

National Meeting of the Indigenous Peoples in Defense of Land and Life

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01/05/2011 – 18:08 – **Final Document of the National Meeting**

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01/05/2011 – 18:04 - **Outcry and demands in defense of land and life**

Original posting - <http://www.cimi.org.br/?system=news&action=read&id=5504&eid=257>

By Cleymenne Cerqueira

The National Meeting of Indigenous Peoples in Defense of Earth and Life, with numerous indigenous delegations having arrived from all regions of the country, came to an end today, May 1. These delegations will join the participants of the 8th Free Land Camp event, starting May 2. The event will be held at the Esplanade of Ministries, in Brasilia, until Thursday, June 5.

For three days, intense discussions were held having as backdrop a survey of the violations of rights of which indigenous people are victims, such as the enterprises of federal, state and municipal governments that impact their lands; the criminalization and imprisonment of numerous leaders engaged in the struggle for recognition of their traditional territories and the morosity of government to identify and demarcate indigenous lands in the country.

See the Final Document below.

On the first day of the meeting, Professor Ariovaldo Umbelino, of the University of São Paulo (USP), and sub-prosecutors of the Republic, Drs Deborah Duprat and Rachel Dodge, coordinators of the 6th Chamber and the 2nd Criminal Chamber of the Federal Public Ministry (MPF – office of the federal prosecutor) respectively, contributed with discussions focusing on issues of land and criminalization. On the second day, the groups performed a survey, which notes that some 434 enterprises in the Program for Acceleration of Growth (PAC) impacting 182 indigenous lands, impacting 108 indigenous peoples.

These and other preliminary data contained in the final document adopted late Sunday morning and which bears the signature of the 69 peoples who attended the meeting, reporting in minute detail the reality they live in their communities under the current model of development imposed by the Brazilian government, and the various rights violations to which they are submitted.

Among the claims presented in the text, is a request to the MPF to intervene with public authorities, especially the Ministry of Justice (MJ) and the National Indian Foundation (FUNAI), "so that these seek to solve the problems, those related fundamentally to non-compliance with constitutional provisions that ensure the demarcation and the exclusive usufruct of our lands".

As to the criminalization and imprisonment of leaders, according to the document, the Integrated Information Service of the Penitentiaries (InfoPen) of the Ministry of Justice reports that there are now 748 indigenous prisoners across the country, many of them imprisoned on account of participation in the struggle of their people for the respect of their rights and recognition of their traditional territory. They further warn that many of these cases are heard by judges who should be prevented from taking such actions, since they are often stakeholders interested parties in the actions.

The leaders finalize the document by calling all indigenous peoples of Brazil to unite against state projects that are intended, according to them, solely and exclusively to gain money and power with the destruction of mother earth.

01/05/2011 – 18:08 Final Document of National Meeting of the Indigenous Peoples in Defense of Life and Land

Original Posting <http://www.cimi.org.br/?system=news&action=read&id=5505&eid=257>

We, leaders and representatives of 69 indigenous peoples of Brazil, met in Luziânia, Goiás (GO), on April 29 to May 1, to analyze the reality of our peoples under the current model of development imposed by the Brazilian government; facing the ongoing disputes that involve our lands; facing the persecution and

criminalization of leaders and peoples who are in struggle for the guarantee our rights.

On the first day of the meeting, we presented for the sub-prosecutors of the Republic, Dr. Deborah Duprat and Dr. Rachel Dodge, coordinators of the 6th and 2nd Chambers of the Federal Public Ministry (MPF), the most serious of our problems. At the same time, we requested that the MPF intervene together with public authorities - especially the Ministry of Justice and its indigenous body, the National Indian Foundation (FUNAI) – so that that these seek to solve the problems, those related fundamentally to non-compliance with constitutional provisions that assure us the demarcation and exclusive usufruct of our lands.

Together with the sub-prosecutors of the Republic, we evaluate with concern that the disregard for our constitutional rights generates other grave matters such as invasion of the lands, depredation of the environment, the implementation of projects and economic enterprises in the indigenous areas that negatively impact our traditional organizations, the judicialization of land demarcations, the persecution and criminalization of hundreds of our leaders across the country.

During the second day of our meeting, we conducted a survey on the enterprises that threaten - directly and indirectly - our communities and peoples; on the tenure situation of our lands; on the persecutions, arrests and assaults committed against our leaders. The preliminary data we collected provided a count of 434 enterprises impacting our territories. The developmental programs of the federal government - linked or not to the Program for Acceleration of Growth (PAC) - will generate impacts on 182 indigenous lands, affecting 108 peoples [ethnicities].

The InfoPen / MJ registers 748 indigenous prisoners across the country, and in this meeting, we identified that many of these prisoners, as well as cases in which they are defendants, are indigenous, the result of our struggle. We believe that leaders are persecuted and suffer violence, including being committed by agents of the Federal Police. In many regions there are judges occupying indigenous lands, or who defend the interests of ranchers [fazendeiros] and even land grabbers settled in areas demarcated or revindicated as being of traditional indigenous occupation. Such judges cannot judge the actions pertaining to our land and should be prevented, in that they parties of interest in the actions.

A cause of concern for us is the performance of the Judiciary. In the vast majority of the regions, the Judiciary has adopted procedures and decisions contrary to our constitutional rights, especially in cases of writs of repossession actions against the land demarcations, expelling us from our territories, and prison sentences and condemnation of our leaders who claim the guarantee, possession and enjoyment of usufruct of our lands. As for the trial of actions that are favorable to indigenous interests, the Judiciary has procrastinated making decisions for decades - as for example in the case of the Pataxo-Hã-Hã-Hãe awaiting the judgment of the Supreme Court.

We are very concerned about the lack of initiative of the federal government to structure an indigenist policy that addresses and attends to the different realities and demands of Indigenous Peoples. The matters that we have highlighted in this document are constantly denounced to government agencies in order for them to take measures capable of resolving them. However, the Ministry of Justice – by means of its indigenist organ - does not provide answers. There is no action, it is slow, bureaucratic and seeks only to accommodate the conflicts, without seeking to resolve them.

This has been happening most seriously in relation to the demarcation of lands in Mato Grosso do Sul. Despite Funai having been committed in a Term of Adjustment of Conduct it has not demarcated the lands of the Guarani Kaiowá people, who are suffering a process of genocide. Throughout the Region of the Northeast, the lands are affected by large sugar cane plantations, by the construction of hotel chains (*resorts*) and by large scale projects like the transposition of the waters of the São Francisco River and the construction of the Transnordestino railway. In the South and Southeast of Brazil, our peoples live in camps on the edges of roads or in small areas that do not guarantee even minimum conditions for life.

In the states of the North and Central-West, the Funai has been omitted in the completion of demarcation procedures and protection of our lands, especially in the states of Rondônia, Mato Grosso and Maranhão. Furthermore, it permits large business enterprises to be structured that will devastate indigenous lands, including areas of those peoples living without contact with Brazilian society. We do not lack examples of this, such as the Rio Madeira hydroelectric complex, the Belo Monte hydroelectric plant, the hydroelectric complexes designed for the

Tapajós, Juruena, Teles Pires and others under construction or planned, such as Estreito, Serra Quebrada, Santa Izabel, Marabá, on the Tocantins, Araguaia and Tapajós rivers.

To aggravate this situation, FUNAI has given approval for the opening of new highways and railways that will tear through indigenous lands; has given its assent to the construction of small central hydropower plants on rivers that cross the indigenous areas, as is occurring in the Rio Branco indigenous land; it does not oppose the planting of GM monocultures of soy, sugar cane, eucalyptus, pine or livestock on lands that are undergoing demarcation. And here we remember that there was no positioning by the FUNAI in opposition to the construction of nuclear plants in the northeastern Region of Brazil, and these may affect our lands and the entire indigenous population.

In this meeting, we also discussed the indigenous movement, our organizations, and associations [articulações] and councils. We realize that difficulties exist and that these will be overcome if we succeed in strengthening the organizations in the local, regional and national spheres. We also need to monitor and participate together with our leaders, in the meetings of the National Commission on Indigenist Policy (CNPI). We seek for this to be effectively transformed into a council with status and capacity to discuss, propose and create an indigenous policy that meets attends to our necessities, rights and cultural differences.

The indigenous movement needs to be directed to our realities and out of these to intervene together with public authorities, charging and demanding that our rights be guaranteed.

Today the organ that should care for our rights has provided greater service to the interests of those who attack us or intend to exploit our lands. We are tired of this.

We want a FUNAI that ceases from attending to the economic and political interests of the large scale landholder [latifúndio], and desists from being the licensing agency of projects that tear our lands apart. We want a FUNAI with sufficient resources to remove the invaders from our territories and, at the same time, to be able to complete the demarcation procedures of our lands. Demarcations have become paralyzed. We want a FUNAI with the capacity to

defend our collective and individual rights, especially of our leaders who are being criminalized.

In closing this document, we call upon all indigenous peoples of Brazil to unite against the projects of the federal government and of the state and municipal governments that seek only and exclusively to gain money and power with the destruction of our Mother Earth. Mother who nourishes us, protects and guarantees our life and our future, who are our children and grandchildren.

We are, as one of our relatives so well recalled, the peoples of tomorrow, because just think not only about today. We want the Earth and Nature to remain alive forever!

Luziânia, Goiás, Brazil, May 1, 2011.

INDIGENOUS PEOPLES PRESENT:

Anacé
Apinajé
Apolima-Arara
Apurinã
Arara – Mato Grosso
Arara - Pará
Arara - Rondônia
Atikum
Bakairi – MT
Bororo
Cinta Larga
Cujubim
Djoromitxi
Gavião
Geripankó
Guarani
Guarani Mbya
Hunikuĩ
Jaminawa
Juruna
Kaingang
Kaiowá

**Kambeba
Kambiwá
Kanoé
Karajá
Karuazu
Kassupá
Katokinn
Kayabi
Kayapo
Koiwpanká
Krahô
Krahô-Kanela
Makuxi
Mamaindê
Mayuruna
Mura
Myky
Nambikwara
Nawa
Orowari
Pakaiuká
Pankará
Pankararu
Pataxó
Pataxó Hã-Hã-Hãe
Pipipã
Potiguara - PB
Puruborá
Rikbaktsa
Sakyrabiat
Suruí
Tabajara
Terena
Terena
Tinguí-Botó
Truká
Tumbalala
Tupari**

**Tupari
Tupinambá
Wajuru
Wapixana
Xakriabá
Xerente
Xukuru
Xukuru-Kariri
Zoró**

30/04/2011 - 23:41 - The interests behind the advance of capital

<http://www.cimi.org.br/?system=news&action=read&id=5502&eid=257>

Professor from University of São Paulo (USP) is emphatic: "The movement of the masses and constant pressure are key because that's what scares the elites in our country."

By Vanessa Ramos

Ariovaldo Umbelino is Professor of Geography at the University of São Paulo (USP) and an important supporter of Indigenous causes.

The **National Meeting of Indigenous Peoples in Defense of Earth and Life** opened on Friday, at the Vicente Cañas Training Centre in Luziânia, Goiás (GO), and provided a nuts and bolts session on the interests that are behind the constant violations of land rights of indigenous peoples.

If the period in which the military were in power between 1964 and 1985, the fear was that the indigenous people would form an independent nation. Today, the natural wealth in indigenous territories are causing capital, manipulated by private and government interests, to bypass laws and rights of indigenous peoples.

Read the main sections of the speech delivered by Umbelino:

Territory

The concept of territory has a geopolitical global history and has always referred to a space occupied by an autonomous country. This is part of global history, in that this has always been the concept of territory in different parts of the world. When indigenous peoples began to demand the demarcation of their land, an opposition movement was created within the military which, of course, saw in this act of creating a territory the possibility that in the future these people could be emancipated and become an autonomous country. This logic, arising from the military geopolitics during the dictatorship, became stronger and gained as adherent a portion of civil society. For this reason, in no government to date, has there been permitted the juridical concept of space occupied by indigenous peoples to be characterized as Indigenous territory.

Land

There was also the creation of the so-called 'reserves' which were, as if the State said: "We reserve for you this area, but we can take it from you any time we want." Indeed, in the Federal Constitution when the concept of Indigenous Land was born, it is posited as being of usufruct of the indigenous peoples, or rather, it is not land of the indigenous peoples, but land of the Union. It is land therefore, under the guardianship of the Federal Government and not by the indigenous peoples. And this has to do with the same logic of military geopolitics.

Rights as to land

The land legislation in Brazil contemplates a set of social subjects that are those in the hierarchical order of attainment of rights, the primacy of access and, in this context, we can cite the indigenous peoples and peoples of African descent. In a generalized manner, only the Union may legislate on land in the country, or rather, power is concentrated in this sphere. We can classify the lands as public or private domain, the latter being dependent on agrarian legislative history of the country initiated in the Lei de Terras (1850). The Union grants the right of use, but, it is important to remember that the indigenous peoples possess a right that is originary, precisely because it was they who were originally of the country.

Construction of hydroelectrics and exploitation of mineral resources

The Brazilian Amazon is a great reservoir of mineral resources of utmost importance for industry, such as the iron ore of the Serra dos Carajás or the manganese that existed in the Serra do Navio, in Amapá, all of which was exported to the United States and is today stocked as their strategic reserve. Brazil, which had a great manganese reserve, no longer possesses it. This is a clear demonstration that these resources are exhaustible. The great majority of these minerals are within indigenous lands and to undertake economic exploitation of these resources it is necessary to generate electricity. For example, an aluminum industry can only exist if there is electricity in quantity and recourse to 90% of the energy. National society is told that the construction of hydroelectric dams is to supply future demands of the economic growth of the country, but behind it there is a strategic plan for the exploitation of mineral resources.

Weak point of capitalism

Land in Brazil is not privately appropriated for producing. Of the 850 million hectares in the country, less than 10% are productive. Of that total, 120 million hectares are unproductive. By law, these should be expropriated for Agrarian Reform, but the government does not do this because in agrarian reform it does not have a public policy of economic development and improvement of living conditions of Brazilian workers. However, there is a weak point in this because capitalism does not possess its lands legally. It keeps them through violence.

Recourse in the struggle of indigenous peoples

There are three possibilities. The first and most important is the national articulation of the indigenous peoples.

The second is an articulation for sectors of society that see in the struggle of the indigenous people a struggle for rights and, as part of this, to add to this in the sense of support, mass mobilization and demonstrations. And the third is recovery and reinforcement of the international network. The movement of the masses and constant pressure are fundamental elements because that is what startles the elites in our country.

30/04/2011 – 23:48 – **It is necessary to strengthen the work of the base**

<http://www.cimi.org.br/?system=news&action=read&id=5503&eid=245>

Conclusion presented by indigenous leaders participating in the event in Luziânia, Goiás

The situation of violence suffered by the Tupinambá people of southern Bahia, mapping the situation of people as to the criminalization of their leaders, new enterprises in indigenous lands and processes of identification and demarcation of traditional territories. Themes that guided the work on this second day of the National Meeting of Indigenous Peoples in Defense of Earth and Life, held at the Vicente Cañas Training Centre in Luziânia (GO), between April 29 and May 1.

The approximately 200 participants, 180 of whom represent 69 indigenous peoples of the country, divided into three blocks of the large regions - north, northeast and east, south and southeast – held discussions throughout the day to define the primary problems experienced by their communities, including those related to land possession and the process of criminalization of the struggle and of the leadership of the indigenous movement.

According to coordinators of the event the objective of the meeting is to provide reports about the real situation of their communities, the base of the indigenous movement, to take to their organizations. "It is necessary that we, together, construct a new path for the indigenous movement. Decisions are being taken without information about the reality of the base and our organizations and the government needs to know what we suffer from in our communities," they said.

The meeting is also an opportunity to discuss and provide reflections that contribute to the strengthening the base that, in accord with participants, they are part and continue to struggle. "We want to strengthen the leaders of the base who are targets in their villages. The work here is real, when discussing what is really happening in our lands. Other people will not speak about what is

happening there, at home, "he said.

Challenges

Among the main challenges faced by indigenous people of the Northern region: lack of identification and demarcation of their traditional territories; monocultures of sugarcane, soy and eucalyptus, as well as the use of agrottoxins on these plantations, invasions of loggers, hunters, fishermen and miners ; insecurity in indigenous health care, prejudice and disrespect for the indigenous peoples; biopiracy and drug trafficking in the region, construction of hydroelectric dams and small central hydroelectric dams on indigenous lands.

Already in the south/southeast and northeast regions, where the situation is repeated, the leaders pointed out the lack of and/or delay in the processes of identification and demarcation of indigenous lands; invasion by non- indigenous [parties] in already demarcated territories; political pressure to create fragility in the struggle of communities, in addition to threats and violence suffered; criminalization and incarceration of leaders; construction of large scale projects such as dams, highways, industrial and forestry parks, transmission lines; transgenic monoculture and eucalyptus plantations.

At the end of the day, members of the coordinating body finalized the work, calling attention to the agenda of discussions that will be dealt with during the 8th Acampamento Terra Livre [Free Land Camp]. The event is to be held between May 2 and 5, on the Esplanade of the Ministries, in Brasilia, and will reunite some 800 indigenous leaders.

"We will have our list of demands to be presented at the Terra Livre. It is necessary to have a conscious people, a people who know what they are doing and what is happening in their region, thus being able to present documents and call for government actions. We need awareness to have a free land, "they concluded.