo should prepare a plan to eradicate malnutrition among children and pregnant women and implement it in three months. The indigenous community endures a situation

of widespread chronic malnutrition and a large number of children have verminosis which, together with insufficient medical care, leads to a high infant mortality rate.

CAUSE: General lack of health care

Source: MPF-MG, 5/12/2016

MATO GROSSO - 4 Cases

2016

VICTIM: The community

MUNICIPALITY: LUCIARA

PLACE OF INCIDENT: Nova Pukanú Village

DESCRIPTION: Indigenous people suffer from lack of health care, medication and transportation for patients, failure to perform tests, delays in treatment and complete lack of infrastructure. High alcohol consumption and its consequences further aggravate this situation.

CAUSE: Lack of health care, medication, transportation and structure

Source: CIMI Regional Office in Mato Grosso

1/25/2016

VICTIM: The community

PEOPLE: XAVANTE

MUNICIPALITY: CAMPINÁPOLIS

PLACE OF INCIDENT: Novo Paraíso Village

DESCRIPTION: The MPF-MT, through its headquarters in Barra do Garças, is investigating unhealthy conditions and lack of food and health care in the villages. The situation was verified during the visits of FUNAI officials, who will have to provide the MPF with data on the village's structure, population, territory, food security policies, numbers of health professionals and indigenous people's access to social programs.

CAUSE: Malnutrition

Source: MPF-MT, 1/25/2017

3/15/2016

VICTIM: The community

PEOPLE: NAMBIKWARA

INDIGENOUS LAND: NAMBIKWARA

MUNICIPALITY: COMODORO

DESCRIPTION: Due to the poor health services provided, the natives demand basic health care in the villages of the Nambikwara, Vale do Guaporé and Sararé lands, as well as the opening of artesian wells, as the water to which they have access is of poor quality. They also request that ten abandoned buildings be rehabilitated and turned into health units.

Source: Lack of health care and infrastructure

Source: MPF-MT, 3/15/2016

6/16/2016

VICTIM: Domingas Luzia Morina

MUNICIPALITY: JUARA

DESCRIPTION: The indigenous woman was hospitalized for six months at the General University Hospital waiting for cardiac surgery, as she has a thoracic aortic aneurysm that requires an endovascular correction. She needs a very expensive endoprostheses that is not available in SUS. The delay in performing the surgery may constitute a violation of the constitutional right to health, and the State Public Prosecutor's Office has already been contacted.

CAUSE: Lack of emergency care

Source: Floripa Newspaper, 6/16/2016

MATO GROSSO DO SUL - 7 Cases

1/6/2016

VICTIM: A child

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: KURUSU AMBÁ

MUNICIPALITY: CORONEL SAPUCAIA

DESCRIPTION: After decades of a fierce struggle, the community awaits demarcation. According to the president of the Indigenous Health District Council (CONDISI), the problems include lack of basic sanitation, water contaminated with pesticides and poor transportation. According to the leader Eliseu Lopes, the indigenous land is divided into three camps, and the ambulances do not reach the last one. The government's failure to finalize the land demarcation process often ends up stalling SESAI's work, which is prevented from building health care units in the areas, further hampering action on lands still in the process of demarcation.

CAUSE: General lack of health care

Source: Top Media News, 1/15/2016

1/23/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Jaguapiru, Bororó

DESCRIPTION: The services provided by the health care units in the Dourados indigenous reservation is very precarious. Patients are examined and medicated in moldy rooms with damp walls. The works carried out with low quality material does not meet the needs of the units, which have rooms that are totally unusable. Medicines are often insufficient every month, materials have been damaged for years, garbage is continually piling up, and toilets are being closed down.

CAUSE: General lack of health care and infrastructure

Source: Grande MF radio station, 1/23/2016

6/4/2016

VICTIM: Communities

PEOPLE: TERENA

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CAMPO GRANDE

DESCRIPTION: According to the final report of the Terena people assembly held in Água Branca Village in Nioaque, the situation of indigenous health care is chaotic. Vehicles cannot be used for lack of maintenance, seriously compromising the transportation of patients, and residents of retaken areas were not being assisted by SESAI. In addition, employee outsourcing, arbitrariness, and authoritarianism in the DSEI were also hampering community service.

CAUSE: Government omission and negligence

Source: Midiamax, 4/6/2016

4/20/2016

VICTIM: A child

PEOPLE: KADIWÉU

INDIGENOUS LAND: KADIWÉU

MUNICIPALITY: BODOQUENA

PLACE OF INCIDENT: Alves de Barros Village

DESCRIPTION: The child had a broken forearm for five months and awaited care. When an appointment came up at the Aquidauana hospital, there was no transportation available. The boy's forearm bone calcified crookedly, and he was only taking

medication from the health unit, with no date in sight for SESAI's assistance. As a consequence, the child will have to wait two years to undergo surgery. In Mato Grosso do Sul, SESAI has been criticized by several leaders, who complain about the lack of care and resources for the transportation of patients, as well as neglect to help patients.

CAUSE: Lack of health care in the villages

Source: Campo Grande News, 4/20/2016

6/7/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ and GUARANI-ÑHANDEVA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

DESCRIPTION: Nurses serving the indigenous area complain about the lack of vaccines to immunize the residents of two villages, since the municipality has provided fewer doses of the vaccine than those requested by the health professionals. Another challenge is the indigenous people's fear of the H1N1 vaccine.

CAUSE: Lack of health care in the villages

Source: G1/MS, 6/7/2016

7/21/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CAMPO GRANDE

DESCRIPTION: Indigenous people from several tribes blocked a stretch of the BR-163 highway to demand investments in health. According to the leaders, there are neither medicines nor structure for health professionals to serve the villages, and there is no transportation either.

CAUSE: General lack of health care

Source: G1/MS, 7/21/2016

7/26/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ, GUARANI-ÑHANDEVA and TERENA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Bororó and Jaguapiru Villages

DESCRIPTION: The community reports that many people are suffering from infectious diseases due to the water they drink. The rain carries traces of pesticides to the lagoons, in which poison containers are also dumped. For lack of option, many families use these containers to carry contaminated water.

EMPLOYED MEDIUM: Contaminated water

Source: Folha de Dourados newspaper, 7/26/2016

PARÁ - 4 Cases

6/3/2016

VICTIM: Maria Conceição Mota

PEOPLE: TEMBÉ

INDIGENOUS LAND: TEMBÉ

MUNICIPALITY: SANTA LUZIA DO PARÁ

DESCRIPTION: The courts had to be involved for the indigenous woman suffering from amyotrophic lateral sclerosis, a nervous system disease that weakens the muscles and affects the motor function, to receive medical care. As the disease progresses, usually after the loss of movements as well as of speech and swallowing ability, the lack of treatment can cause death.

CAUSE: Lack of health care, omission, negligence

Source: G1, 6/3/2016

8/9/2016

VICTIM: Communities

PEOPLE: APIAKÁ, ARAPIUM, ARARA VERMELHA, CARA PRETA, MATIPU-NAHUKWA, MUNDURUKU, TUPAIU and TUPINAMBÁ

INDIGENOUS LAND: LOWER TAPAJÓS I

MUNICIPALITY: SANTARÉM

PLACE OF INCIDENT: 13 indigenous communities

DESCRIPTION: The 13 peoples represented by the Tapajós Arapiuns Indigenous Council (CITA) occupied the base center of the Guamá/Tocantins DSE due to the lack of indigenous health care in the region. There is neither programming or planning by SESAI nor indigenous health units linked to it in the villages, including those that have already been demarcated for some time. This claim by the indigenous populations in the region is a struggle of more than 15 years, say the leaders.

CAUSE: Lack of health care and infrastructure

Source: Cassio Freire Beda, 8/12/2016

8/11/2016

VICTIM: The community

PEOPLE: ARARA

INDIGENOUS LAND: XINGU

MUNICIPALITY: ALTAMIRA

PLACE OF INCIDENT: Terrawangã Village

DESCRIPTION: Norte Energia, which is responsible for the construction of Belo Monte Hydroelectric Power Plant, has failed to complete the water supply system in Volta Grande do Xingu, as was its obligation. The indigenous community is using water from the Xingu River without any treatment, leading to multiplies cases of diseases in the region.

CAUSE: Non-compliance with conditions

Source: Agência Nacional Radio Station, 8/11/2016

9/29/2016

VICTIM: Indigenous people

PEOPLE: ARAPIUM, CARA PRETA, MAYTAPU, MUNDURUKU and TUPINAMBÁ

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: SANTARÉM

PLACE OF INCIDENT: Lower Tapajós and Arapiuns region

DESCRIPTION: The service has not been provided on the grounds that the lands of these peoples have not been definitively demarcated yet or because there are indigenous people who do not live in the villages. In response, the Federal Public Prosecutor's Office filed a public civil action and the court upheld the understanding that these criteria are unconstitutional and violate Convention 169 of the International Labor Organization (ILO). On the same grounds, SESAI disregards other peoples in the same region, whose lands are in the process of demarcation. For failing to comply with the decision, the government can be fined R\$ 2 million for refusing health care to indigenous people in Pará.

CAUSE: Lack of health care, omission, negligence

Source: MPF-PA; Na Hora Portal, 9/29/2016

PIAUI - 1 Case

4/25/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

DESCRIPTION: The Federal Public Prosecutor's Office of Piauí has filed a public civil action seeking a preliminary injunction against the federal government so that the indigenous communities of Piauí, Maranhão and the other states of the Federation can receive adequate health care, ensuring medium and high complexity actions, with the maintenance of CASAI's operation. The lawsuit was based on an administrative proceeding initiated to investigate a report of the closing down of CASAI in Teresina.

CAUSE: Lack of health care, omission, negligence

Source: MPF-PI, 4/25/2016

PARANÁ - 1 Case

2/18/2016

VICTIM: The community

PEOPLE: GUARANI

INDIGENOUS LAND: CITADINO

MUNICIPALITY: PONTA GROSSA

DESCRIPTION: The indigenous people are living in subhuman conditions in Ponta Grossa, fighting for space with garbage and all kinds of harmful insects, without sanitary facilities and accommodated in a single room. When looking for assistance in CASAI, the situation does not get any better, since the structure is in shambles, there is no roof and it rains inside the house where there are several puddles, which may be foci of the dengue mosquito.

CAUSE: Lack of structure in CASAI

Source: A Rede, 2/18/2016

RONDÔNIA - 2 Cases

JANUARY

VICTIM: Guilhermina

PEOPLE: GUARASUGWE

INDIGENOUS LAND: GUARASUGWE

MUNICIPALITY: JI-PARANÁ

PLACE OF INCIDENT: City

DESCRIPTION: The indigenous woman went to SESAI but was denied health care. She then appealed to FUNAI and the MPF in Ji-Paraná, and was again refused care. As she was unable to have her rights guaranteed, her daughter took out a R\$ 5,000 loan for her treatment. This situation occurs because FUNAI has not taken any action in relation to the land recognition process. Therefore, the indigenous people find it difficult to be assisted by the responsible entities, as the service is provided only in demarcated or recognized lands.

CAUSE: Lack of health care, omission, negligence

Source: CIMI Regional Office in Rondônia

5/10/2016

VICTIM: Amelia Oro Nao

PEOPLE: ORO NAO'

INDIGENOUS LAND: IGARAPÉ LAGE

MUNICIPALITY: GUAJARA-MIRIM

PLACE OF INCIDENT: 8th Line

DESCRIPTION: The victim's daughter found her mother in an extremely dirty bed, which had been occupied by a hepatitis patient the previous day. After complaining that her mother would have to change rooms, the nurse called the Military Police. Due to the embarrassment to which the victim was

subject, her granddaughters, who were also on the scene, called the FUNAI coordinator to follow up on the case.

CAUSE: Negligence

Source: Relatives of the victim on social media, 6/28/2016

SANTA CATARINA - 2 Cases

MAY

VICTIM: Communities

PEOPLE: GUARANI

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: BIGUAÇU

PLACE OF INCIDENT: Marangatu and M'biguaçu

DESCRIPTION: The communities are waiting for the construction of the health unit in their villages, since health care is being provided in temporary places, like the prayer house and schools. According to SESAI, however, it is impossible to say when the works will begin.

CAUSE: Lack of health care, omission, negligence

Source: CIMI South Regional Office, Florianópolis team; Indigenous Leaders

5/30/2015

VICTIM: Marcelo Benite

PEOPLE: GUARANI

INDIGENOUS LAND: TEKHA YVÁ

MUNICIPALITY: SÃO JOSÉ

DESCRIPTION: The indigenous man had a stroke and subsequently a tumor was detected in his brain. Although he was hospitalized, the leaders denounced to the MPF the abandonment by both the hospital and SESAI. These institutions have failed to provide the necessary support for the patient or his family.

CAUSE: Lack of health care

Source: Indigenous leaders, CIMI South Regional Office, Florianópolis Team, 05/30/2016

TOCANTINS - 2 Cases

4/19/2016

VICTIM: Communities

PEOPLE: XERENTE

INDIGENOUS LAND: XERENTE

MUNICIPALITY: TOCANTÍNIA

PLACE OF INCIDENT: Villages in Tocantins

DESCRIPTION: In addition to the lack of a basic health care infrastructure in the villages in Tocantins, which is aggravated by the lack of doctors and medicines, the difficulty of transportation in emergencies is also worrying. There are constant bouts of diarrhea among residents, especially children, due to lack of potable water. Some villages were out of water for three months for lack of oil for the artesian well engine. As a result, the natives end up using the water from the stream, which is not fit for consumption.

CAUSE: Lack of health care, infrastructure, drinking water and basic sanitation

Source: Jornal do Tocantins newspaper, 4/19/2016

2016

VICTIM: Community

PEOPLE: KARAJÁ

INDIGENOUS LAND: PARQUE DO ARAGUAIA

MUNICIPALITY: LAGOA DA CONFUSÃO

PLACE OF INCIDENT: Macaúba Village

DESCRIPTION: The village suffers from lack of medicines.

CAUSE: Lack of medication

Source: CIMI Regional Office in Mato Grosso



The provision of differentiated health care is a historical claim of indigenous peoples. Yet, not even the most basic needs are met

Death from lack of health care

In 2016, CIMI recorded 3 cases of death caused by lack of health care in the states of Alagoas (1), Maranhão (1) and Santa Catarina (1).

In Santa Catarina, the delay in providing health care to a Guarani child may have contributed to worsening her pneumonia, which led to her death.

In Maranhão, Ka'apor leaders complain that health professionals did not give due attention to a patient, who died.

In Alagoas, leaders also claim lack of health care to Xukuru-Kariri Luiz Ferreira da Silva, who died after being sent back home.

DEATH FROM LACK OF HEALTH CARE

3 Cases

ALAGOAS - 1 Case

2016

VICTIM: Luiz Ferreira da Silva

PEOPLE: XUKURU-KARIRI

INDIGENOUS LAND: XUKURU-KARIRI

MUNICIPALITY: PALMEIRA DOS ÍNDIOS

PLACE OF INCIDENT: Retaking of a traditional area overlapped by Jarro Farm

DESCRIPTION: Luiz had a crisis and was taken to the base center, where he received no health care and was sent back home on the grounds that he was from another village. The victim ended up dying.

CAUSE: Lack of health care, omission, negligence

Source: CIMI Northeast Regional Office, Leader Helena Macario

MARANHÃO - 1 Case

11/20/2016

VICTIM: Sokohi Ka'apor

PEOPLE: KA'APOR

INDIGENOUS LAND: ALTO TURIAÇU

MUNICIPALITY: ZÉ DOCA

PLACE OF INCIDENT: Nova Axiguirená Village

DESCRIPTION: According to the leaders, the victim's health worsened and the health professionals failed to provide the care that the case required. Indigenous people report that negligence in health care is common in the community.

CAUSE: Lack of health care

Source: CIMI Regional Office in Maranhão; Indigenous Leaders

SANTA CATARINA - 1 Case

5/2/2016

VICTIM: Edmilson da Silva

PEOPLE: GUARANI

INDIGENOUS LAND: CURI'Y - MBYA ROKA

MUNICIPALITY: BIGUAÇU

PLACE OF INCIDENT: Hospital

DESCRIPTION: The indigenous health team was called in several times to take the sick child to the hospital. Due to the team's delay, the child, who had pneumonia, although she was finally taken to the hospital, ended up dying.

CAUSE: Lack of health care, omission, negligence

Source: CIMI South Regional Office, Florianópolis Team; Indigenous Leaders, 5/2/2016

Child mortality

Based on the Law on Access to Information, CIMI obtained from SESAI and the Mato Grosso do Sul DSEI partial data on child mortality among indigenous children. Although partial, the data show that there has been an increase in the number of deaths of children under 5 years. While 599 deaths were recorded in 2015, SESAI reports 735 deaths among children under 5 years in 2016.

The main probable causes of the deaths were: pneumonia and gastroenteritis of presumed infectious origin; unspecified pneumonia; unspecified septicemia; death from lack of health care; severe unspecified protein-calorie malnutrition; and other ill-defined and unspecified causes of mortality. Despite the lack of more information on the children's death, the official entity itself recognizes deaths due to lack of health care and severe malnutrition.

The highest number of deaths was reported in the area covered by the Yanomami DSEI, with 103 deaths, followed by the Xavante DSEI, with 87 deaths of children under 5 years old.

Also of concern is the high number of deaths among children under 5 years of age in the areas covered by the Maranhão (54), Rio Solimões and Tributaries (53), East Roraima (37), and the Mato Grosso do Sul (30) DSEIs.

The following are partial data on deaths among indigenous children under 5 years of age, by DSEI*:

Name of DSEI	Deaths among children under 5 years of age
Cuiabá	9
Guamá-Tocantins	11
Interior South	27
Kaipó Mato Grosso	9
Kaipó from Pará	15
East Roraima	37
South Shore	9
Manaus	11
Maranhão	54
Mato Grosso do Sul	30
Middle Purus River	15
Middle Solimões River and Tributaries	53
Minas Gerais and Espírito Santo	17
Parintins	4
Pernambuco	15
Potiguara	15
Porto Velho	5
Tapajós River	24
Tocantins	6
Vale do Javari	4
Vilhena	12
Xavante	87
Xingu	4
Yanomami	103
Total	735

* Source: Siasi-Cgase/DGESI/Sesai-MS. Database access on June 21, 2017. Data subject to change by feeding and storing process.

“The highest number of deaths was reported in the area covered by the Yanomami DSEI, with 103 deaths, followed by the Xavante DSEI, with 87 deaths among children under 5 years old,”

Spread of alcohol and other drugs

In 2016, CIMI recorded 3 cases of spread of alcohol and other drugs in indigenous communities in the states of Acre (2) and São Paulo (1).

In Acre, the Campinas/Katukina Indigenous Land is crossed by highway BR-364. Many communities are settled on the roadside of this highway. In recent years, the number of bars along the highway, some of them very close to the boundaries of the indigenous land, has increased significantly, facilitating the access of

indigenous people to alcoholic beverages. As a result, accidents with serious and fatal victims have been occurring in recent years, and cases of family violence have increased.

According to the Federal Public Prosecutor's Office of São Paulo, the use of alcohol and narcotics has fostered cases of sexual violence against children, adolescents and women. In addition, the Guarani do not receive therapeutic care in the health unit that serves the community.

SPREAD OF ALCOHOL AND OTHER DRUGS

3 Cases

ACRE - 2 Cases

2016

VICTIM: Adults, youth and adolescents

PEOPLE: KATUKINA

INDIGENOUS LAND: CAMPINAS/KATUKINA

MUNICIPALITY: CRUZEIRO DO SUL

DESCRIPTION: The indigenous land is crossed by highway BR-364, and the communities are settled on the roadside of this highway. In recent years there has been an increase in the number of bars along the highway, some of them very close to the boundaries of the indigenous land, facilitating the access of indigenous people to alcoholic beverages. Adolescents and young people are the most vulnerable victims of this evil. As a consequence, the number of accidents with serious and fatal victims is increasing each year, as well as family and domestic violence. These factors also add to the idleness and increased hunger among the people.

CAUSE: Alcohol use; lack of inspection

Source: CIMI Regional Office in Eastern Amazon, Cruzeiro do Sul Team

2016

VICTIM: Adults, youth and adolescents, including women

PEOPLE: NAUA and NUKINI

DESCRIPTION: Because it is cheaper than other beverages, the use of pure alcohol has increased in recent years among adults, young people and adolescents, especially on weekends, when they watch soccer games, or in daily community work. As

a result, there has been an increase in family and domestic violence. Alcohol and alcoholic beverages continue to be sold indiscriminately in the municipalities of Mâncio Lima, Rodrigues Alves, Marechal Thaumaturgo and Porto Valter, reaching communities in the Nawá, Jaminawa/Igarapé Preto, Arara do Rio Amônia, Jaminawa/Arara do Rio Bagé and Arara do Igarapé Humaitá indigenous lands.

CAUSE: Alcohol use and lack of inspection

Source: CIMI Regional Office in Eastern Amazon, Cruzeiro do Sul Team

SÃO PAULO - 1 Case

3/9/2016

VICTIM: The community

PEOPLE: GUARANI

INDIGENOUS LAND: JARAGUÁ

MUNICIPALITY: SÃO PAULO

DESCRIPTION: According to the Federal Public Prosecutor's Office-SP, alcohol and drug use is excessive in the villages. It also encourages sexual violence against children, adolescents and women. An anthropological report prepared by FUNAI recorded two cases of sexual abuse of children whose guardians were alcoholics. The Basic Health Unit in the indigenous land does not provide therapeutic care to drug addicts and does not refer them to municipal drug rehab programs.

CAUSE: Alcohol and drug use

Source: Agência Brasil, 3/9/2016

Lack of support for indigenous school education

Elias Guajajara

There were 38 cases of lack of support for indigenous school education in the states of Acre (1), Amazonas (2), Bahia (1), Espírito Santo (1), Maranhão (10), Mato Grosso (4), Mato Grosso do Sul (6), Pará (2), Pernambuco (1), Rio de Janeiro (1), Rio Grande do Sul (1), Rondônia (4), Roraima (1), Santa Catarina (2) and Tocantins (1).

In the state of Maranhão, which has the highest number of cases, indigenous people complain about the extremely poor conditions of schools. In Fernando Falcão, the Kanela-Apaniekra people report that the school has no toilets, kitchen or storage room for teaching materials. A similar situation faces the Guajajara people in the municipality of Grajaú. The roof and floor of the school building is full of holes and there are no bathrooms. Indigenous people in the municipality of Jardim complain about the delay in the payment of teachers' salaries.

In Mato Grosso do Sul, children from the Tjassu Iguá *tekoha* had been without school since July 2015. After the occupation of a 75-hectare area claimed by a group of families, the children were left without school transportation. The municipality claims that it does not provide transportation because it is a conflict area.

In Rio de Janeiro, the Federal Public Prosecutor's Office filed a public civil action for the implementation of material improvements and the renovation of an indigenous school, due to extremely poor conditions and total lack of infrastructure. Following on-site inspections, serious deficiencies were found, such as the lack of restrooms, cafeteria, fire extinguishers and basic materials like paper and pencil, besides the risk of collapse.

In Tocantins, leaders reported that at least 150 children were not attending school for lack of maintenance of the side roads, which prevented the school bus from



Some schools that cater to indigenous children are not fit for use and are at risk of collapsing

reaching the villages. These problems are recurrent and have been reported several times by the communities.

In Roraima, students cannot attend school due to the lack of teachers, school meals and a drinking fountain in the school unit.

LACK OF SUPPORT FOR INDIGENOUS SCHOOL EDUCATION

38 Cases

ACRE - 1 Case

2016

VICTIM: The community

PEOPLE: APOLIMA ARARA, ARARA, ASHANINKA, JAMINAWÁ, KATUKINA, KAXINAWÁ, NAUA, NUKINI and POYANAWA

PLACE OF INCIDENT: Schools

DESCRIPTION: Lack of support for education is recurrent and perceived in several ways: lack of schools; delays in paying the salaries of teachers and other education employees; lack of school meal and of school and teaching materials; lack

of fuel for school transportation; discontinuity in teacher training; lack of secondary education in most communities; and lack of pedagogical follow-up for teachers. This situation includes schools located in the municipalities of Marechal Thaumaturgo, Rodrigues, Mâncio Lima and Cruzeiro do Sul, reaching the Arara do Rio Amônia, Kaxinawá Ashaninka do Rio Breu, Jaminawa/Arara do Rio Bagé, Juruá, Jaminawa/Igarapé Preto, Nawá, Poyanawa, Arara do Igarapé Humaitá and Campinas/Katukina indigenous lands.

CAUSE: Lack of support, omission, negligence

Source: CIMI Regional Office in Eastern Amazon, Cruzeiro do Sul Team

AMAZONAS- 2 Cases**6/2016****VICTIM:** Students**PEOPLE:** VARIOUS**INDIGENOUS LAND:** VARIOUS**MUNICIPALITY:** UARINI**PLACE OF INCIDENT:** Bom Jesus, Santa Maria, Santa Rosa, Alegri Saturnino, Nova Esperança I Schools

DESCRIPTION: The Federal Public Prosecutor's Office-AM filed a lawsuit with the Federal Court after receiving a complaint of lack of structure in indigenous education schools. There are reports that in some units, activities have been interrupted since the end of 2015. According to the MPF, some schools do not have adequate hygiene and safety conditions for students and teachers; there is no supply of school meals and fuel for electricity generators and transportation; teachers are not regularly paid; and even oxen and other animals were found in one of the schools.

CAUSE: Lack of support for the villages*Source: G1/AM***7/18/2016****VICTIM:** The community**PEOPLE:** TUKUNA**INDIGENOUS LAND:** TUKUNA UMARIAÇU**MUNICIPALITY:** TABATINGA**PLACE OF INCIDENT:** O'i Tchurune Indigenous Municipal School

DESCRIPTION: The community reported problems of cracks in the indigenous school. The director informed the Municipal Secretary of Education of Tabatinga and contacted the Civil Defense of the municipality to carry out an inspection. According to the coordinator of the Municipal Civil Defense, Jose Costa, the cracks could be a consequence of land settling, which is a common phenomenon in the region. The community chief asks the authorities for urgent action at the school. The engineer of the municipality of Tabatinga has also inspected the school structure and, after the result of the tests carried out, it would be decided if the school would be closed down or not.

CAUSE: Lack of infrastructure*Source: Agência Nacional Radio Station, 7/19/2016***BAHIA - 1 Case****3/14/2016****VICTIM:** Students**PEOPLE:** TUPINAMBÁ**INDIGENOUS LAND:** TUPINAMBÁ**MUNICIPALITY:** ILHÉUS

DESCRIPTION: School transport has been interrupted since mid-2015, which has caused children and young people to drop-out, as their enrollment was not reconfirmed in 2016. Some children and adolescents could have to walk as much as 7 km to get to the school. Others did not even risk it, since they would have to walk about 40 km. Some students receive transportation money from their parents, which aggravates the difficulties they already have to ensure their survival.

CAUSE: Lack of transportation*Source: CIMI Press Office, 3/14/2016***ESPÍRITO SANTO - 1 Case****11/25/2016****VICTIM:** Students**PEOPLE:** TUPINIKIM**INDIGENOUS LAND:** CAIEIRA VELHAS**MUNICIPALITY:** ARACRUZ**PLACE OF INCIDENT:** Boa Esperança, Piraquê-açu, Três Palmeiras, Caieiras, Irajá and Areal Villages

DESCRIPTION: Representatives of the communities reported to the Public Prosecutor's Office-ES some of the problems faced by the students. The state indigenous high school in the municipality of Aracruz was opened in December 2014 but was never used by the students because they were unable to enroll. As a result, the students attend regular schools in the municipality and face difficulties related to language, bullying, distance from the villages and prejudice. Many successively fail the school year and end up dropping out of school.

CAUSE: Lack of infrastructure and differentiated education*Source: MPF, 11/25/2016***MARANHÃO - 10 Cases****2016****VICTIM:** Students**PEOPLE:** KANELA-APANIEKRĂ**INDIGENOUS LAND:** KANELA RAMKOKANEKRA**MUNICIPALITY:** FERNANDO FALCÃO**PLACE OF INCIDENT:** Porquinhos Village

DESCRIPTION: The natives reported the extremely poor conditions of the school, which has no bathrooms, kitchen, and storage room for teaching materials. The classrooms have no doors and lighting is insufficient. Indigenous leaders have repeatedly reported the situation to the Indigenous School Education Supervision, but no action has been taken to solve the problem.

CAUSE: Lack of infrastructure, negligence*Source: Memotunrá Canela Student, CIMI Regional Office in Maranhão***2016****VICTIM:** Students**PEOPLE:** KANELA**INDIGENOUS LAND:** KANELA**MUNICIPALITY:** FERNANDO FALCÃO**PLACE OF INCIDENT:** Escalvado Village

DESCRIPTION: The natives reported the extremely poor conditions of the school. The building has no bathrooms, kitchen, and storage room for teaching materials. The poorly lit classrooms have no doors and are insufficient for the current number of students. Indigenous leaders have repeatedly requested improvements from the Indigenous School Education Supervision, but the problems persist.

CAUSE: Lack of infrastructure, negligence*Source: Memotunrá Canela Student, CIMI Regional Office in Maranhão***2016****VICTIM:** Krupum Katejê and Krupum Students**PEOPLE:** GUAJAJARA and TIMBIRA**INDIGENOUS LAND:** GERALDA/TOCO PRETO**MUNICIPALITY:** GRAJAÚ**PLACE OF INCIDENT:** Cibirino Village

DESCRIPTION: Students face difficulties due to the extremely poor conditions of the school. The building's roof and floor are full of holes and there are no bathrooms. Teachers report that the situation is extremely precarious.

CAUSE: Lack of infrastructure, negligence*Source: CIMI Regional Office in Maranhão, Imperatriz Team*

2016**VICTIM:** Students**PEOPLE:** GUAJAJARA**INDIGENOUS LAND:** ARARIBOIA**MUNICIPALITY:** ARAME**PLACE OF INCIDENT:** Abraão Village

DESCRIPTION: Leaders and teachers face difficulties due to the extremely poor conditions of the school. The building has holes in the roof, floor and walls, and there is no bathroom. Indigenous students sit on the ground during classes and teachers report that the situation is extremely precarious.

CAUSE: Lack of infrastructure, negligence*Source: CIMI Regional Office in Maranhão, Imperatriz Team***2016****VICTIM:** Students**PEOPLE:** GUAJAJARA**INDIGENOUS LAND:** ARARIBOIA**MUNICIPALITY:** AMARANTE DO MARANHÃO**PLACE OF INCIDENT:** Juçaral Village

DESCRIPTION: The leaders face difficulties due to the extremely poor conditions of the school, which has holes in the roof, floor and walls, and the bathroom is out of order. The students are discouraged. The leaders report that the situation is extremely precarious and requires urgent measures.

CAUSE: Lack of infrastructure and omission*Source: CIMI Regional Office in Maranhão, Imperatriz Team***2016****VICTIM:** Students**PEOPLE:** GAVIÃO**INDIGENOUS LAND:** GOVERNADOR**MUNICIPALITY:** AMARANTE DO MARANHÃO**PLACE OF INCIDENT:** Monte Alegre Village

DESCRIPTION: The students face difficulties due to the extremely poor conditions of the school, which is located in a very small area with little infrastructure, hampering the students' learning process.

CAUSE: Lack of infrastructure, negligence*Source: CIMI Regional Office in Maranhão, Imperatriz Team***2016****VICTIM:** Students**PEOPLE:** AWÁ-GUAJÁ**INDIGENOUS LAND:** CARU**MUNICIPALITY:** BOM JARDIM**PLACE OF INCIDENT:** Awá and Tiracambu Villages

DESCRIPTION: The Awá people have for long asked for the construction of schools in the villages and the hiring of teachers. In October, the State Secretariat of Education published the results of the simplified selection process for the temporary hiring of teachers for indigenous schools. However, the meetings to discuss the hiring of these teachers were not attended by indigenous representatives, clearly ignoring the existing path and discussion of the Awá school, and to the detriment of the volunteer teachers recognized by the communities. The schools have not yet been built.

CAUSE: Lack of school and indigenous teacher, negligence*Source: CIMI Regional Office in Maranhão***2016****VICTIM:** Community**PEOPLE:** GAMELA**INDIGENOUS LAND:** GAMELA**MUNICIPALITY:** VIANA**DESCRIPTION:** Since 2015, the indigenous people have been asking

the State Department of Education that the school of their community be managed by the state. There were promises to meet the request in 2016, which did not occur. Without concrete answers, the indigenous school was left out of the school census in 2016.

CAUSE: Negligence*Source: Gamela indigenous people, CIMI Regional Office in Maranhão***8/2016****VICTIM:** Community**PEOPLE:** GUAJAJARA**INDIGENOUS LAND:** GERALDA/TOCO PRETO**MUNICIPALITY:** ITAIPAVA DO GRAJÁ**PLACE OF INCIDENT:** Cibirino and Toco Preto Villages

DESCRIPTION: Due to the failure to comply with the agreement made with the Secretariat of Education, a group of indigenous people from the Katejê group went to São Luís to demand a position from the government regarding the remodeling of the schools, the hiring and paying of teachers and regularization of school meals.

CAUSE: General lack of support*Source: CIMI Press Office, 8/18/2016***8/4/2016****VICTIM:** Students**PEOPLE:** GUAJAJARA**INDIGENOUS LAND:** CARU and PINDARÉ**MUNICIPALITY:** BOM JARDIM

DESCRIPTION: Indigenous people, teachers and the students' parents gathered in the government seat to demand, among other issues, a solution to the delay in the payment of teachers and the lack of school meals and transportation for students.

CAUSE: General lack of support*Source: News Agency, 8/4/2016*

MATO GROSSO - 4 Cases

2016**VICTIM:** Students**PEOPLE:** MENKU**INDIGENOUS LAND:** MENKU**MUNICIPALITY:** BRASNORTE**PLACE OF INCIDENT:** Japuirá Village

DESCRIPTION: According to reports by the team that assists the village, the specific requirements of the Xinui Myky indigenous school have not been met. Problems include failure to meet the need for support staff when enrollments do not reach the required number of students and non-recognition of the autonomy of the school and the community in the processes of selecting and hiring employees. There are also contracts overdue for more than three months with no indication of payment of arrears.

MEDIA EMPLOYEE: Lack of infrastructure and differentiated education*Source: CIMI Regional Office in Mato Grosso***2016****VICTIM:** Students**PEOPLE:** NAMBIKWARA**INDIGENOUS LAND:** VALE DO GUAPORÉ**MUNICIPALITY:** COMODORO**PLACE OF INCIDENT:** Capitão Pedro Mamaindê - Central Village

DESCRIPTION: As reported by indigenous people, for more than three years the community has had no sanitary structure, and no place to wash clothes, dishes, or even take a shower. The students, who are even more affected, have no place

to study. The situation worsens in the rainy season because students often study outdoors, in places that do not meet minimum hygiene requirements. The school is improper for use, with broken shingles, windows, doors, chairs and tables. The kitchen, the teachers' room, and the school secretary are all in the same place.

CAUSE: Lack of infrastructure, negligence

Source: CIMI Regional Office in Rondônia; Mamaindé community

5/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CUIABÁ

DESCRIPTION: The University of the State of Mato Grosso, in its edict for the 2016/2 college entrance examination, did not include the self-declared indigenous students. In the edict, 25% of the total number of places were set aside for self-declared blacks and browns, without, however, covering students from indigenous groups who, in proportion to their representativeness in the state, should have a 5% share of the total number of places. The MPF recommended correcting the edict.

CAUSE: Negligence

Source: MPF-MT, 5/11/2016

11/2016

VICTIM: Students

PEOPLE: XAVANTE

INDIGENOUS LAND: SÃO MARCOS

MUNICIPALITY: BARRA DO GARÇAS

PLACE OF INCIDENT: Imaculada Conceição, Salvador, Nossa Senhora das Graças, Santíssima Trindade Villages

DESCRIPTION: Of the 19 municipal schools located in indigenous lands, five have been shut down for lack of safety. In addition to the precarious physical structure attested by the Fire Department, there is a shortage of teachers, inadequate supply of meals, lack of school transportation, lack of teaching material and inadequate school calendar. The report on the chaotic situation of the schools led the Federal Public Prosecutor's Office and the municipality to sign a Term of Adjustment of Conduct with the aim of improving the situation of public education.

CAUSE: Lack of infrastructure

Source: Folha Max, 11/30/2016

MATO GROSSO DO SUL - 6 Cases

2/2016

VICTIM: Students

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: TAJASU IGUÁ TEKHOA

MUNICIPALITY: DOURADINA

DESCRIPTION: Without public transportation, children have been out of school since July 2015, in retaliation for the repossession, by a group of families, of 75 hectares of a claimed area. The municipality claims that it did not provide transportation because it was an area of conflict. Since the children had no way to attend school, their families were left without the Bolsa Família benefit. According to CIMI, the interruption of education and health actions is recurrent across all repossessed areas.

CAUSE: Lack of transportation

Source: Dourados Informa, 2/23/2016

4/2016

VICTIM: Students

PEOPLE: TERENA

INDIGENOUS LAND: TAUNAY/IPEGUE

MUNICIPALITY: AQUIDAUANA

PLACE OF INCIDENT: Esperança

DESCRIPTION: Children living in the camp are prevented from attending school due to lack of transportation. The service is denied by the municipality on the grounds that it is a conflict area.

CAUSE: Lack of transportation

Source: Campo Grande News, 4/10/2016

4/2016

VICTIM: Students

PEOPLE: TERENA

INDIGENOUS LAND: TAUNAY/IPEGUE

MUNICIPALITY: AQUIDAUANA

PLACE OF INCIDENT: Bananal Village

DESCRIPTION: Due to problems with the appointment of principals who did not respect the indigenous culture, the school went 30 days without class, until the government appointed another principal. The community wants the principal to be an indigenous person, which would facilitate the pedagogical process and local relations, as is already the case in several villages in the state.

CAUSE: Late start of the school year

Source: Campo Grande News, 4/12/2016

6/2016

VICTIM: Students

PEOPLE: GUARANI-KAIOWÁ and GUARANI-ÑHANDEVA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Augustinho Municipal School - Jaguapiru Village

DESCRIPTION: The lack of glass in the windows and the lack of uniforms and clothes suitable for lower temperatures and the winds cause up to 20% of indigenous students to drop out of school. The classrooms have no heating structure, making them unfit for classes.

CAUSE: Lack of support for the villages

Source: G1/MS, 6/23/2016

8/27/2016

VICTIM: Students

PEOPLE: TERENA

INDIGENOUS LAND: TAUNAY/IPEGUE

MUNICIPALITY: AQUIDAUANA

PLACE OF INCIDENT: Bananal Village

DESCRIPTION: The pump that brings water to the school broke down and has not been repaired. There is no water to drink, cook or clean the school. In addition, there are other structural problems in the building, such as broken shingles and damaged floors, bathrooms and kitchen. The school is the only one that offers secondary education to the community in the region, which is formed by seven villages.

CAUSE: Lack of water in the school, lack of structure

Source: Aquidauana News, 8/27/2016

12/20/2016

VICTIM: Students

PEOPLE: KADIWÉU

INDIGENOUS LAND: KADIWÉU

MUNICIPALITY: PORTO MURTINHO

PLACE OF INCIDENT: Campina Village

DESCRIPTION: The Ejiwajegi Extension Center Municipal School, which teaches students from 1st to the 8th grade of elementary education, has been neglected by the government. Without its own building, it has been functioning since 2007

in a room in the village health unit, which is not air conditioned and lacks books, notebooks and other school items. The only bathroom in the place is shared with users of the health unit. There is also no place for the students to eat, no teaching assistant and no janitor. The teacher paid for the school desks himself. The MPF assesses the situation as very serious, which is reflected in the students' educational attainment, who get to the 8th grade without being able to read and write properly.

CAUSE: Lack of support, omission, negligence

Source: *Capital News*, 12/20/2016

PARÁ – 2 Cases

9/2016

VICTIM: Students

PEOPLE: MUNDURUKU

INDIGENOUS LAND: MUNDURUKU

MUNICIPALITY: JACAREACANGA

DESCRIPTION: In 2003, municipal managers undertook, in a public hearing, to provide the minimum conditions for a quality indigenous education. However, nothing has been done. The demands put forward at the time focused on the hiring of indigenous teachers, regular and quality supply of school meals and materials, programming and differentiated school curriculum. These requests have been repeated every year ever since, through demonstrations at events, publication of studies and data sent to the MPF by FUNAI. According to the MPF-PA, instead of providing the mandatory and specialized assistance to the indigenous people, the municipality has made it increasingly worse each year. Investigations by the entity found allegations that funds for the construction of schools have not been used; schools have been closed; indigenous teachers have been dismissed; resources for educational projects have been diverted; and school equipment has not been delivered, among other irregularities.

CAUSE: Lack of indigenous schools and teachers

Source: *MPF-PA*, 9/14/2016

11/29/2016

VICTIM: Community

PEOPLE: MUNDURUKU

INDIGENOUS LAND: LOWER TAPAJÓS I

MUNICIPALITY: BELTERRA

PLACE OF INCIDENT: Marituba, Taquara and Bragança

DESCRIPTION: The natives occupied City Hall to demand payment of the salaries of teachers who work in the communities, which was six months overdue. This situation makes it very difficult for teachers to continue to work.

CAUSE: Non-payment of teachers' salaries

Source: *G1/PA*

PERNAMBUCO – 1 Case

8/2016

VICTIM: Students

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: RECIFE

DESCRIPTION: Indigenous peoples from eleven ethnic groups from Pernambuco met with the state governor to demand improvements in education. One of the main problems mentioned concerns the teachers who work in the communities, whose professional category is not specifically recognized, thus pre-

cluding, for example, the offer of competitive examinations for indigenous teachers. Another serious problem is the delay in transferring the funds for payment of school transportation. According to one of the leaders, "it is a two- to three-month delay, which causes the drivers to stop working and makes it difficult to pay for fuel; in several occasions, this has negatively affected the school year."

CAUSE: Lack of transportation

Source: *IstoÉ magazine*, 8/17/2016

RIO DE JANEIRO – 1 Case

2016

VICTIM: Students

PEOPLE: GUARANI

MUNICIPALITY: ANGRA DOS REIS

PLACE OF INCIDENT: Sapucaí (Bracuí) Itasxin, Guray Tapu and Tejkoa Jey Villages

DESCRIPTION: The Federal Public Prosecutor's Office-RJ filed a public civil action with a preliminary injunction motion against the federal government and the state of Rio de Janeiro, asking the court to order the implementation of material improvements and renovation of the Karai Kuery Rendaq State Indigenous School and its classrooms, due to the extremely poor conditions and total lack of infrastructure in the educational facilities. The inspections carried out found serious problems such as the risk of collapse, lack of bathrooms, cafeteria, fire extinguishers and basic materials such as paper, pencils, etc., in addition to the insufficient number of classrooms for the number of grades and students.

CAUSE: Lack of support, omission, negligence

Source: *MPF-RJ*, 11/21/2016

RONDÔNIA – 4 Cases

2/2016

VICTIM: Students

PEOPLE: MIQUELENO

MUNICIPALITY: SÃO FRANCISCO DO GUAPORÉ

DESCRIPTION: The community reports that only two indigenous teachers passed the examination and selection process conducted by SEDUC. Still according to the community, there are other indigenous teachers qualified for the job (two of them with a university degree) living in the community, but the places were filled by four non-indigenous teachers living in the municipality, who were assigned to the school. The strategy used for assigning the teachers was telling the indigenous teachers that had passed the selection process that if they signed the term waving their right to the job, the old indigenous teachers would be brought back, which was precisely what the community and the students wanted. However, the places were filled by non-indigenous teachers who remain in the school to this date. Due to the lack of indigenous teachers, the mother tongue is not being taught, causing a conflict in the community.

CAUSE: Lack of indigenous teachers

Source: *CIMI Regional Office in Rondônia, indigenous reports*

2/2016

VICTIM: Leonardo Moraes Lopes

PEOPLE: KUJUBIM

MUNICIPALITY: COSTA MARQUES

DESCRIPTION: The indigenous youth's mother reported that when she went to FUNAI in Ji-Paraná early in 2016, she was denied the declaration requested by the Rolim de Moura University

for her son who enrolled in the Veterinary course. The administrator said that he could not issue any such document. She had to report the case to the former administrator, who knew the indigenous family, in order to obtain the document.

CAUSE: Disrespect for federal educational rules

Source: CIMI Regional Office in Rondônia, reports of indigenous people

6/23/2016

VICTIM: Students

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: PORTO VELHO

DESCRIPTION: A teacher of the Karitiana people reported that the Indigenous School Education Center of SEDUC disregards the specificity of the community with respect to the school calendar, since the natives have a different chronology and commemorative dates and should not have to follow the conventional school calendar. Another situation was a public hearing held in the Legislative Assembly on the implementation of the distance education system – Technological Mediation, which would affect indigenous communities as well, thus violating the constitutional rights of indigenous peoples as regards maintaining their culture.

CAUSE: Disrespect for the culture and the traditional way of life of indigenous peoples

Source: CIMI Regional Rondônia, Karitiana Indigenous teachers, 6/23/2016

28/6/2016

VICTIM: Students

PEOPLE: ORO NAO'

INDIGENOUS LAND: PAKAÁAS NOVAS

MUNICIPALITY: GUAJARA-MIRIM

PLACE OF INCIDENT: Tanajura Village

DESCRIPTION: Pre-school students from Marechal Rondon School reported the institution's lack of infrastructure, which does not have enough desks and chairs. Every day the students and the teacher need to bring these materials from other classrooms.

CAUSE: Lack of infrastructure

Source: CIMI Regional Office in Rondônia, Guajará-Mirim Team, 6/28/2016

RORAIMA - 1 Case

4/11/2016

VICTIM: Students

PEOPLE: MAKUXI

INDIGENOUS LAND: CANAUANIN

MUNICIPALITY: CANTA

DESCRIPTION: The students' education is hampered by the lack of teachers, school meals and water fountains in the teaching unit. One of the complaints is about the lack of central air-conditioning, which forces the students to attend classes under a large tent to escape the heat.

CAUSE: Lack of materials, teacher and school meal

Source: G1/RR, 4/11/2016

RIO GRANDE DO SUL - 1 Case

7/25/2016

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS LAND: ARENAL

MUNICIPALITY: SANTA MARIA

DESCRIPTION: After a power station went down, the community

was left without school for six months. The students had been in the dark since the beginning of 2016 and, together with the teachers, improvised in order to keep the school year on track. The evening classes were canceled due to lack of lighting. The refrigerator became a closet and the meals for the 50 students were prepared in the dark. According to the school principal, FUNAI is responsible for fixing the school facilities.

CAUSE: Lack of electricity

Source: G1/RS, 7/25/2016

SANTA CATARINA - 2 Cases

2016

VICTIM: Students

PEOPLE: GUARANI

INDIGENOUS LAND: ITANHAEM

MUNICIPALITY: BIGUAÇU

DESCRIPTION: While works in the school remain incomplete, the students attend classes in improvised facilities and deprived of the minimum essential conditions.

CAUSE: lack of support for the villages

Source: CIMI South Regional Office, Florianópolis Team, MPF

7/4/2016

VICTIM: Children

PEOPLE: KAINGANG

INDIGENOUS LAND: ALDEIA KONDÁ

MUNICIPALITY: CHAPECÓ

PLACE OF INCIDENT: Sape-Ty-kó Indigenous Fundamental Education School

DESCRIPTION: Renovations works in the school began in 2011 and were interrupted in 2013. According to the MPF, the delay in resuming the renovation is causing serious damage to the treasury, due to the deterioration and depredation of the unfinished construction. Currently, children are attending classes in various educational institutions outside the village, deprived of the differentiated education to which they are entitled. There is a small school in the reservation, but it is not big enough to accommodate all the students.

MEDIA EMPLOYEE: Lack of infrastructure and differentiated education

Source: Federal Regional Court (TRF) 4th Region, 7/4/2016

TOCANTINS - 1 Case

5/20/2016

VICTIM: The community

PEOPLE: APINAJÉ

INDIGENOUS LAND: APINAYÉ

MUNICIPALITY: ARAGUAINA

PLACE OF INCIDENT: São José Village

DESCRIPTION: According to information from community leaders, the children were not attending classes due to the lack of maintenance of the back roads leading to the indigenous area. Several meetings and debates have been held and commitments have been made to rehabilitate the roads. However, there is little political will on the part of mayors as regards issues related to the maintenance and recovery of roads, which are essential for ensuring the health of the community, school transportation as well as for territorial surveillance protection measures.

CAUSE: Lack of support for the villages

Source: Group of Apinajé Villages, 5/20/2016



The impossibility of living in their tekohas, growing their crops and accessing drinking water directly affects the poor quality of life of indigenous people

General lack of support

A total of 42 cases of general lack of support were recorded in 2016 in the states do Acre (2), Alagoas (2), Amazonas (1), Bahia (1), Maranhão (3), Mato Grosso (4), Mato Grosso do Sul (10), Pará (3), Paraná (3), Rio de Janeiro (2), Rio Grande do Sul (2), Rondônia (1), Roraima (2), Santa Catarina (3), São Paulo (2), and Tocantins (1).

In Mato Grosso do Sul, indigenous communities complain about the lack of maintenance of roads, lack of water and deterioration of the vehicle used to provide health care to the people. Reports by inspectors who visited prison units in the state mention torture of detained adolescents, overcrowding and poor hygiene conditions. Representatives of the National Council for Food and Nutrition Security (CONSEA), an agency linked to the President's Office, visited the Southern Cone region of the state and found cases of starvation and malnutrition, poor access to health, water

and education, lack of civil documents, a permanent fear of violent attacks by farmers in the region, and a strong criminalization of leaders. According to the technical advisor who participated in the mission to the region, the situation of the indigenous people "is a human tragedy with violations of several rights."

In Maranhão, the Bacurizinho Indigenous Land of the Guajajara people faced extensive fires in their forest areas. To make matters worse, the emergency squad that worked in the indigenous land did not have its contract renewed and therefore is no longer active. Also in Maranhão, the Awa-Guajá people suffer from lack of basic sanitation and drinking water in the village. They also call for the enforcement of an agreement with Vale for the installation of devices that will enable the three villages to communicate with the base center responsible for health care.

In Pará, indigenous people and fishermen reported the sudden death of fish in the vicinity of Belo Monte Hydroelectric Power Plant in Altamira. IBAMA confirmed the death of more than 16 tons of fish in the vicinity of the plant works. Still in Altamira, according to the Federal Public Prosecutor's Office, about 140 ethnic groups,

including more than 100 children, were removed from the villages in a serious health condition, with flu and diarrhea symptoms. The MPF requested that the Ministry of Health urgently coordinate a task force with health workers and Army personnel to contain an outbreak of influenza in the villages of the Middle Xingu River.

GENERAL LACK OF SUPPORT

42 Cases

ACRE - 2 Cases

2016

VICTIM: The community

PEOPLE: KATUKINA

INDIGENOUS LAND: CAMPINAS KATUKINA

MUNICIPALITY: CRUZEIRO DO SUL

DESCRIPTION: In view of the poor provision of public services such as electricity, sewerage and water and problems in the implementation of the My Home My Life Program in the indigenous land, the Federal Justice partially accepted the claims of a civil action filed by the MPF-AC requesting a diagnosis of the problems by technical sectors of the state government and FUNAI.

CAUSE: General lack of support

Source: MPF-AC, 11/16/2016

11/21/2016

VICTIM: Communities

PEOPLE: HUNI KUI and KULINA

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: FEIJÓ

PLACE OF INCIDENT: Garbage Dump

DESCRIPTION: Without any protection on their hands or feet, indigenous people scavenge for food in a garbage dump in the municipality of Feijó. According to one of the natives, after receiving the Bolsa Família and/or maternity benefit, they want to return to the villages but FUNAI does not supply the diesel for the boats. When they run out of money, they (including children) start scavenging for food and other objects in the dump. They also claim that since they get no assistance in the villages, they are forced to set up tents in the city. According to FUNAI, the natives receive help to return to the villages, but end up picking up cans and other items which they sell while waiting to receive the following month's benefits. This situation was reported in the first half of the year.

CAUSE: Difficulty to make a living in the village

Source: Contilnet Notícias, 5/7/2016; G1/AC, 11/21/2016

ALAGOAS - 2 Cases

11/2016

VICTIM: The community

PEOPLE: KALANKÓ

INDIGENOUS LAND: KALANKÓ

MUNICIPALITY: ÁGUA BRANCA

DESCRIPTION: The community suffers from lack of basic sanitation, water supply and garbage collection, among other issues. They face so many problems in these areas that as one of the residents put it, "they seem to live on the margins of

civilization." About 140 indigenous people live in this condition. The water tanker should supply water three times a week, but out of the 30 existing cisterns, only 17 are supplied. Supply is guaranteed only to those who pay R\$ 250 to private companies. The garbage is not collected by the municipality, and the natives do not know how to dispose of it, because they face a dilemma: burying it contaminates the water table and the São Francisco River, while burning it generates smoke that causes health problems.

CAUSE: Government omission and negligence

Source: Gazeta Web, 11/25/2016

11/2016

VICTIM: The community

PEOPLE: JERIPANKÓ

INDIGENOUS LAND: JERIPANKÓ

MUNICIPALITY: PARICONHA

DESCRIPTION: The municipality of Pariconha, without any authorization, dumped solid waste in the indigenous land, causing environmental and health damages. IBAMA fined the municipality and prohibited it from dumping and/or depositing waste in the people's territory.

CAUSE: Negligence

Source: MPF-AL, 11/30/2016

AMAZONAS - 1 Case

5/9/2016

VICTIM: Communities

PEOPLE: APURINÃ and JAMAMADI

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: PAUINI

DESCRIPTION: The Federal Police reported the existence of a criminal organization led by the mayor of Pauini, with the help of government secretaries, which was diverting money from the Fund for the Maintenance and Development of Basic Education (FUNDEB), from the Unified Health System (SUS) and from the Special Indigenous Health District (DSEI). Other city officials who are relatives of the mayor or the secretaries are also involved in the scam. The investigators found that of the 64 biddings investigated, 44 were proven fraudulent, showing a misappropriation of about R\$ 15 million from the public treasury.

CAUSE: Misappropriation of funds

Source: Valor Econômico magazine, 5/9/2016

BAHIA - 1 Case

7/2016

VICTIM: The community

PEOPLE: TRUKÁ

INDIGENOUS LAND: TRUKÁ TUPÁ

MUNICIPALITY: PAULO AFONSO

PLACE OF INCIDENT: Upper Aratikim

DESCRIPTION: According to community leaders, the main pump that supplies water to the village was tampered with, leading the community to block the main access road in the rural area of the region for a few hours. On another occasion, a fire reported by the natives as arson interrupted the supply of water, and vegetable farming, which is the main crop and source of income for the community, was affected. According to the deputy-chief, these attacks are motivated by the failure to regularize the traditional territory. Groups in the region opposed to the demarcation have used violent strategies against the indigenous people. The leaders explain that the community has no access to the São Francisco River to get water and fish (source of income and food), because farmers in the region do not allow it, fencing extensive areas with barbed wire.

CAUSE: General lack of support

Source: CIMI Press Office, 7/22/2016

MARANHÃO - 3 Cases

2016

VICTIM: Communities

PEOPLE: AWÁ-GUAJÁ

INDIGENOUS LAND: CARU

MUNICIPALITY: BOM JARDIM

PLACE OF INCIDENT: Awá-Guajá and Tiracambu Villages

DESCRIPTION: There is no basic sanitation and drinking water in the village. The water tank is broken; another has been provided, but has not been installed yet. The old well does not have enough water for the whole community. As a result, the natives ended up using the water of the Presídio River, causing a serious bout of diarrhea among the children. In the Tiracambu village there is no sanitation, and one of the serious problems is the fact that the cassava flour, an important food in the Awá diet, is produced under poor hygiene conditions, which is a hazard to the community's health. Since 2011, a SESAI technician has been recommending the implementation of sanitation works. However, nothing has been done so far.

CAUSE: Lack of sanitation, omission, negligence

Source: Awá health report, CIMI Regional Office in Maranhão, Minutes of the Federal Justice Hearing -MA

9/2016

VICTIM: Community

PEOPLE: AWÁ-GUAJÁ

INDIGENOUS LAND: CARU

MUNICIPALITY: BOM JARDIM

PLACE OF INCIDENT: Awá Villages

DESCRIPTION: The Awa people demand the enforcement of an agreement with Vale do Rio Doce on the installation of devices for the three villages to communicate with the base center. Vale informed that it has already bought the radios that are compatible with SESAI's system. SESAI is responsible for the installation, together with DSEI. The equipment is sealed in the villages.

CAUSE: Lack of support

Source: CIMI Regional Office in Maranhão, March 2017

9/11/2016

VICTIM: Child, N.S.

PEOPLE: GUAJAJARA

INDIGENOUS LAND: BACURIZINHO

MUNICIPALITY: GRAJAÚ

PLACE OF INCIDENT: Pedra Village

DESCRIPTION: Some boys left the village to hunt, as they usually did, but were surprised by a fire which they were unable to escape. One of them died and another was hospitalized in a serious condition in the hospital of Imperatriz, with burns of 60% of his body. A FUNAI source said that the emergency squad of PrevFogo (National Center for Prevention and Combat of Forest Fires, linked to IBAMA) of the Bacurizinho Indigenous Land was in the Arariboia Indigenous Land. The contract of this emergency squad has not been renewed because PrevFogo said they did not have the funds for it. The emergency squad was dissolved in mid-February. However, there was an agreement that if a fire occurred in the Bacurizinho Indigenous Land, the Arariboia squad would help as collaborators. However, that agreement has not been fulfilled.

CAUSE: Lack of support, omission, negligence

Source: CIMI Press Office, 9/12/2016

MATO GROSSO - 4 Cases

2016

VICTIM: Students

PEOPLE: BORORO

INDIGENOUS LAND: MERURE

MUNICIPALITY: GENERAL CARNEIRO

PLACE OF INCIDENT: Nabureião Village

DESCRIPTION: Indigenous people report the lack of school and support in several areas, such as agricultural production.

CAUSE: Lack of support, omission, negligence

Source: CIMI Regional Office in Mato Grosso

2016

VICTIM: The community

PEOPLE: KANELA

MUNICIPALITY: LUCIARA

PLACE OF INCIDENT: Nova Pokanú Village

DESCRIPTION: The indigenous people report that there are serious problems in implementing the indigenous school education policy, due to lack of school, teachers, school transportation and drinking water.

CAUSE: General lack of support

Source: CIMI Regional Office in Mato Grosso

2016

VICTIM: The community

PEOPLE: KALAPALO

INDIGENOUS LAND: PARQUE INDÍGENA DO XINGU

MUNICIPALITY: QUERENCIA

PLACE OF INCIDENT: Tangurinho Village

DESCRIPTION: Farmers living in areas adjacent to the indigenous land are intensively carrying out deforestation that extends to the borders of the Xingu Indigenous Park. In addition, they are indiscriminately dumping pesticides that reach the villages, causing respiratory diseases and polluting the Tanguro River, which is the community's food source.

CAUSE: Government omission and negligence

Source: CIMI Regional Office in Mato Grosso

4/26/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CUIABÁ

DESCRIPTION: As a result of the lack of assistance and support, the Federal Public Prosecutor's Office recommended that the vehicle purchased with funds earmarked for the indigenous health area should be definitely transferred to the Cuiabá DSEI. It also ordered the cleaning and maintenance of the artesian wells of the indigenous communities. The recommendation to DSEI also states that a plan should be established to monitor and control the distribution and storage of medicines and the disposal of waste.

CAUSE: Lack of support

Source: MPF-MT, 4/26/2016

MATO GROSSO DO SUL - 10 Cases**2016**

VICTIM: Communities

PEOPLE: GUARANI-KAIOWÁ and GUARANI-ÑHANDEVA

DESCRIPTION: Representatives of the National Council for Food and Nutrition Security (CONSEA), an entity linked to the President's Office visited the Southern Cone region in the state to see and hear the Guarani-Kaiowá. According to the report, the team noticed "cases of starvation and malnutrition; precarious access to health, water, and education; lack of civil documents; a permanent feeling of fear of violent attacks ordered by farmers in the region; and a strong criminalization of indigenous leaders who resist and react to the abuses of power by the police." According to the technical advisor who participated in the mission, the situation of indigenous people "is a human tragedy with violations of various rights," especially the right to traditional land demarcation, without which the human right to adequate food cannot be realized. Without the territory there is no food security for indigenous peoples. In addition to this situation, there is a strong and widespread prejudice against indigenous peoples in the state, including by state and municipal civil servants. Families living in repossessed areas face the worst situation, since access to many federal and state public policies is conditional upon land regularization. This situation is proof of the decades-old double omission of the Brazilian State: the government does not demarcate indigenous lands and does not implement public policies because the lands are not demarcated.

CAUSE: General lack of support

Source: ASCOM-CONSEA, 3/28/2017

3/15/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: ITAPORÃ

DESCRIPTION: Although the municipality of Itaporã receives funds from the federal government for the maintenance of rural roads, the municipality does not implement the necessary works on the internal roads of the indigenous reservation. The state of the roads hinders access to the regular health network, to school for community children and to the transportation of agricultural products. The indigenous people said that six SESAI vehicles are available for transporting patients or medical teams, but because of the poor condition of the roads, only one vehicle is being used.

CAUSE: Poor condition of roads

Source: Itaporã News, 3/9/2016; G1/MS, 3/15/2016

5/2/2016

VICTIM: Communities

PEOPLE: GUARANI, GUARANI-KAIOWÁ, GUARANI-ÑHANDEVA, GUATÓ, KAMBA, OFAYE-XAVANTE and TERENA

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: CAMPO GRANDE

DESCRIPTION: An audit carried out by technicians of the Ministry of Health in the MS DSEI found that only 35 of the 208 vehicles available for providing health care to indigenous peoples throughout the state are in adequate conditions. These data confirm the communities' reports of the disregard for health management. Although Mato Grosso do Sul has the second largest indigenous population in the country, the budget for indigenous health care is the lowest among all other states.

CAUSE: General lack of support

Source: Campo Grande News, 5/2/2016

5/3/2016

VICTIM: Communities

PEOPLE: GUARANI-KAIOWÁ, GUARANI-ÑHANDEVA and TERENA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Bororó and Jaguapiru Villages

DESCRIPTION: For more than 40 days, the taps have been dry in several areas of the indigenous land, and at least one hundred families have been affected by water shortages due to lack of maintenance in the supply network. Equipment that pumps water from the wells is broken and pipes are burst. According to local leaders, there is a lack of materials to maintain the supply system. SESAI's representatives do not know what to do anymore because they are not provided with the necessary parts to repair the network. They also state that more wells are necessary in the villages as the existing ones are insufficient. The indigenous families are forced to use the contaminated water of mines and ponds that form when it rains. One of the consequences of this situation is the spread of diseases among children.

CAUSE: Lack of maintenance

Source: Campo Grande News, 5/3/2016

5/4/2016

VICTIM: The community

PEOPLE: GUARANI NHANDÉVA

INDIGENOUS LAND: YPO'I e TRIUNFO

MUNICIPALITY: PARANHOS

PLACE OF INCIDENT: Ypo'i Village

DESCRIPTION: The Federal Public Prosecutor's Office filed a lawsuit against the federal government to guarantee access to safe drinking water for indigenous families. In addition, an agreement has been approved for SESAI to implement a water storage and distribution system in the village, under penalty of a daily fine in case of non-compliance.

CAUSE: Lack of support for the villages

Source: MPF-MS, 5/4/2016

5/13/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ, GUARANI-ÑHANDEVA and TERENA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Dourados and Jaguapiru Villages

DESCRIPTION: Leaders reported that water shortages can reach up

to 70% of houses in the village, affecting the health services provided by SESAÍ. The community goes most of the day without water and never knows when they will have water again. The existing well is not big enough to meet their needs, and for a long time the community has been asking for a new well. When there is no water, the schools have to dismiss their students.

CAUSE: Lack of support for the villages

Source: Dourados News, 5/13/2016

6/6/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: DOURADOS

DESCRIPTION: The communities report lack of doctors or technical staff to provide necropsy services in Dourados. The bodies are taken to a small room in the back of a hospital. According to the Institutional Public Security Council of Dourados, without this room the natives would have to be attended to on the sidewalk.

CAUSE: General lack of support

Source: O Progresso, 6/7/2016

11/4/2016

VICTIM: Indigenous prisoners

PEOPLE: GUARANI

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: DOURADOS

DESCRIPTION: Inspectors who visited several prisons in Mato Grosso do Sul confirmed that detained adolescents are being tortured and that the facilities are overcrowded and in poor hygiene conditions. In relation to the State Prison of Dourados (PED), the report pointed out problems involving indigenous prisoners, including lack of differentiated guarantees for indigenous defendants such as, for example, interpreters in their languages, anthropological forensics and the participation of FUNAI. According to the inspectors, there is a need for public agents who speak the indigenous languages as well as for a stricter inspection of the cafeteria.

CAUSE: Denial of prisoners' rights

Source: Campo Grande News, 11/4/2016

11/16/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ, GUARANI-ÑHANDEVA and TERENA

INDIGENOUS LAND: DOURADOS

MUNICIPALITY: DOURADOS

PLACE OF INCIDENT: Jaguapiru Village

DESCRIPTION: The recreational and sports project for the indigenous community, which covers an area of nearly three hectares, was interrupted almost a year ago. The municipality of Dourados is responsible for the complex, but all one sees in the place is a janitor. The facility's gates are open all day, and dressing rooms have been destroyed, doors broken, taps stolen, windows broken, and the walls are dirty; the entire place is in a total state of abandonment.

CAUSE: Lack of support, omission, negligence

Source: O Progresso newspaper, 11/16/2016

11/30/2016

VICTIM: The community

PEOPLE: GUARANI-KAIOWÁ

INDIGENOUS LAND: AMAMBÁI

MUNICIPALITY: AMAMBÁI

PLACE OF INCIDENT: Amambai Village

DESCRIPTION: The community had been without drinking water for 20 days. The supply problem in the indigenous reservation, which is the most populous on the border strip, began when the pump in one of the village's three artesian wells broke down. No satisfactory solution has been presented, and the community is using water that is unfit for cooking and drinking. A DSEI representative reported that a technician would check on the problem.

CAUSE: Lack of drinking water

Source: A Gazeta News, 11/30/2016

PARÁ - 3 Cases

2/24/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: XINGU

MUNICIPALITY: ALTAMIRA

DESCRIPTION: Indigenous fishermen and leaders report the death of different fish species around the Belo Monte Hydroelectric Power Plant in Altamira in the southwest region of Pará. Norte Energia, the company responsible for the works, informed that the incidents are associated with the effects of the operation of the spillways. IBAMA confirmed that in the previous four months more than 16 tons of fish had died near the works of Belo Monte, which will certainly have serious impacts on the lives of the traditional populations living in the Volta Grande do Xingu region.

CAUSE: Non-compliance with environmental licensing conditions

Source: G1, 2/24/2016

5/11/2016

VICTIM: Indigenous people

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: ALTAMIRA

PLACE OF INCIDENT: Villages close to Belo Monte

DESCRIPTION: According to the MPF-PA, about 140 indigenous people, including more than 100 children, have been removed from villages in critical conditions, with flu and diarrhea symptoms. The MPF has requested that the Ministry of Health coordinate an emergency task force with health workers and Army personnel to contain an outbreak of influenza that had spread in recent weeks through the villages affected by Belo Monte in the middle Xingu River. The DSEI informed that the situation has escalated very quickly and that the field teams are insufficient to implement prevention measures. The lack of beds is aggravated by the population swelling caused by the works of the Belo Monte plant.

CAUSE: General lack of support

Source: MPF-PA, 5/11/2016

6/11/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: ALTA FLORESTA

DESCRIPTION: A study carried out by the Getúlio Vargas Foundation (FGV) reveals that the National Bank for Economic and Social Development (BNDES) has approved a R\$ 3.2 billion loan to Norte Energia S.A., the company responsible for

constructing the Belo Monte Hydroelectric Power Plant, to meet the socio-environmental requirements of the work. The amount, which is the highest ever granted by the bank for socio-environmental measures, accounts for 11.2% of the total resources invested in the plant. Four years later, society saw a snapshot of the five municipalities that received investments: Altamira, Vitória do Xingu, Senador José Porfírio, Anapu, and Brasil Novo, all in the central region of Pará. Among the main challenges pointed out by the publication is universal access to water and sewage. Basic sanitation – a legacy promised by the plant builders – has not yet become a reality for those affected. For the FGV, what needs to be done is to find specific solutions to serve the low-income population, but this has not happened in the Belo Monte region. None of the works planned for indigenous health in the villages has been completed.

CAUSE: Non-compliance with requirements.

Source: Social-environmental Institute (ISA), 6/11/2016

PARANÁ - 3 Cases

2016

VICTIM: The community

PEOPLE: GUARANI

INDIGENOUS LAND: TEKHOA MARANGATU

MUNICIPALITY: GUAÍRA

DESCRIPTION: The natives protested and blocked the bridge in Guaíra to denounce the terrible condition of the road providing access to the village. According to the Guarani people, the road had been in a terrible condition for four months, hampering access by the community, including patients and pregnant women who need to go to the health clinic and have to walk to the main road. With the beginning of the school year another problem emerged, since for four years the children have been walking to school for lack of school transportation in the indigenous community. Beneficiaries of basic food staples provided by the government also need to walk to and from the distribution site.

CAUSE: Lack of support and infrastructure

Source: CIMI South Regional Office, Florianópolis Team, Guaira Portal

2016

VICTIM: Families

PEOPLE: KAINGANG

INDIGENOUS LAND: APUCARANA

MUNICIPALITY: LONDRINA

PLACE OF INCIDENT: Apucarana Village

DESCRIPTION: As a result of a court order, the construction of a shelter house for the indigenous communities is still on paper. The land was donated by the municipality of Apucarana, but FUNAI, which would have to transfer the amount of R\$ 900,000, alleges lack of funds. Without this building, the natives are deprived of a place to stay when they go to the city to sell handicrafts.

CAUSE: Failure to transfer funds

Source: TNonline, 1/5/2016

1/5/2016

VICTIM: Families

PEOPLE: KAINGANG

INDIGENOUS LAND: CITY

MUNICIPALITY: NOVA LARANJEIRAS

PLACE OF INCIDENT: Rio das cobras

DESCRIPTION: The Social Assistance Secretariat of Cascavel removed five of the nine tarpaulin shacks of indigenous families camped near the bus terminal. Of the 29 people who were taken to Nova Laranjeiras, at least 15 were children. About 30 people refused to leave because they need to sell their handicraft.

CAUSE: Forced removal

Source: CIMI South Regional Office, Florianópolis Team; O Paraná

RIO DE JANEIRO – 2 Cases

6/2016

VICTIM: The community

PEOPLE: VARIOUS

MUNICIPALITY: RIO DE JANEIRO

PLACE OF INCIDENT: Maracanã Village

DESCRIPTION: The natives who were expelled from the former Museum of the Indigenous People continued to perform their weekly rituals in an area around the museum that is part of the Maracanã sports complex, which is also considered sacred by them. However, the access route was blocked during the preparations for the Olympics and they were prevented from carrying on their activities. Ten indigenous people from the village went to the Rio 2016 Committee headquarters to ask for a solution to the case. In an attempt to maintain their traditional rituals, they broke the fences and were attacked by Maracanã security guards. The museum was eventually occupied by protesters and became a stage of conflict between indigenous people and FUNAI officials. Demonstrators were forcibly removed, and the occupants continued to be beaten. They demand repossession of Maracanã Village, the end of the genocide of traditional peoples and the annulment of PEC 215.

CAUSE: Lack of support

Source: Globo Esporte, 6/17/2016

7/2016

VICTIM: Communities

PEOPLE: GUARANI

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: ANGRA DOS REIS

PLACE OF INCIDENT: Communities of Paraty and Angra dos Reis

DESCRIPTION: Due to the poor situation facing the Guarani families in Angra dos Reis, the Federal Court granted a preliminary injunction filed by the Federal Public Prosecutor asking that the federal government be ordered to immediately provide drinking water to the indigenous population and guarantee adequate basic sanitation conditions.

CAUSE: Lack of drinking water and basic sanitation

Source: MPF-RJ; CIMI South Regional Office, Florianópolis Team

RONDÔNIA - 1 Case

6/12/2016

VICTIM: Communities

PEOPLE: CASSUPÁ, CHIQUITANO, GUARASUGWE and KWAZÁ

MUNICIPALITY: COSTA MARQUES

DESCRIPTION: During a visit to the indigenous peoples on highway BR-429, the CIMI team was informed that SESAI would visit various communities in early June 2016 to re-register all indigenous peoples, including families not yet registered, in the presence of FUNAI and MPF representatives. However, this has never happened. The MPF sent a document to the SESAI team asking them to make a list of all the members

of the Cassupá, Guarasugwe and Kwaza peoples during their visit to the area, with the authorization of leaders who recognize the families as indigenous. But SESAI has failed to meet the request.

CAUSE: Government omission and negligence

Source: CIMI Regional Office in Rondônia, Indigenous leaders, 6/12/2016

RORAIMA - 2 Cases

1/2016

VICTIM: Communities

PEOPLE: INGARIKÓ, MAKUXI, TAUREPANG and WAPIXANA

INDIGENOUS LAND: RAPOSA SERRA DO SOL

MUNICIPALITY: NORMANDIA

PLACE OF INCIDENT: Olho D'água Community

DESCRIPTION: Indigenous people reported that they had been without electricity in the communities since the engine of a generator broke down in December 2015 and the Electricity Company of Roraima took it out to be repaired. When asking for information about the repair, the community chief was told that the government was no longer responsible for the repair and that the repair cost was R\$ 7,000. The director of the company suggested that the residents "passed the hat around" to pay for the repair.

CAUSE: Lack of support

Source: Folha de Boa Vista newspaper

5/13/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: BOA VISTA

DESCRIPTION: Because of the serious problems faced by indigenous communities, especially lack of health care and education, dozens of leaders have reported the facts to the MPF and demanded from the federal government, in street demonstrations, urgency in the implementation of public policies. According to the coordinator of the Organization of Indigenous Teachers of Roraima, the purpose of the demonstration was to draw the authorities' attention to the serious situation faced by indigenous peoples, particularly in relation to education and health.

CAUSE: General lack of support

Source: Roraima em Tempo newspaper, 5/13/2016

RIO GRANDE DO SUL - 2 Cases

2016

PEOPLE: GUARANI-M'BYA

INDIGENOUS LAND: IRAPUÁ

MUNICIPALITY: CACHOEIRA DO SUL

DESCRIPTION: The Ministry of Justice published the land declaration ordinance on May 12, 2016. However, the community, with 12 families and more than 60 people, remains on the roadside of the BR-290 highway, with no access to the land. In a situation of vulnerability, children starve and survive on food donation, live under tarpaulin shacks and are deprived of any kind of government support or assistance. Throughout the year they drank water from a stream contaminated with agricultural pesticides and waste and sewage dumped in the waters by farmers in the region. After being contacted and denounced by CIMI and the Federal Public Prosecutor's Office of Cachoeira do Sul, SESAI took measures to install

two tanks where drinking water is stored for the community. Also on the roadside of BR-290, there are two other camps with at least 10 GuaraniM'Bya families from the Irapuá Indigenous Land, living in the same unhealthy conditions and subjected to the dangers of heavy traffic of vehicles. In July, a man was hit and killed in Km 299 of the highway while crossing it to take a bus.

CAUSE: Lack of support

Source: CIMI South Regional Office, Porto Alegre Team

SANTA CATARINA - 3 Cases

1/22/2016

VICTIM: Families

PEOPLE: KAINGANG

MUNICIPALITY: FLORIANÓPOLIS

DESCRIPTION: The State Council of Indigenous Peoples (CEPIN) was visited by eight Kaingang families (with 10 children aged 2 to 7 years and a pregnant woman) from Rio Grande do Sul, who had gone to Florianópolis to sell handicrafts. According to them, they got no protection from the municipality and an indigenous leader stated that they were being threatened by unidentified men.

CAUSE: Lack of infrastructure and omission

Source: CIMI South Regional Office, Porto Alegre Team

4/14/2016

VICTIM: Indigenous people in the city

PEOPLE: KAINGANG

MUNICIPALITY: CHAPECÓ

PLACE OF INCIDENT: Roadside of BR-293 highway

DESCRIPTION: The reality of the natives from Chapecó living on the roadside of BR-293 is marked by the lack of any structure, including drinking water. The children play by the highway and sleep on the same clothes they wear to school. The natives have not found a minimally adequate place to settle.

CAUSE: General lack of support

Source: Diário Popular newspaper, 4/14/2016

5/2016

VICTIM: Communities

PEOPLE: VARIOUS

INDIGENOUS LAND: VARIOUS

MUNICIPALITY: BIGUAÇU

PLACE OF INCIDENT: Various communities

DESCRIPTION: During an audience held at the headquarters of the MPF-SC, the indigenous people reported the relocation and hiring of employees without consultation with the leaders; lack of medicines; lack of meetings on social control; lack of support for students from the Federal University of Santa Catarina (UFSC); and the need for a training course for agents dealing with indigenous issues.

CAUSE: General lack of support

Source: CIMI South Regional Office, Florianópolis Team; Indigenous Leaders

SÃO PAULO - 2 Cases

3/9/2016

VICTIM: Community

PEOPLE: GUARANI

INDIGENOUS LAND: JARAGUÁ

MUNICIPALITY: SÃO PAULO

DESCRIPTION: Due to the difficult living conditions faced by the Guarani do Jaraguá families, the Federal Public Prosecutor's Office filed a public civil action against FUNAI, the federal government, the state of São Paulo and the city of São Paulo asking for the implementation of public policies, especially in the areas of education and health and fight against alcoholism and use of illicit drugs. An investigation initiated by the MPF to look into cases of rape and sexual exploitation of children, adolescents and indigenous women revealed that alcohol and drug use is high in the villages and also a cause of sexual violence. According to an anthropological report prepared by FUNAI, in two cases of sexual abuse of children and adolescents the guardians were alcoholics. In one case, the alcoholic father of an indigenous adolescent would "use his daughter as a bargaining chip."

CAUSE: Lack of support, consumption of alcohol

Source: CIMI South Regional Office, Florianópolis Team; MPF-SP, 3/9/2016

10/25/2016

VICTIM: Communities

PEOPLE: GUARANI

INDIGENOUS LAND: JARAGUÁ

MUNICIPALITY: SÃO PAULO

PLACE OF INCIDENT: Four Jaraguá villages

DESCRIPTION: Indigenous villages are surrounded by dogs that are often "dumped" on the site. According to the chief, there are 800 puppies in the four villages, which corresponds to practically one dog for each person. Children are affected

the worst by this situation, because when they leave school they need to defend themselves with sticks to scare away the large groups of dogs. In addition, most animals have scabies and fleas, which are particularly dangerous for the elderly and children. A leader of one of the villages has said that it is not uncommon for the most dangerous dogs to prevent children from walking between villages.

CAUSE: Abandonment of animals

Source: Folha de S. Paulo newspaper, 10/25/2016

TOCANTINS - 1 Case

11/4/2016

VICTIM: Liviane

PEOPLE: XERENTE

INDIGENOUS LAND: XERENTE

MUNICIPALITY: TOCANTÍNIA

DESCRIPTION: The indigenous woman, who was nine months pregnant and in labor, had to cross the Piabanha River because the bridge connecting the municipalities of Tocantína and Pedro Afonso had been burned down. She fought the current and climbed the hill in the middle of the woods to get to the hospital. The bridge is on highway TO-010, inside the Xerente reservation. Most of the 68 villages in the Xerente community depend on the bridge and are practically isolated.

CAUSE: Lack of support for the villages

Source: G1/TO, 11/7/2016

CHAPTER IV

Violence against Isolated and Semi-Isolated Indigenous Peoples



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A big question mark hangs over the future of isolated indigenous peoples

CIMI support team for isolated indigenous peoples

The beginning of 2016 was marked by an iconic event that shows all the complexity related to isolated indigenous peoples in Brazil. In January, the Matis people, who began their approach in a more systematic way with Brazilian society in the 1970s, took over the headquarters of the National Foundation for Indigenous People (FUNAI) in Atalaia do Norte (AM). Outraged by the way they were being treated by the state agency, they also demanded participation in all decisions involving the isolated Kurubo people, with whom they had a violent conflict late in 2014 that resulted in deaths on both sides.

FUNAI had inexplicably had a disagreement and broken off dialogue with the Matis people, hampering the only way to find a possible solution to the conflict between the two indigenous peoples. The mobilization of the Matis forced the president of FUNAI, João Pedro Gonçalves da Costa, to go to Atalaia do Norte in an attempt to reach an understanding. This confrontation raised questions about the self-sufficient posture of the indigenous agency, specifically the General Coordination of Isolated and Recently-Contacted Indigenous Peoples (CGIIRC), in managing the policy for the protection of these peoples, which, in this case, has proven to be completely inefficient.

In Acre, in the Simpatia Village of the Ashaninka people, the attempt to approach a small group of isolated people in the Xinane River looking for protection and fleeing loggers and drug traffickers operating on the border of Brazil and Peru in 2014 has led FUNAI to establish a permanent relationship with this group in recent years. Lacking an adequate structure and qualified human resources, there is a risk of reproduction of old practices that generate dependence and domination.

In the upper Iaco River, also on the border of Acre and Peru, in a region of isolated indigenous peoples, the Jaminawa and Manchineri, through the “Declaration of the Mamoadate Indigenous Land” of September 26,

2016, expressed great concern about the project to build a logging line between the town of Assis Brasil and the Upper Iaco River and the project, in Peruvian territory, of a road from Puerto Esperanza to Iñapari, which will facilitate the illegal transportation of timber as well as drug trafficking, illegal hunting and fishing, and gold mining in that border region.

“The road will cross protected natural areas and legally protected indigenous territories in one of the best conserved forest regions in the world, impacting the Upper Purús National Park, the Purús Communal Reservation and the Belgian Native Community in Peru, besides the Cabeceira do Rio Acre (Headwater of the Acre River) Indigenous Land, the Mamoadate Indigenous Land, the Acre River Ecological Station, and Chandless State Park in Brazil. The various groups of isolated indigenous peoples, among them the Mashco-Piro, who live from hunting and gathering between the Peruvian and Brazilian territories, will also be seriously and irreversibly affected,” said the indigenous people in the Declaration.

Many isolated indigenous peoples live in demarcated lands, also occupied by other indigenous peoples, but that does not mean that they are free from the threat of invaders. During a flight over the Yanomami Indigenous Land in September 2016, FUNAI confirmed the existence of several clandestine airstrips, camps and rafts for gold extraction, all of which attest to the presence of miners in a region where an isolated indigenous group is located. Despite operations to combat illegal mining with the participation of FUNAI, the Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA) and the Federal Police, miners still remain in the regions.

The situation is similar in Rondônia, where the mining invasion threatens the life of the isolated indigenous peoples in the region of the Cutia Mountain Range in the Uru-Eu-Wau-Wau Indigenous Land.

“Many isolated indigenous peoples live in demarcated lands, also occupied by other indigenous peoples, but that does not mean they are free from the threat of invaders.

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The invasion of demarcated indigenous lands occupied by free indigenous people (another name for indigenous people in voluntary isolation) is also reported in Maranhão, where illegal logging persists, permanently endangering the Awa people. The situation has become even more dramatic for the isolated Awá of the Araribo Indigenous Land because of the various fires, possibly criminal, caused by loggers, which have destroyed huge areas of native forest. The fire destroyed 50% of the forests of this indigenous territory in 2015 and 20% the following year. In August 2016, three isolated groups of the Awá people were seen fleeing during the fight against one of the forest fires that were happening there. These fires drastically reduce the sources of food used by free indigenous peoples.

Likewise, the isolated indigenous group located in Mata do Mamão in the Araguaia Indigenous Park on Bananal Island continues to be threatened by constant invasions by fishermen and hunters, especially during the dry season, and by road construction projects.

The situation of vulnerability and risk is even greater for the approximately 40 isolated peoples who live outside demarcated indigenous lands or land with restricted use ordinance in areas without the presence of FUNAI's ethno-environmental protection fronts. These are threatened by the advance of deforestation – which increased by 30% between August 2015 and July 2016, when nearly 8,000 square kilometers of forests were cut down, according to the Amazon Environmental Research Institute (IPAM) – and logging, especially in the regions of Rondônia, northern Mato Grosso and southern Pará and Amazonas; illegal mining in the regions of rivers Abacaxis (AM), Tapajós (PA), Sucunduri (AM/MT); drug trafficking in the border regions of Acre and Rondônia; hydroelectric projects in the Xingu and Tapajós rivers and tributaries, and in the Madeira River; and road construction in Rondônia, Amazonas and on the border of Acre and Peru.

In her March 2016 report on Brazil, the United Nations Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, pointed out that “Indigenous peoples, civil society and independent experts have also expressed their concern about the survival of many uncontacted and recently-contacted indigenous peoples in light of new and complex threats, including cross-border threats and threats related to infrastructure development, agribusiness expansion, Christian missionaries and reduced State protection.”

Despite the repercussion of the violation of the rights of isolated indigenous peoples in important international spaces such as the Organization of American States (OAS) and the United Nations, their existence continues to be ignored by macroeconomic policies aimed at overexploiting natural common resources, which are decided outside the Amazon to meet foreign market interests.

Both the Indigenist Missionary Council (CIMI) and FUNAI note that the number of references attesting to the existence of isolated peoples is increasing. In 2011, CIMI published a list of 90 references. Currently, 109 references are included in this list. It is clear that these data reinforce the demands for research on these peoples, the scope of their use of their territories, the threat context in which they are living and, above all, the implementation of the necessary preventive protection measures by the State. However, the action of the Temer government goes in the opposite direction, further weakening the already fragile structure of FUNAI, which is

insufficient to ensure the life and future of isolated indigenous peoples, as it is formed only by the CGIIRC with its twelve Ethno-Environmental Protection Fronts.

The cut in federal agencies' budget through Decree No. 8,859 of September 26, 2016 reduced FUNAI's costing and investment resources by 38%. An internal memorandum of the CGIIRC dated October 2016 confirms the impact of this measure on funds earmarked for the protection of isolated indigenous peoples: R\$ 1.2 million were blocked and half of the 12 Ethno-Environmental Protection Fronts were at risk of being deactivated, namely the Awá-Guajá (MA); Envira (AC); Madeirinha-Juruena (MT); Madeira-Purus and Vale do Javari (AM); and Yanomami-Yekuana (AM/RR) Fronts.

The steep increase in deforestation and the advance of agribusiness, logging, mining and oil, infrastructure megaprojects, deconstruction of indigenous rights and, as a consequence, invasions of the territories of isolated peoples point to the extermination of these peoples and raise great uncertainties about the future of the Amazon.

Addressing the present reality in an articulated way, inspired by the wisdom and rich experiences of life, struggle and resistance of the peoples and communities that have historically inhabited the Amazon, is the great challenge facing the indigenous, popular and civil society movement in different countries of the region. ♦

“The situation of vulnerability and risk is even greater for the approximately 40 isolated peoples who live outside demarcated indigenous lands or land with restricted use ordinances in areas without the presence of FUNAI's ethno-environmental protection fronts. These are threatened by the advance of deforestation and logging, illegal mining, drug trafficking in the border regions, hydroelectric projects and road construction,”

List of Isolated Indigenous Peoples in Brazil

	Reference/ people	Municipality	State	Land situation	Source	Risk situation
1	Isolated of the Envira river	Feijó and Jordão	AC	Kampa Indigenous Land and isolated peoples. Registered	Ethno-Environmental Front of Upper Envira – FUNAI. Confirmed by flyovers	Pressure from Peruvian logging companies.
2	Isolated of the Upper Tarauacá	Jordão and Feijó	AC	Upper Tarauacá Indigenous Land. Registered	FUNAI reports and information from the Kaxinawá people.	Pressure from Peruvian logging companies.
3	Isolated of Xinane	Santa Rosa and Feijó	AC	Xinane Indigenous Land. Delimited	CIMI, FUNAI	Pressure from Peruvian logging companies.
4	Isolated in the Mamoadate Indigenous Land	Assis Brasil and Sena Madureira	AC	Inside and outside Mamoadate Indigenous Land - (Manchineri and Jaminawa peoples). Registered	CIMI, FUNAI and Jaminawa and Manchineri peoples	Some are in Peru without protection. Area of influence of the Interoceanic Highway and logging concessions.
5	Isolated of the Chandless River	Manoel Urbano and Santa Rosa	AC	No action taken	Kulina people, riverine communities and CIMI.	Area of influence of the Interoceanic Highway. State Park within the area traditionally occupied by the indigenous group.
6	Isolated of the Tapada Stream	Mâncio Lima	AC	No action taken	Nawa and Nukini peoples, CIMI and FUNAI.	Region subject to exploitation by Peruvian logging and mining companies and a drug trafficking route. Serra do Divisor National Park.
7	Isolated of the Inauini River	Boca do Acre and Pauini	AM	Inside and outside the Inauini/Teuini Indigenous Land. Registered	Indigenous peoples, FUNAI and CIMI.	Invasion for extractivism purposes.
8	Hi-Merimã	Tapauá	AM	In the Hi-Merimã Indigenous Land. Registered.	FUNAI and CIMI	Invasion for extractivism purposes.
9	Isolated of the Jacareúba/ Katauxi Stream	Lábrea and Canutama	AM	Restricted use. FUNAI Ordinance No. 215 of March 3, 2010.	FUNAI and CIMI	Advance of the agribusiness economic front through deforestation and soybean monoculture, INCRA settlement and ecotourism.
10	Isolated of the Itaparaná/ Ipixuna River	Tapauá and Canutama	AM	No action taken	CIMI, riverine communities and FUNAI	Area of influence of highway BR 319. Vulnerable to violence in contact with extractivists.
11	Isolated of the Upper Marmelos River	Humaitá, Manicoré and Machadinho do Oeste	AM RO	No action taken	Tenharim people and CIMI	Economic agribusiness front through soybean monoculture and Tabajara SHP/PAC2.
12	Isolated of Kurekete	Lábrea	AM	No action taken	CIMI and Kaxarari people	Invasion by farms and area of influence of highway BR 317.
13	Isolated of the Ituxi River	Lábrea		No action taken	CIMI and Kaxarari people	Invasion by farms, SHP project.
14	Isolated of the Waraçu Stream	Santa Isabel and São Gabriel da Cachoeira	AM	In the Upper Negro River Indigenous Land. Registered	FUNAI and ISA	
15	Isolated of the Uauapés River	Santa Isabel and São Gabriel da Cachoeira	AM	In the Upper Negro River Indigenous Land. Registered	FUNAI and ISA	
16	Isolated of the Curicuriari River	Santa Isabel and São Gabriel da Cachoeira	AM	In the Upper Negro River Indigenous Land. Registered	FUNAI and ISA	
17	Isolated of the Natal Stream	Santa Izabel do Rio Negro	AM	No action taken	FUNAI	
18	Bafuanã Stream	Santa Izabel do Rio Negro	AM	No action taken	FUNAI	
19	Isolated of the lower Cauaburi River	Santa Izabel do Rio Negro	AM	In the Yanomami Indigenous Land. Registered	FUNAI	
20	Isolated of the Cauaburi River	Tapauá	AM	No action taken	CIMI	
21	Isolated of the Bararati River	Apui, Sucurundi in AM and Cotriguaçu/MT	AM MT	No action taken	FUNAI and CIMI	Logging, mining, farms and colonization projects.

List of Isolated Indigenous Peoples in Brazil

	Reference/ people	Municipality	State	Land situation	Source	Risk situation
22	Isolated of the Pardo River	Apui and Colniza	AM MT	In the Kawahiva of Pardo River Indigenous Land. Identified. Court appeals.	CIMI, FUNAI, Arara and Cinta Larga indigenous peoples and bushmen.	Condominium of farms, land grabbing inside the indigenous land, invasion by logging companies, mining nearby, Highway MT 206.
23	Isolated of the Copaca/ Uarini River	Uarini	AM	No action taken	Tuxaua of Miratu Village/CIMI	Hunters and fishermen, urucu gas pipeline - Tefé-Carauari.
24	Isolated of the Maturá River	Manicoré	AM	Inside and outside Pinatuba Indigenous Land. Registered	Tracua Village people/CIMI	Conflict with the Mura people.
25	Isolated of the Upper Xerua River Maturá	Itamarati	AM	In Deni and Kanamari Indigenous Lands of the Juruá river. Registered	Kanamari and Deni peoples/ CIMI	Conflict with the Kanamari and Deni peoples.
26	Isolated of the Naua Stream	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
27	Isolated of the Branco/ Itaquai River	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	Vale do Javari people, CIVAJA, CIMI, FUNAI.	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
28	Isolated of the Urucubaca Stream	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
29	Isolated of the Alerta Stream	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
30	Isolated of the Inferno Stream	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
31	Isolated of the Lambança Stream	Benjamim Constant, Atalaia do Norte, São Paulo de Olivença	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
32	Isolated of the Pedra River	Benjamim Constant, Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
33	Isolated of the Itui River	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	Risk of contamination with diseases such as tuberculosis, hepatitis, malaria and influenza. Invasion by fishermen and hunters in the summer.
34	Isolated of the Quixito River	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	
35	Isolated of the São Salvador Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	
36	Isolated of the Cravo Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	
37	Isolated of the Amburus Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	
38	Isolated of the Flecheiras Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land. Registered	FUNAI	
39	Isolated of the Bóia River	Jutaí and São Paulo de Olivença	AM	No action taken	FUNAI	Mining, logging.
40	Isolated of the Urupadi River	Maués and Itaituba	AM PA	No action taken	FUNAI	Mining Inside the Amazon National Park. There is information possibly on the same group in the vicinity of KM 115 of BR-230 (Trans-Amazonian highway).

List of Isolated Indigenous Peoples in Brazil

	Reference/ people	Municipality	State	Land situation	Source	Risk situation
41	Isolated in the Waiãpi Indigenous Land	Rio Muruturá	AP	In the Waiãpi Indigenous Land. Registered	Waiãmpi people and FUNAI	
42	Isolated of the Água Branca Stream in the Caru Indigenous Land	Bom Jardim and São João do Caru	MA	In the Caru Indigenous Land. Registered	CIMI and FUNAI	Invasion by logging companies, illegal construction of roads and deforestation.
43	Isolated Awá Guajá group	Bom Jardim, Zé Doca, Centro Novo and São João do Caru	MA	In the Awá – Guajá Indigenous Land. Ratified	CIMI and FUNAI	Invasion by logging companies, illegal construction of roads and deforestation.
44	Isolated in the Gurupi REBIO (biological reserve)	Centro do Guilherme, Centro Novo, Bom Jardim and São João do Caru	MA	No action taken	ISA, Ka'apor people	Invasion by logging companies, sawmill, illegal construction of roads, deforestation, construction of roads, deforestation and mining.
45	Isolated of the Buriticupu River, Maraja Lagoon, Sumaúma Lagoon, Buritizal Lagoon, Meju Lagoon, Patos Lagoon in the Araribóia Indigenous Land	Amarante do Maranhão, Arame, Santa Luzia, Bom Jesus das Selvas and Buriticupu	MA	In the Araribóia Indigenous Land. Registered	CIMI and FUNAI	Invasion by logging companies and hunters, illegal roads, deforestation and fires.
46	Isolated of the Serra da Desordem Mountain Chain in the Krikati Indigenous Land	Montes Altos, Sítio Novo, Lajeado Novo	MA	In the Krikati Indigenous Land. Ratified	CIMI and Krikati people	Fires and invasion by logging companies.
47	Isolated of the Jararaca Stream in the Upper Turiaçu Indigenous Land	Centro do Guilherme, Centro Novo and Zé Doca	MA	In the Upper Turiaçu Indigenous Land. Registered	CIMI and Ka'apor people	Invasion by logging companies, sawmill, illegal roads, deforestation.
48	Isolated of the Bandeira Stream, Mão da Onça Stream and Serra da Desordem Mountain Chain in the Caru Indigenous Land	Bom Jardim and São João do Caru	MA	In the Caru Indigenous Land. Registered	CIMI and FUNAI	Invasion by logging companies, sawmill, illegal roads, deforestation.
49	Isolated of the Moreru/ Pacutinga River	Cotriguaçu	MT	Inside and outside Escondido Indigenous Land. Registered	CIMI	Migration Area, settlements.
50	Isolated of the Apiaká River	Apiacás and Alta Floresta.	MT	FUNAI WG	CIMI, FUNAI Apiaká people	Logging, large farms, construction projects for 7 hydroelectric dams.
51	Isolated of Kawahib or Piripikura peoples of the Madeirinha River	Colniza and Rondolândia	MT	FUNAI WG.	CIMI, FUNAI and OPAN	Land invaded by farms. Endangered.
52	Isolated of Pontal	Apiacás	MT	No action taken	FUNAI	Logging, large farms.
53	Isolated “Baixinhos” people in Aripuanã IL.	Aripuanã	MT	In the Aripuanã Indigenous Land. Registered	CIMI, FUNAI and Cinta Larga and Arara peoples	Massacred in the Moacir River and driven out by the Conselvan settlement project, they took refuge in the Aripuanã Indigenous Land. Without demarcated land, at the mercy of agribusiness agents. Endangered.
54	Isolated in the north of Zoró Indigenous Land	Rondolândia and Colniza	MT	In the Zoró Indigenous Land. Registered	CIMI and Zoró people	Logging and farms. Inside and outside the indigenous land.
55	Isolated of the Tenente Marques River	Juina	MT	In the Aripuanã Indigenous Park. Registered	CIMI and FUNAI	Logging.
56	Isolated of the Cabixi River	Comodoro	MT	No action taken	CIMI and indígenas Mamaindê	Logging, large farms.
57	Isolated of the Iquê River	Juina	MT	In the Enawene Nawe Indigenous Land. Ratified	FUNAI	
58	Isolated in the Kaiapó Indigenous Land	São Félix do Xingu and Ourilândia do Norte	PA	In the Kaiapó Indigenous Land. Registered	ISA and FUNAI	
59	Isolated near the Koatinemo Indigenous Land	Altamira	PA	No action taken	CIMI	Project of the Xingu River Hydroelectric Complex.

List of Isolated Indigenous Peoples in Brazil

	Reference/ people	Municipality	State	Land situation	Source	Risk situation
60	Isolated in the Menkranoti Indigenous Land of the Iriri Novo River.	Altamira, S. Félix do Xingu, Peixoto de Azevedo and Matupá	PA	In the Menkranoti Indigenous Land. Registered	ISA and FUNAI	Project of the Xingu River Hydroelectric Complex.
61	Isolated at Tumucumaque Indigenous Park	Óbidos	PA	In the Tumucumaque Indigenous Park	ISA and Funai	
62	Isolated in the Xicrim do Cateté Indigenous Land	Marabá	PA	In the Xicrim do Cateté Indigenous Land. Registered	CIMI and ISA	
63	Isolated of the Serra do Cachimbo Mountain Chain		PA	No action taken	FUNAI	
64	Isolated of the headwater of the Mapuera River	Oriximiná	PA	No action taken	CIMI, FUNAI	
65	Isolated of the Middle Cachorrinho River	Oriximiná	PA	No action taken	CIMI, FUNAI	
66	Isolated in the Bacajá Indigenous Land	Altamira	PA	In the Bacajá Indigenous Land. Registered	Indigenous people, CIMI	Project of the Xingu River Hydroelectric Complex.
67	Isolated of the Small Anfriso River	Altamira	PA	No action taken	CIMI and FUNAI	Logging, land grabbing.
68	Isolated of the Cuminapanema River	Óbidos	PA	No action taken	CIMI and FUNAI	
69	Isolated of the Mapari River	Oriximiná, Óbidos, Almeirin and Alenquer	PA	Borders of Tumucumaque Indigenous Park	FUNAI	
70	Isolated of the Upper Ipitanga River	Almeirin, Monte Alegre and Alenquer	PA	Borders of the Paru d'Este River Indigenous Land.	CIMI and FUNAI	
71	Isolated of the Tanauru River – “índios do buraco”	Chupinguaia	RO	Restriction Ordinance No. 1,283 (Official Gazette - 10.30.2009)	CIMI and FUNAI	Land invaded by farms. Endangered.
72	Isolated of the swamps of the Guaporé River	Pimenteiras	RO	No action taken	CIMI and settlers	Overlapping with Curumbiara State Park. Threatened by the advance of deforestation and farms.
73	Isolated “Sirionó” people – Simão River	Alta Floresta do Oeste	RO	In the Massaco Indigenous Land. Registered	CIMI and FUNAI	Overlapping with Rebio Guaporé.
74	Isolated of Serra da Onça Mountain Range (Jururei)	Alvorada do Oeste and Urupá.	RO	No administrative action taken. Court order for demarcation.	CIMI and FUNAI	Invasion by settlers and farmers. Pushed into Uru-eu-wau-wau Indigenous Land. Highway BR 429.
75	Isolated of the Yraparaquara River	Seringueiras, São Miguel do Guaporé, Costa Marques, Guajará Mirim	RO	In the Uru-eu-wau-wau Indigenous Land. Registered	CIMI and FUNAI	Logging near the Indigenous Land.
76	Isolated of the Serra da Cotia Mountain Range	Guajará Mirim	RO	No action taken	CIMI, rubber tappers, Tupari people	Mining nearby. Environmental Protection Units.
77	Isolated of the Novo River and Waterfall of the Pacas Novas River	Guajará Mirim	RO	No action taken	CIMI, rubber tappers, Oro Wari people	Pacas Novas RESEX.
78	Isolated of Guajará Mirim State Park	Guajará Mirim and Nova Mamoré	RO	No action taken	CIMI and indígena Oro Wari	Trafficking route, logging, BR 421 Highway.
79	Isolated of the Mutum River	Nova Mamoré and Porto Velho	RO	No action taken	CIMI, CUNPIR	Grabbing of public land in the region.
80	Isolated people in Bom Futuro National Park	Porto Velho and Buritis	RO	No action taken	CIMI, FUNAI and Karitiana people	Grabbing of public land in the region. Logging and mining.
81	Isolated of the Formoso and Jaci ̄ Paraná Rivers	Nova Mamoré, Buriti and Campo Novo	RO	No action taken	CIMI and Pacas Novas people and CUNPIR	Invasion by farmers.
82	Isolated of the Karipuninha Stream	Porto Velho and Lábrea	RO AM	No action taken	CIMI and FUNAI	HPP of the Madeira River of Jirau and agribusiness.
83	Isolated of the Jacundá River	Cujubim, Itapuã, Candeias do Jamari and Porto Velho	RO	No action taken	CIMI and FUNAI	Logging nearby
84	Isolated people in the Jaru Biological Reserve	Ji-Paraná	RO	No action taken	CIMI and Gavião and Arara peoples	Farmers and logging companies and overlapping the Jaru Biological Reserve.

List of Isolated Indigenous Peoples in Brazil

	Reference/ people	Municipality	State	Land situation	Source	Risk situation
85	Isolated of the Upper Alalaú River (Pirititi)	Rorainópolis	AM RR	Blocked – FUNAI restricted use ordinance – Dec 2012	FUNAI	
86	Isolated of Caburaí Mountain	Uiramutã	RR	In the Raposa Serra do Sol IL. Registered	Ingaricó people	
87	Isolated of the Serra da Estrutura Mountain Range	Mucajaí	RR	In the Yanomami Indigenous Land. Registered	FUNAI	
88	Isolated of the Upper Jatapu River	Caroebe	RR	No action taken	FUNAI	
89	Isolated in the Inãwébohona Indigenous Land	Pium and Lagoa da Confusão	TO	In the Inãwébohona Indigenous Land. Ratified	Karajá and Javaé peoples/CIMI	May be affected by development projects in the region, mainly the construction project of Highway TO 242 that crosses the Araguaia Indigenous Park. Overlapping of the Araguaia National Park.
90	Isolated of Minaçu (Avá Canoeiro)	Minaçu	GO	No action taken	FUNAI	
91	Isolated of Pau Pixuna	Tapauá	AM	No action taken	CIMI	Hunters and fishermen
92	Isolated of the Pirahã Indigenous Land	Humaitá	AM	In the Pirahã Indigenous Land	CIMI/Pirahã people	
93	Isolated of the headwater of the Jutáí River (Itacoai interfluve)	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land	FUNAI	
94	Isolated of the headwater of the Jandiatuba River	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land	FUNAI	
95	Isolated of the Upper Jandiatuba River	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land	FUNAI	
96	Isolated of the Kumaia Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land	FUNAI	
97	Isolated of the Paraguai Stream	Atalaia do Norte	AM	In the Vale do Javari Indigenous Land	FUNAI/CIMI	
98	Isolated in Yanomami Indigenous Land	Amajari	RR	In the Yanomami Indigenous Land	FUNAI	
99	Isolated of the Branquinho River	Mucajaí	RR	In the Yanomami Indigenous Land	FUNAI	
100	Isolated of the Surucucu River	Mucajaí	RR	In the Yanomami Indigenous Land	FUNAI	
101	Isolated of the Auaris River	Mucajaí	RR	In the Yanomami Indigenous Land	FUNAI	
102	Isolated of the Barawa'u River	Mucajaí	RR	In the Yanomami Indigenous Land	FUNAI	
103	Isolated of Surucucu/Kataroá	Mucajaí	RR	In the Yanomami Indigenous Land	FUNAI	
104	Isolated of the Urubu Branco River Indigenous Land	Confresa	MT	In the Urubu Branco (Tapirapé) Indigenous Land	CIMI/Tapirapé people	
105	Isolated of the Arinos River	Brianorte/ Diamantino	MT	No action taken	CIMI/FUNAI and indigenous people	
106	Isolated of Cana Brava Indigenous Land	Grajaú/Barra do Corda	MA	In the Cana Brava (Awá) Indigenous Land	FUNAI	
107	Isolated of the Serra do Cipó Mountain Range		MA		FUNAI	
108	Isolated of the Upper Abacaxis River	Apuí	AM	No action taken	CIMI and Maraguá people	Mining and drug trafficking.
109	Isolated of the Branco and Manicoré rivers	Manicoré	AM	No action taken	CIMI	
110	Isolated of the Sawre Muybu Indigenous Land	Itaituba/Trairão	PA	Inside the Sawre Muybu (Munduruku) Indigenous Land	CIMI and Munduruku people	Logging and mining. Central Mountain Range region.
111	Isolated of the Piranhaquara River	Altamira	PA	Inside the Araweté do Igarapé Ipixuna Indigenous Land	FUNAI	
112	Isolated of the Bananeira River	Seringueiras	RO	Inside the Uru Eu Wau Indigenous Land	FUNAI	

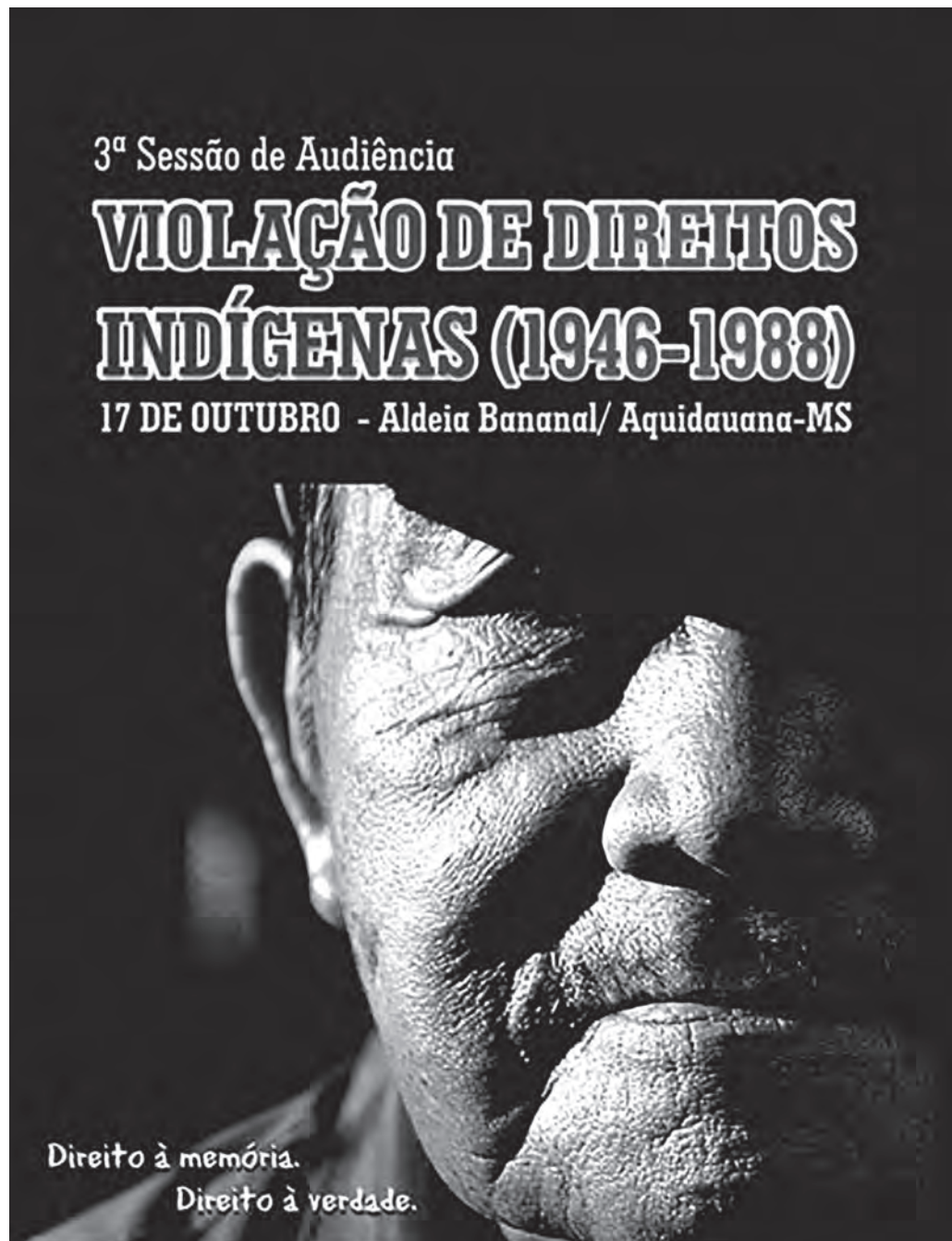
CHAPTER V

Memory and Justice



141 From the National Truth Commission
to the 2016 Coup: The Denial of
Transitional Justice

“ The inclusion of indigenous peoples in Transitional Justice has generated friction with the government policy based on the ‘dialogue tables,’ which emerged as a way to resolve the judicialization of agrarian conflicts, and aimed at delaying demarcations and seeking a ‘good agreement’ ”



From the National Truth Commission to the 2016 Coup: The Denial of Transitional Justice

Marcelo Zelic*

A window against oblivion was opened to indigenous peoples when, in May 2012, members of the National Truth Commission (CNV)¹ met in the Brazilian President's office, in São Paulo, with human rights entities to discuss the inclusion of State violence against indigenous peoples in the CNV studies.

Shortly before, in the Chamber of Deputies, the Waimiri-Atroari genocide had been the subject of debate in the Commission on Human Rights and Minorities (CDHM), where the expert in indigenous affairs Egydio Schwade also reinforced the need for this inclusion.

In November 2012, the CNV set up a working group to investigate this type of violation. By publishing its final report² in December 2014, the Commission opened the door of Transitional Justice to indigenous peoples, pointing out – by seeking the truth about the serious violations to which they were subjected between 1946 and 1988 – the need for redress for those affected, in addition to assigning to the demarcation of their lands a central role for justice and redress to be effective.

The final report provided society with a broader view of State violence in the recent past, including various other segments affected and exposing some of the pain experienced by these peoples in their relationship with the non-indigenous society. The research of this specific CNV group also explained the tragic consequences of these peoples being considered obstacles to national development and deprived of knowledge and rights; a decades-long biased view still persists today, criminalizing other forms of social life.

The inclusion of indigenous peoples in Transitional Justice has generated friction with the government policy based on the “dialogue tables,” which emerged as a way to resolve the judicialization of agrarian conflicts, and aimed at delaying demarcations and seeking a “good agreement.” In other words, prompted by the full interruption in the demarcation of indigenous lands in the country requested

by the Chief of Staff, this “agreement” was meant to force a disadvantageous solution to the Brazilian natives at the dialogue tables coordinated by the Minister of Justice, José Eduardo Cardozo, and to strengthen negotiations for the sake of “governability” with the rural caucus sectors in the National Congress.

One of the dialogue tables held in May 2015 brought together representatives of the Guarani and Kaingang peoples, and its outcome showed the true faces of the parties involved. The Guarani of the Mato Preto Indigenous Land (IL) were the first victims of wrongful possession and lost 85% of their territory in this “good agreement” led by the Ministry of Justice. The land had already been submitted in its entirety for ratification by the President's Office and recognized as an indigenous territory by the National Foundation for Indigenous People (FUNAI). The agreement was signed against the backdrop of the impact of the arrest of several Kaingang leaders who, weeks before, had been arrested while awaiting Cardozo's arrival for the “dialogue table” about their land. The community was deprived of some of its leaders for months, until the courts granted them habeas-corpus relief.

The Terena people, in turn, in a “dialogue table” in Mato Grosso do Sul attended by the Minister of Justice and several representatives of the rural caucus, introduced elements of Transitional Justice in the discussion and presented documents that are part of the Figueiredo Report. The document, which had been missing for 44 years, was found during CNV's work and contains information collected and systematized in the 1960s on the wrongful possession of indigenous peoples' territories and incomes in various parts of Brazil. From that moment on, the figure of the *bona fide* invader began to be recognized, and a door was also opened for those who do not fit this category, so that they had to justify the theft of indigenous lands. After this episode, the “dialogue tables” did not prosper in Mato Grosso do Sul.

The indigenous people policy of the Rousseff administration catered to the government interests in attracting support from the rural caucus in the National Congress

1 CNV: <http://www.cnv.gov.br/>

2 CNV – Indigenous Chapter: <http://www.docvirt.com/docreader.net/ComissaoVerdade/6959>

* Marcelo Zelic is Director of Institutional Relations of the *Tortura Nunca Mais* (Torture Never Again)-SP Group; member of the Justice and Peace Commission of the Archdiocese of São Paulo; as coordinator of *Armazém Memória* Project, he was one of the persons to propose the establishment of the Indigenous Working Group (GT) in the National Truth Commission (CNV) and one of its collaborators.

and from agribusiness entrepreneurs in the states. Despite the fact that the government maintained the interruption of demarcation and made massive investments in agribusiness, the rural caucus articulated and voted, with very few exceptions, for the impeachment of President Rousseff, and the sector ultimately benefited greatly from the coup d'état that put Michel Temer in office on August 31, 2016.

The report published that same month by the National Human Rights Council on the situation of indigenous and quilombola peoples in the southern region of the country draw a picture of the disastrous consequences of the indigenous people policy implemented between 2011 and 2015.

"The reports presented by these peoples show an adverse picture of land conflicts, police violence and imprisonment of leaders, assaults and public racist statements by authorities and public agents, government agencies' disregard and negligence for health care, the right to family and community life, differentiated and bilingual school education, housing, food security and land regularization, among other violations."³

The exchange of fundamental rights of segments of society for political support from forces opposed to a democratic, inclusive, multiethnic and popular project has resulted in a setback for human rights, disrespect for the constitutional rights of indigenous peoples, imbalance of the forces in conflict, more certainty of impunity for those who use violence against these peoples, intensification of conflicts, government isolation, and stagnation of their actions until the end of the coup.

Indigenous peoples seek redress for both the past and the present.

The genocide of 85% of the Waimiri-Atroari population also calls for redress and is documented in the reports prepared by the CNV⁴ and by the state commissions of São Paulo⁵ and Amazonas⁶. As a result of the massacre of these people, 90% of their indigenous lands have been expropriated, constituting a crime against humanity, according to Convention No. 107 adopted in Geneva on July 26, 1956, which Brazil has signed and internalized in its legal system through Decree No. 58.824 of July 14, 1966⁷.

In 2015, instead of implementing Transitional Justice and, as a concrete gesture, changing its conduct in the

enforcement of Convention 169 of the International Labor Organization (ILO)⁸, as recommended by the CNV, the government authorized the construction of a power line that will cross from end to end the 10% of what is left of the Waimiri-Atroari territory. Thus, it has disregarded the need for redress recommended by the CNV and by the ILO report accusing Brazil of violating Convention 169 for its failure to listen to the indigenous peoples affected by the construction of the Belo Monte Dam.

By doing so, the Brazilian State indicated to society that there will be no redress, that there is a ban on Transitional Justice in Brazil, and that the repetition of a new cycle of violence against indigenous peoples is the inevitable cost of "progress" and "development." With the political coup on the country's government, Transitional Justice and democracy have moved further away from the political-social practices of the Brazilian State.

Shortly before the impeachment of President Dilma Rousseff, in search of support to bar the approval of its impeachment, the government signed some land ratifications and demarcations, but it was already too late. The country had five years of an indigenous policy that yielded to agribusiness, where at least 294 indigenous people were murdered throughout Brazil between 2011 and 2015. Some of these people were killed by the Brazilian State itself; others selectively by agribusiness, for participating in the struggle to retake their ancestral lands, for organizing their communities and/or for seeking other models of education and empowerment for their peoples; others yet for the sad situation of confinement in which they live, with very little land, and a population well above the national average, which is one of the root reasons of internal violence in the villages.

In 2016, FUNAI was the target of several attempts to delegitimize its constitutional role of demarcating the lands of original peoples, endured a drastic reduction of its already low budget and faced the most diverse types of pressure. As a result, various indigenous areas under dispute have been degraded and occupied by agribusiness, turning forests into monocultures, areas for cattle raising, mineral extraction, timber extraction and major development projects such as hydroelectric plants, power lines and roads, which have already been established or are planned for these areas.

The genocide that is taking place in the 21st century against the Guarani-Kaiowá people, who have been confined since the military dictatorship to small areas of land, could have been avoided with the recognition of indigenous lands in Mato Grosso do Sul, as pointed out by indigenous

“ In 2016, FUNAI was the target of several attempts to delegitimize its constitutional role of demarcating the lands of original peoples. Various indigenous areas under dispute were degraded and occupied by agribusiness ”

3 See: <http://www.sdh.gov.br/sobre/participacao-social/cndh/relatorios/relatorio-do-gt-sobre-direitos-dos-povos-indigenas-da-regiao-sul-1>

4 See chapter in: <http://www.docvirt.com/docreader.net/ComissaoVerdade/6990>

5 CEV-São Paulo Report: <http://www.docvirt.com/docreader.net/ComissaoVerdade/7164>

6 X CEV-Amazonas Report: <http://www.docvirt.com/docreader.net/ComissaoVerdade/1032>

7 To see the full decree, visit: http://www.planalto.gov.br/ccivil_03/decreto/1950-1969/D58824.htm

8 ILO Convention 169: http://portal.iphan.gov.br/uploads/ckfinder/arquivos/Convencao_169_OIT.pdf

Marcelo Zelic



"The truth about the serious violations of human rights against indigenous peoples in Brazil is a nuisance for the powers of the Republic"

organizations in the state. Thus, the value of their rights and their importance as original peoples would be shown to the Judiciary and to all local and Brazilian society. This solution, however, is unfeasible in an indigenous policy that is both vulnerable and submissive to demands stemming from "governability" deals made with the Parliamentary Agriculture and Livestock Front in the National Congress.

According to the map of the CACI platform⁹, murders of indigenous people between 2011 and 2015 were reported all over Brazil, with Mato Grosso do Sul ranking first as the most violent state, maintaining the same position as in the 2003-2010 map. When it came to power, the Rousseff government was aware of the conflict situation in that state, as formal reports have been constantly made through national and international human rights organizations. Mato Grosso do Sul was also one of the two regions with the highest number of suicides among indigenous peoples in Brazil in 2016, totaling 30 – the same number of suicides reported among the Tikuna people in the Upper Solimões River. Against this background of genocide, demarcating the ancestral lands of the original peoples is an obvious, necessary and urgent solution, but what has prevailed for decades is the paralysis as a State policy.

In December 2014, the National Truth Commission pointed out in its final report the non-demarcation of indigenous lands as the main factor of violence against native peoples between 1946 and 1988. At the time, the CNV submitted 13 Recommendations to the Brazilian State¹⁰, which were received by the government but never

people from various states in Brazil between the 1970s and the mid-1980s. There were also forced displacements of indigenous peoples when the prison moved to a different area, causing the loss of a significant part of their territory.

Thus, it is clear that the Brazilian State owes the Krenak reparation for its crimes against humanity, and has a historical debt to the other hundreds of indigenous peoples who have managed to survive in Brazil.

The failure to comply with the Recommendations of the National Truth Commission does not apply only to those

13 recommendations regarding indigenous peoples. In May 2015, this issue was no longer making headlines. Moreover, it was not on the work agenda of the segments of the State that should consider the suggestions made by the CNV to implement Transitional Justice. With the coup, which put and keeps Temer in the presidency of the country, the matter has been buried once and for all.

When the CNV states in its final report that "the appropriation of indigenous lands and their resources was favored, the corruption of public officials was not controlled and the extreme violence by private groups against the natives was not punished, with the exception of a few scattered cases, it means that justice has not been served," it is not portraying just a specific moment in time, but fundamentally exposing the conduct of the State and demanding changes. The Commission recommends, among other things, the creation of non-repetition mechanisms. In addition to the demarcation of indigenous lands, these mechanisms are necessary for Transitional Justice to be implemented and for Brazilian society to start to relate with indigenous peoples in a respectful way, recognizing their original rights to their traditional territory.

"The genocide that is taking place in the 21st century against the Guarani-Kaiowá people, who have been confined since the military dictatorship to small areas of land, could have been avoided with the recognition of indigenous lands in Mato Grosso do Sul, as pointed out by indigenous organizations in the state,"

⁹ Visit: <http://caci.rosaluxspba.org>

¹⁰ To read the recommendations, visit: <http://www.docvirt.com/docreader.net/ComissaoVerdade/7009>

The document “Memory No. 058/DPEE/90,” filed in the National Archives and dated August 16, 1990, addresses the main problems in the Indigenous Areas at the beginning of the Collor administration pointed out by the Secretariat for Strategic Affairs of the Armed Forces General Staff (EMFA). It emphasizes in its considerations that “from the analysis of the indigenous problem, it is concluded that the land issue is at the root of the main controversies.”

The truth about the serious violations of indigenous peoples’ human rights is a nuisance for the powers of the Republic, which since 1990 have been aware of the centrality and urgency of demarcating indigenous lands as the only mechanism capable of curbing violence against these peoples in Brazil. It should be pointed out that in 2014 the National Truth Commission ratified the EMFA study reaffirming, 24 years later, the same need to combat violence and impunity.

As soon as it came to power, the illegitimate government of Michel Temer deepened the irregularities of the indigenous policy of the Rousseff government, intensifying the process of rights violation.

Immediately, Temer announced the revision of the ratifications and demarcations signed by his predecessor, and several processes to this end began to be examined in the National Congress. He handed over the Presidency of FUNAI and its regional offices to anti-indigenous sectors, mostly by suggestion of agribusiness and evangelical groups. It stifled the institution’s budget, drastically downsized it, maintained the suspension of demarcations and took no action in relation to physical violence against indigenous people, which increased significantly in 2016 and 2017. In the field of Transitional Justice, he changed all members of the Amnesty Commission, virtually nullifying the path towards including these peoples in reparation processes. Conflicts against Brazilian indigenous peoples have intensified throughout the country after the parliamentary coup.

In the Legislative, the agribusiness forces submitted several bills with the aim of stalling the demarcation rite regulated in 1996 and – equally serious – of suspending the process of land demarcation and ratification by the Brazilian State. This offensive created an environment of legal insecurity for the constitutional rights of indigenous peoples, stimulating land invasions, as was the case of the Marahiwatsédé Indigenous Land of the Xavante people. Recordings made by the Federal Police prove that federal representative Nilson Leitão (PSDB-MT) from the rural caucus encouraged families of farmers to invade this traditional land.

Parliamentarians linked to the rural sector also work to intimidate indigenous leaders throughout the country and historical indigenous institutions by, for example, estab-

lishing Parliamentary Inquiry Committees (CPI). In one of them, established in the National Congress, they attacked and intimidated the Indigenist Missionary Council (CIMI), the Socio-Environmental Institute (ISA), the Indigenous Labor Center (CTI) and other organizations, including FUNAI and the National Institute of Colonization and Agrarian Reform (INCRA), with the aim of persecuting the civil servants who work in tune with the mission of these institutions.

By failing to declare the unconstitutionality of the “time limit” – a legal strategy devised by those with connections to agribusiness that violates the original right of these peoples to their lands – the Federal Supreme Court (STF) encourages the violence that we experience today.

In the field of Transitional Justice, this attitude of the justices translates into pardon for those who in the past took indigenous lands by force, expelled the natives and settled in them. The final report prepared by the National Truth Commission has clear elements on the violations and

violence endured by these peoples in the defense of their territories and the difficulty of remaining in them, having as an aggravating circumstance the fact that they live under a guardianship system, in which the State, despite being the guardian of these peoples, was an ally of those who damaged their heritage.

Delaying the declaration of unconstitutionality of the “time limit” hinders the internalization of Transitional Justice in the country and encourages trial court and appeal court judges to create an unconstitutional jurisprudence against the original right consolidated in the legal system since the beginning of the twentieth century.

The challenges of Transitional Justice to counter this cycle of repetition of secular violence against indigenous peoples and the violation of their constitutional rights includes developing redress mechanisms to determine the truth, the demarcation of their lands and reparation for the peoples affected, the control and promotion of accountability and the change in the conduct of both the State and society, as well as the promotion of education on the rights of these peoples.

The various forces that are currently struggling for the return of the constitutional order are responsible for considering the indigenous cause and guiding it along with the other demands of Brazilian society, so that we can raise this ban on Transitional Justice and reestablish a democratic and multiethnic course of coexistence in our daily routine, ensuring decent existence conditions to all segments that make up the Brazilian people.

Agribusiness is not pop, agribusiness is not everything. There is much more life – and life in abundance – in diversity. ♦

“As soon as it came to power, the illegitimate government of Michel Temer handed over the Presidency of FUNAI and its regional offices to anti-indigenous sectors, mostly by suggestion of agribusiness and evangelical groups,”

ANNEX

146 Summary of violence against
indigenous peoples in Brazil
– Data for 2016

SUMMARY OF VIOLENCE AGAINST INDIGENES

Chapter I – Violence against heritage

UF	Omission and delays in land regularization	Conflicts relating to territorial rights	Possessory invasion, illegal exploitation of natural resources and other forms of damage to heritage	Total Cases
AC	19	-	4	23
AL	10	-	2	12
AM	251	1	3	255
BA	28	-	1	29
CE	31	-	-	31
DF	1	-	-	1
ES	3	-	1	4
GO	1	-	-	1
MA	13	-	12	25
MG	17	-	1	18
MS	102	7	4	113
MT	52	1	9	62
PA	65	-	7	72
PB	3	-	-	3

UF	Omission and delays in land regularization	Conflicts relating to territorial rights	Possessory invasion, illegal exploitation of natural resources and other forms of damage to heritage	Total Cases
PE	16	1	-	17
PI	2	-	-	2
PR	39	-	-	39
RJ	7	-	-	7
RN	5	-	-	5
RO	29	-	12	41
RR	4	-	2	6
RS	67	1	1	69
SC	21	1	-	22
SE	3	-	-	3
SP	38	-	-	38
TO	9	-	-	9
Total	836	12	59	907

Chapter II – Violence against the person

UF	Murder	Attempted Murder	Involuntary manslaughter	Death threat	Various Threats	Aggravated battery	Abuse of power	Racism and Ethnic- Cultural Discrimination	Sexual Violence	Total Cases
AC	1	-	-	2	3	1	-	-	1	8
AL	1	-	-	-	1	-	-	-	-	2
AM	6	1	-	2	-	-	2	1	-	12
BA	3	1	-	-	-	-	-	1	-	5
DF	-	-	-	-	-	-	-	1	-	1
MA	11	1	1	4	2	-	1	2	-	22
MG	1	-	-	-	-	1	-	1	-	3
MS	15	16	4	-	1	4	-	1	4	45
MT	-	-	3	2	-	-	1	5	-	11
PA	1	-	-	-	-	-	2	-	-	3
PB	-	-	-	-	-	-	-	1	-	1
PE	-	1	-	-	-	-	-	-	-	1
PR	3	-	2	-	-	3	-	-	2	10
RO	1	-	-	-	-	-	1	-	-	2
RR	6	1	-	-	-	1	-	-	4	12
RS	1	-	1	-	-	1	1	3	1	8
SC	6	2	-	-	-	-	-	1	-	9
SP	-	-	-	-	-	-	-	-	1	1
Total	56	23	11	10	7	11	8	17	13	156

INDIGENOUS PEOPLES IN BRAZIL - DATA FOR 2016

Chapter III – Violence due to government omission

UF	Lack of health care	Death due to lack of health care	Spread of alcohol and other drugs	Lack of support for indigenous school education	General lack of support	Total Cases
AC	5	-	2	1	2	10
AL	-	1	-	-	2	3
AM	4	-	-	2	1	7
AP	2	-	-	-	-	2
BA	-	-	-	1	1	2
ES	-	-	-	1	-	1
MA	6	1	-	10	3	20
MG	2	-	-	-	-	2
MS	7	-	-	6	10	23
MT	4	-	-	4	4	12
PA	4	-	-	2	3	9
PE	-	-	-	1	-	1
PI	1	-	-	-	-	1
PR	1	-	-	-	3	4
RJ	-	-	-	1	2	3
RO	2	-	-	4	1	7
RR	-	-	-	1	2	3
RS	-	-	-	1	2	3
SC	2	1	-	2	3	8
SP	-	-	1	-	2	3
TO	2	-	-	1	1	4
Total	42	3	3	38	42	128

Suicide

DSEI	Deaths from self-inflicted wound
Mato Grosso do Sul ¹	30
Upper Solimões River ²	30
East Roraima	10
Yanomami	8
Upper Negro River	6
Middle Purus River	6
Middle Solimões River and Tributaries	6
Pernambuco	2
Vale do Javari	2
Ceará	2
Cuiabá	1
Maranhão	1
Tapajós River	1
Xavante	1
Total	106

¹ Source: Mortality Information System (SIM), General Coordination of Epidemiological Information and Analysis (CGIAE) linked to the Health Surveillance Secretariat (SVS)/Mato Grosso do Sul

² Source: Upper Solimões River DSEI

Child mortality

Name of DSEI	Deaths among children under 5 years of age	Name of DSEI	Deaths among children under 5 years of age
Cuiabá	9	Minas Gerais and Espírito Santo	17
Guamá-Tocantins	11	Parintins	4
Interior South	27	Pernambuco	15
Kaiapó Mato Grosso	9	Potiguara	15
Kaiapó do Pará	15	Porto Velho	5
East of Roraima	37	Rio Tapajós	24
South Shore	9	Tocantins	6
Manaus	11	Vale do Javari	4
Maranhão	54	Vilhena	12
Mato Grosso do Sul	30	Xavante	87
Middle Purus River	15	Xingu	4
Middle Solimões River and Tributaries	53	Yanomami	103
		Total	735

AGU – Advocacia Geral da União (Federal Attorney General's Office)

APOINME – 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 Povo Indígenas da Região Sul (Articulation of the Indigenous Peoples of the Southern Region)

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

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

CASAI – Casa de Apoio à Saúde Indígena (Indigenous Health Support Shelters)

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

CF – Constituição Federal (Federal Constitution)

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

CIMI – Conselho Indigenista Missionário (Indigenist Missionary Council)

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

CISI – Comissão Intersetorial de Saúde Indígena (Intersectoral Indigenous Health Commission)

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

CNV – Comissão Nacional da Verdade (National Truth Commission)

COIAB – Coordenação das Organizações Indígenas da Amazônia Brasileira (Coordination of Indigenous Organizations of the Brazilian Amazon)

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

CPI – Comissão Parlamentar de Inquérito (Parliamentary Inquiry Commission)

CPT – Comissão Pastoral da Terra (Pastoral Land Commission)

CTI – Centro de Trabalho Indigenista (Indigenous Work Center)

CTL – Coordenação Técnica Local (Local Technical Coordination)

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

DOU – Diário Oficial da União (Federal Official 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)

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 (Federation of Indigenous Organizations and Communities of the Middle Purus River)

FOIRN – Federação das Organizações Indígenas do Alto Rio Negro (Federation of Indigenous Organizations of the Upper Negro River)

FUNAI – Fundação Nacional do Índio (National Foundation for Indigenous People)

FUNASA – Fundação Nacional de Saúde (National Health Foundation)

GERED – Gerência Regional de Educação (Regional Education Management Office)

GREQUI – Grupo de Estudos sobre a Questão Indígena (Indigenous Issue Study Group)

GT – Grupo Técnico da Funai (FUNAI Working Group)

HPP – Hydroelectric Power Plant

HAY – Hutukara Associação Yanomami (Hutukara 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 Institute of Geography and Statistics)

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

ICU – Intensive Care Unit

ILO – International Labour Organization

IML – Instituto Médico Legal (Forensic Medicine Institute)

INCRA – Instituto Nacional de Colonização e Reforma Agrária (National Institute of Colonization and Agrarian Reform)

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

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

ISA – Instituto Socioambiental (Social-Environmental Institute)

LOA – Lei Orçamentária Anual (Annual Budget Law)

MJ – Ministério da Justiça (Ministry of Justice)

MPF – Ministério Público Federal (Federal Public Prosecutor's Office)

MS – Ministério da Saúde (Ministry of Health)

MUPOIBA – Movimento Unido dos Povos e Organizações Indígenas da Bahia (United Movement of Indigenous Peoples and Organizations of Bahia)

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

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 (Bill)

PM – Polícia Militar (Military Police)

PNAE – Programa Nacional de Alimentação Escolar (National School Feeding Program)

PPA – Plano Plurianual (Multiannual Plan)

RDS – Reserva de Desenvolvimento Sustentável (Sustainable Development Reserve)

RESEX – Reserva Extrativista (Extractive Reserve)

RIMA – Relatório de Impacto Ambiental (Environmental Impact Report)

SESAI – Secretaria Especial de Saúde Indígena (Special Indigenous Health Secretariat)

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

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

SPI – Serviço de Proteção aos Índios (Indigenous People Protection Service)

SPU – Secretaria do Patrimônio da União (Federal Heritage Secretariat)

STF – Supremo Tribunal Federal (Federal Supreme Court)

SUS – Sistema Único de Saúde (Unified Health System)

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

TI – Terra Indígena (Indigenous Land)

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)

UN – United Nations

UNESCO – United Nations Educational, Scientific and Cultural Organization

UNICEF – United Nations Children's Fund

WG – Working Group

